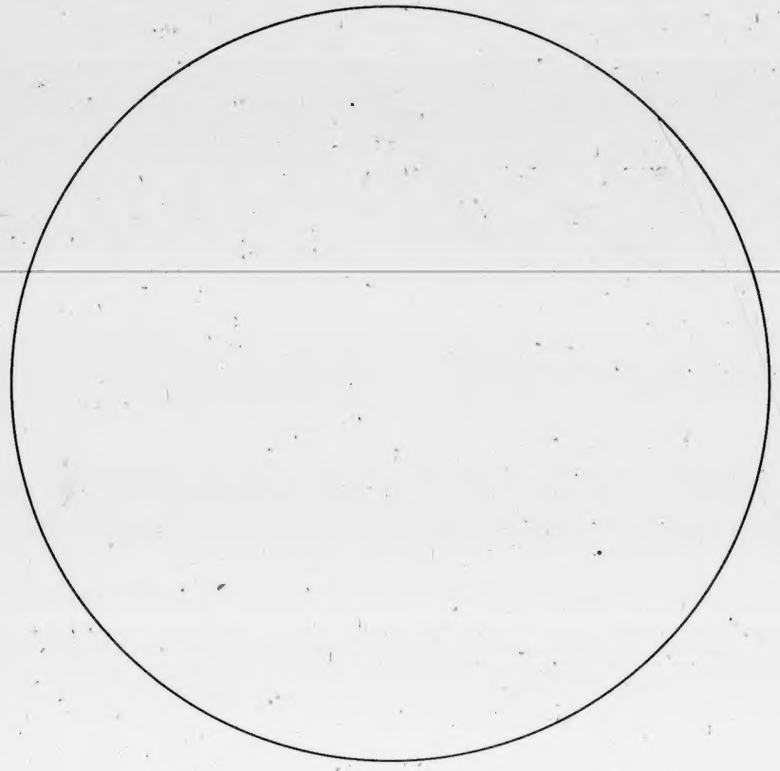
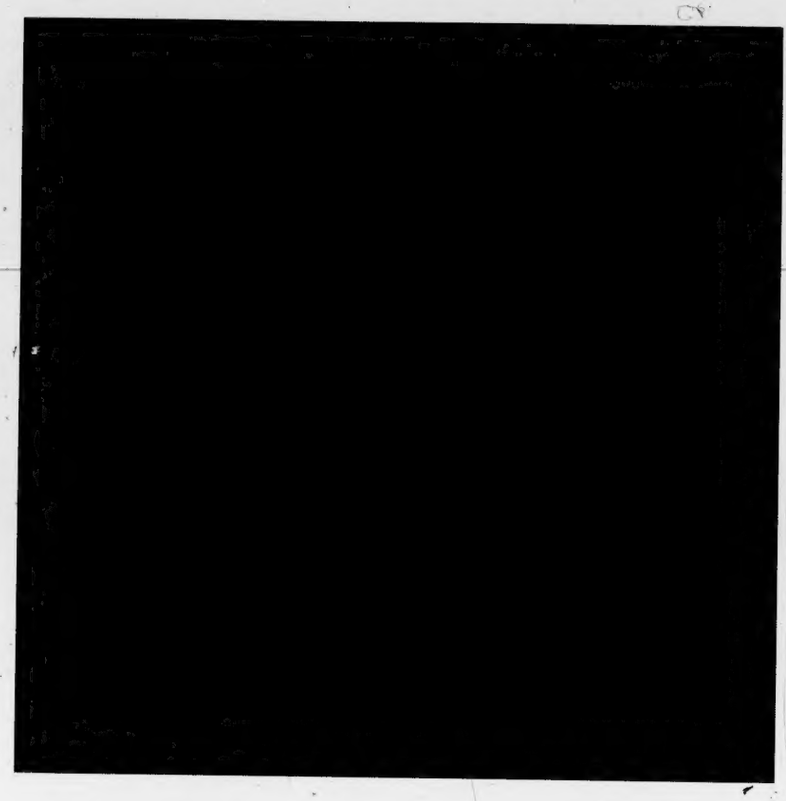


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APPLICATIONS FOR ENROLLMENT OF THE

COMMISSION TO THE FIVE CIVILIZED TRIBES

1898 - 1914

ROLL 254

CHEROKEE BY BLOOD 10662 - 10729

THE NATIONAL ARCHIVES
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WASHINGTON: 1983

Cher 10662

Frank S. Bullette

Trans. from Del. 831
(Old Series)

Cher 10662

A Pd 331

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
DEC 5 1901

ACTING CHAIRMAN.

Department of the Interior,
Commission to the Five Civilized Tribes.
Claremore, I.T., November 13th, 1900.

In the matter of the application of Frank S. Bullette for the enrollment of himself and child as Cherokee citizens by Delaware blood, and for the enrollment of his wife as a Cherokee citizen by intermarriage.

The said Frank S. Bullette, being sworn and examined by Commissioner C. R. Breckinridge, testified as follows:

Q Give me your full name please? A Frank S. Bullette.
Q How old are you? A I am thirty-three.
Q What is your post office? A Dawson.
Q In what district do you live? A Cooweescoowee.
Q Who is it you want to have enrolled? A Why myself and baby.
Q No wife? A Yes, sir; and my wife.
Q Are you a Cherokee by blood? A Delaware.
Q Your wife is a white woman, is she? A Yes, sir.
Q How long have you lived in the Cherokee Nation?
A I have lived in the Cherokee Nation ever since 1868.
Q You have lived here for some thirty-two years? A Yes, sir.
Q Give me the name of your father? A Simon Bullette.
Q Is he dead? A Yes, sir.
Q Give me the name of your mother? A Saphrona.
Q Is she dead? A Yes, sir.
Q Give me the name of your wife? A Anna.
Q How old is she? A She is twenty-two.
Q What was her name when you married her? A King.
Q Was that her maiden name? A Yes, sir.
Q She was never married except to you? A No, sir.
Q When did you marry her? A August 4th, 1898.

THE COMMISSIONER: The applicant presents an illuminated certificate showing that he was united in marriage to his wife on the 4th of August, 1898, by the Rev. John N. Laird.

Q Where were you and your wife married? A At Tulsa, I.T.

THE COMMISSIONER: This certificate is returned to the applicant.

Q Has your wife lived with you ever since you and she were married? A Yes, sir.
Q Were you ever married except to this wife? A No, sir.
Q Give me the name of your child? A Sanona.
Q How old is that child? A One year old.
Q How long has your father been dead? A I can't tell you. Mary G. Rogers was my guardian in 1880.
Q Who were you living with in 1880? A Mary G. Rogers, my guardian, in 1880.
Q Was your guardian an old woman? A Yes, sir; she was an old woman.
Q Have you any brothers and sisters older than yourself?
A I had a sister but she died.

1896 roll, page 362, No. 135, Frank Bullet, Cooweescoowee District.

Q What was the name of your sister on the roll of 1880?
A Lillie Bullette, but they couldn't find her name on the roll of 1880 when they looked for it.
Q Did you have anybody kin to you named Manda Bullette?
A That must be the other Bullette.
Q Did you have anybody kin to you named Sarah Bullette? A Yes, sir. She was my father's half sister.

THE COMMISSIONER: The printed list in the possession of the Cherokee representative present of Delawares who came to the Cherokee Nation in 1868, contains the name of the applicant's father, Simon Bullette.
Q Are you a full blood Delaware? A No, sir.
Q What proportion of Delaware blood have you? A I am about a half.
Q You have a sister named Lillie, haven't you? A Yes, sir.
Q What is the name of her husband? A John A. Pitzenbargar.
Q He has a daughter hasn't he? A Yes, sir.
Q What is her name? A Lillie Pitzenbargar.
Q Lillie H.? A I don't know the middle name, but her first name is Lillie.
Q Your sister's husband's name is John A. Pitzenbargar? A Yes, sir.
Q And where does he live? A He lives at Big Cabin.
Q Does he live near Vinita? A Yes, sir, northeast of Vinita.
Q Might Vinita be his post office? A No, Big Cabin is his postoffice.
Q He gave his post office as Vinita? A Well, he gets part of his mail at Big Cabin.
Q How old is your sister's child, Lillie? A I don't know.
Q She is not a young lady, is she? A Oh, no; she is not grown.
Q Well, about how old? A She must be about seven or eight.
Q Seven or eight or ten along there? A Let's see--yes, somewhere along there.
Q Has your sister got a middle name? A No, I don't think she has.
Q Did you ever hear her called Lillie Bullette? A No.
Q That is the way her husband gives her name. A I always signed it Lillie Bullette.
Q Your sister, is she alive or dead? A She is dead.
Q How long has she been dead? A She has been dead six or seven years.
Q Did she leave more than one child? A No, just one.
Q How old was she when she died, that is, how old was your sister? A I think she was about twenty-two or twenty-three, somewhere along there, as near as I can remember.
Q You have an uncle, haven't you? A Yes, sir.
Q What is his name? A John Bullette.
Q And what is his post office? A Claremore.
Q Your mother then was a sister of this John Bullette? A No, my father was a brother of his.

THE COMMISSIONER: It is shown in the matter of the application for the enrollment of Lillie H. Pitzenbargar, Del. Card D. 19, by the testimony of John Bullette, the uncle of the applicant, that the father and mother of the applicant came with the Delawares in 1868 or 1869, and in the same case it appears that the mother and father of the applicant are on the Delaware pay roll, which is not at present in the possession of the Commission, the same having been returned temporarily to the Cherokee authorities for use at Tahlequah.

THE COMMISSIONER: The applicant applies for the enrollment of himself, his wife and one child. He is identified on the roll of 1896, and states that he has lived in the Cherokee Nation for thirty-two years.

It is shown in a satisfactory manner, as set forth in the testimony, that his omission from the roll of 1880 is through no fault of his own, and he will now be listed for enrollment as an adopted Delaware. He is shown to have married his wife in 1898; neither were previously married; she has lived with her husband ever since her marriage. This marriage is too late under the Cherokee law of 1895 to entitle the applicant's wife to enrollment, and therefore the application for the enrollment of his wife is rejected, she being classed as a Cherokee by adoption.

When a certificate is filed of the birth of the child Sanona this child will be duly listed for enrollment as a Cherokee-Delaware.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and other proceedings in this application for enrollment, and that the foregoing is a correct and complete transcript of his stenographic notes thereof.

(Signed) Wm. S. Wellshear.

Subscribed and sworn to before me this 14th day of November, A. D. 1900.

(Signed) T. B. Needles,

Commissioner.

Arthur G. Croninger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he made the foregoing copy, and that the same is a true and complete copy of the original transcript.

Arthur G Croninger

Subscribed and sworn to before me this 25th day of November, 1901.

M D Green
Notary Public.

DW 1531

DEPART
COMMISSION

NOV 1960

CHAIRMAN

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date NOV 13 1900 1900.

83 Name Frank L. Bullette, Dawson I.T.

District ~~DELAWARE~~ COGWEESCOOWEE Year 1896 Page 362 No. 135

Citizen by blood Del. Mother's citizenship Simon Bullette — d

Intermarried citizen No Sophronia " — d

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Wife's name .....

District ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

2 Sarona Bullette Dist. — Year — Page — No. — Age 1

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Delaware

1 On 1896 Roll as Frank Bullet.

2 Affidavit to be supplied.

S 1331

20

IN RE

Application for Enrollment of

INFANT CHILD

Emma Bullette

as a citizen of the

Cherokee Nation.

Approved November 13 1900

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 13 1900

ACTING CHAIRMAN

Ent Card No 331

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Sonorma Bullette, born on the 24th day of April, 1899

(Here insert name of child.)

Name of Father: Frank S. Bullette, a citizen of the Cherokee Nation.

Name of Mother: Anna Bullette, a citizen of the Cherokee Nation.

Post-office, Dawson

I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY.
Eastern District.

I, Anna Bullette, on oath state that I am 23 years of age and a citizen, by marriage, of the Cherokee Nation; that I am the lawful wife of Frank S. Bullette, who is a citizen, by Blood, of the Cherokee Nation; that a Female (male or female) child was born to me on the 24th day of April 1899; that said child has been named Sonorma Bullette, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 13th day of November 1900.

Commission Expires January 17th 1903 — John M. Taylor, NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY.
Eastern District.

I, Frank S. Bullette, a ——, on oath state that I attended on Mrs. Anna Bullette, wife of Frank S. Bullette, on the 24th day of April, 1899; that there was born to her on said date a Female (male or female) child; that said child is now living and is said to have been named Sonorma Bullette.

Frank S Bullette

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 13th day of November 1900.

John M. Taylor, NOTARY PUBLIC.

COMMISSIONER OF DEEDS

[redacted]

Q. Are there any other persons for whom you desire to make application for [redacted]?
A. I desire to apply for the following named persons on the 1920 Cherokee roll, their families and their descendants:

1920 roll, Frank Reiter, page 75, # 217, Cherokee Nation; 44, Delaware; Blood [redacted] to Cherokee.

JOR
Delaware 331.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Claremore, I. T., Dec. 3, 1903.

In the matter of the application of FRANK S. BULLETTE, for the enrollment of himself and child, Sonoma Bullette, as Delaware citizens of the Cherokee Nation.

FRANK S. BULLETTE, being sworn and examined, testified as follows:

Q What is your name? A Frank S. Bullette.
Q How old are you? A I am going on 34 or '5. Born in '67. September, '67.
Q About 36 years old past? A Yes sir.
Q What is your postoffice? A Owassa.
Q It was Dawson? A It was Dawson and I changed it.
Q Where were you born? A In Kansas.
Q Your father is Simon and mother, Saphronia Bullette? A Yes sir.
Q They are both dead? A Yes sir.
Q Did they come from Kansas with the Delawares in 1868? A Yes sir.
Q Did you come with them at that time? A Yes sir.
Q Does your name appear upon the Register of Delawares who came at that time? A I don't think so.
Q You were born after the treaty? A Yes sir.
Q You were born between the time the Register was made and the Delawares started down here? A Yes sir.
Q The treaty was made in April and you were born in September, 1867? A Yes sir, the 25th of September.
Q Your father and mother were both Registered Delawares were they? A Yes sir.
Q Have you resided in the Cherokee Nation continuously since you came to the Cherokee Nation? A Yes sir.
Q Did you ever make your home anywhere else at all? A No sir.
Q What is the reason if you know, why your name does not appear on the roll of 1880? A I don't know, it wasn't my fault, cause I was going to school at the Cherokee Orphan Asylum at that time. I went t ere in '80 and 81 at the Cherokee Orphan Asylum, and my guardian at that time was Mary G. Rogers.
Q By what name were you known when you were going to school? A Frank Bullette.
Q Did they ever call you by any other name? A They used to call me when I was small, Stephen Franklin, was my name, but I just put it Frank S.
Q Have you any brothers and sisters? A Got one.
Q What was its name? A Lillie.
Q Did they ever call her Lizzie? A No sir.
Q When was your sister born? A 1870.
Q Did you know someone that went to the Orphan Asylum named Lizzie Butter? A My sister went there in '80 and 81.
Q Your sister was how much younger than you? A Three years.
Q Did you know ~~x~~ anyone that went to the Orphan Asylum by the name of Frank and Lizzie Butter? A No, I didn't.
Q Did they ever call you by the name of Butter? A No, if they did I didn't know it.
Q Did your sister Lillie go to the Orphan Asylum with you? A Yes sir. I had a cousin that went there too, her name was Rosella Coody; she went there in '81 and '82.

Q You say you were going to the Orphan Asylum in 1880 and 1881?
A Yes sir.
Q And that is the time the roll of 1880 was made? A I think so. When I went on the roll in '96, they couldn't find it in the Orphan Asylum record, or they couldn't find it in the old lady's, Mary G. Rogers was my guardian and I thought maybe she might put our names in. We was at the Orphan Asylum at the time, but they couldn't find it.
Q Did you know most of the Delaware children that went to the Orphan Asylum in 1880? A Yes sir, I knowed some.
Q Most of the Delawares live in Cooweescoowee District? A Yes sir.
Q That's the district your home is in? A Yes sir.
Q Did you know a Frank and Lizzie Butter, to be about 10 and 13 years old, going to school at the Orphan Asylum from Cooweescoowee District? A I don't believe I knowed them.
Q Never heard of anyone by that name? A No sir
Q Did they ever call your sister Lillie by any other name when she went to the Orphan Asylum? A She was nick-named Babe, a long time but they didn't call her that in school.

COMMISSION:

There appears upon the 1880 Orphan Roll for Cooweescoowee District, at Nos. 417 and 418, the names of Frank Butter and Lizzie Butter, aged 13 and 10 years respectively at that time. Various parties of this Commission have sought information in regard to these names, they having never been accounted for in any way, and no information could be gathered among the Delaware Indians relative thereto. Owing to the similarity in the given names and the number of letters in the surname and the probability of the latter "T" in the name Bullette haveing been crossed over the word in the wrong place, might have crossed the two "L"'s in the name Bullette, thereby making Butter. The ages of these children on the 1880 roll correspond with the ages of the applicant and his deceased sister, Lillie.

Q You have a child named Sonoma? A Yes sir.
Q Is that child living? A Yes sir.
Q Your wife is named Anna Bullette? A Yes sir.
Q Is she living? A Yes sir.
Q She's a white woman? A Yes sir.
Q Have you always drawn money with the Delaware Indians? A Yes sir.
Q Have you always been recognized as a Delaware? A Yes sir.
Q You have never made your home outside of the Cherokee Nation since you came here with the Delawares? A Only off to school. I went to Lawrance, Kansas, in '85 and '86.
Q Only for school purposes? A Yes sir.

R. Palmer, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he recorded the testimony and proceedings had in the above case, and the foregoing is a true and correct transcript of his stenographic notes thereof.

R Palmer

Subscribed and sworn to before me this 11th day of December, 1903.

Samuel Foreman
Notary Public.

Cher 10663

William Walker

10663

Dec 189 a

Respectfully submitted,

Secretary.

Applicant: CHEROKEE.
Thomas Walker: DELAWARE.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES,
BARTLESVILLE, I.T., October 12, 1900.

In the matter of the application of James Walker for the enrollment of himself and one orphan boy, Thomas Walker, as citizens of the Cherokee Nation, himself as a Shawnee and Thomas Walker as a Delaware; said Walker being sworn and examined by Commissioner C.R. Breckinridge, testified as follows:

(Examination conducted through Interpreter Wm. Tooley.)

Q What is your name? A James Walker.
Q How old are you? A 59.
Q What is your post office? A Curley.
Q What district do you live in? A Coowescoowee.
Q Who is it you want to have put on the roll, yourself and family.
Interpreter: He said he had a boy that he wanted to enroll with him.
Q Just himself and that boy? A Yes, sir.
Q It is an orphan boy? A Yes, sir.
Q Are you full blood Shawnee? A Part Delaware and part Shawnee, but full blooded Indian.
Q How long have you lived in the Cherokee Nation, 52 years? A Ever since the Shawnees been here.
Q Did you have a wife in 1880, 20 years ago? A Yes, sir, she died.
Q What is her name? A Tapiase.
Q Was she called Susan? A Yes, sir.
Q What is the name of this boy? A Thomas Walker.
Q How old is he? A 19.
Q What is the name of the father of this boy? A Thomas Walker.
Q Father is dead? A Dead.
Q Was the father Delaware? (No response.)
Q What is the name of the mother of this boy? Applicant does not know.
Q Where is the boy? A Over there at home.
Q Was this boy's mother a full blood Indian? A Yes, sir.
Q What was she, Delaware or Shawnee? A She was Delaware.
Q She is dead? A Yes, sir.
Q Has this boy lived in the Cherokee Nation all his life? A Yes, sir/
1880 enrollment; page 206, #3370, James Walker, Coowescoowee.
1880 enrollment; page 201, #3263, Thomas Walker, Coowescoowee.
Q Is Jennie Thomas Walker's wife? A Yes, sir.
1880 enrollment; page 201, #3264, Jennie Walker, Coowescoowee.
Q Ask him is this boy is sometime called Charlie? A Yes, sir, he is sometimes called Charlie.
1896 enrollment; page 353, #801, James Walker, Coowescoowee.
Q This boy is livingnow, is he? A Yes, sir.
Q Now, does he call himself a Delaware or Shawnee, this old man?
Interpreter: He says he want to be enrolled as a Delaware.

Com'r Breckinridge: The applicatat applies for the enrollment of himself and of an orphan boy who is living with him. The applicant is identified on the rolls of 1880 and 1896 as an adopted Shawnee. He has lived in the Cherokee Nation for 52 years and he will be listed now for enrollment as an adopted Shawnee. The boy, James Walker, is an orpahn boy. His father and mother are identified on the rollsof 1880 as Delawares. He is said to be a full blood Delaware. He is a minor and his is living at this time. He is not identified upon any roll in the possession of the Commission, but the applicatnt states that the boy was born in the Cherokee Nation and has lived here all his life. No doubt being entertained as to hisidentity and being a full blood, he will be listed at this time for enrollment as a Cherokee-Delaware.

---ooo000ooo---

Walker, R.

C. [illegible]

[illegible] going is a true [illegible]
thereof.

[illegible]

Subscribed and sworn to before me this 14th day of October

[illegible]

Commi[illegible]

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
RECEIVED
OCT 12 1900

Ben x 149

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 12 1906 1906.

Name Thomas Walker Curley D.

District ~~Illegible~~ Year ~~1896~~ Page ~~Illegible~~ No. ~~Illegible~~

Citizen by blood Full Mother's citizenship Tom Walker - del - d

Intermarried citizen Junior " del - d.

Married under what law ~~Illegible~~ Date of marriage ~~Illegible~~

License ~~Illegible~~ Certificate ~~Illegible~~

Wife's name ~~Illegible~~

District ~~Illegible~~ Year ~~Illegible~~ Page ~~Illegible~~ No. ~~Illegible~~

Citizen by blood ~~Illegible~~ Mother's citizenship ~~Illegible~~

Intermarried citizen ~~Illegible~~

Married under what law ~~Illegible~~ Date of marriage ~~Illegible~~

License ~~Illegible~~ Certificate ~~Illegible~~

Names of Children:

~~Illegible~~	Dist. ~~Illegible~~	Year ~~Illegible~~	Page ~~Illegible~~	No. ~~Illegible~~	Age ~~Illegible~~
~~Illegible~~	Dist. ~~Illegible~~	Year ~~Illegible~~	Page ~~Illegible~~	No. ~~Illegible~~	Age ~~Illegible~~
~~Illegible~~	Dist. ~~Illegible~~	Year ~~Illegible~~	Page ~~Illegible~~	No. ~~Illegible~~	Age ~~Illegible~~
~~Illegible~~	Dist. ~~Illegible~~	Year ~~Illegible~~	Page ~~Illegible~~	No. ~~Illegible~~	Age ~~Illegible~~
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~~Illegible~~	Dist. ~~Illegible~~	Year ~~Illegible~~	Page ~~Illegible~~	No. ~~Illegible~~	Age ~~Illegible~~
~~Illegible~~	Dist. ~~Illegible~~	Year ~~Illegible~~	Page ~~Illegible~~	No. ~~Illegible~~	Age ~~Illegible~~
~~Illegible~~	Dist. ~~Illegible~~	Year ~~Illegible~~	Page ~~Illegible~~	No. ~~Illegible~~	Age ~~Illegible~~

No enrollment but both father and mother identified on 1880 roll

Test 189

DEPARTMENT OF
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 15 1900

DELEWARE

Department of the Interior,
Commission to the Five Civilized Tribes,
Claremore, I. T. November, 14th 1900

In the matter of the application of Andrew H. Norwood for the enrollment of William Walker as a citizen of the Cherokee Nation by Deleware blood. He being sworn before Col. T. B. Needles testified as follows-

Q What is your name? A. Andrew H. Norwood.
Q What is your age? A. 50
Q What is your post office address? A. Dewey
Q Who do you apply for enrollment? A. William Walker
Q What is his fathers name? A. Tom Walker.
Q What is his mothers name? A. I really dont know that.
Q How old is he? A. 12 years about.
Q Are his father and mother living? A. No sir.
Q Is he a Deleware? A. Part Deleware and part Shawnee.

1880 roll, page 2el, No 3266, Wm. Walker, Cooweescoowee.
1894 528 4526 Willie Walker "
By Cherokee representative Hastings.

Q How long have you known this child? A. Since 1890
Q Been living in the Cherokee Nation all this time? A. Yes sir.

By the Commission- A. Is he living here now? A. Yes sir.
Q Are you his guardian? A. Yes sir.

The name of William Walker appears on the authenticated 1880 roll, and he is duly identified on the 1894 pay roll. Having made satisfactory proof as to residence he will be duly listed for enrollment as a Cherokee citizen by Deleware blood.

Chas. von Weise being sworn states that as stenographer to the Commission to the Five Civilized tribes he reported in full all the proceedings in the above entitled cause and that the foregoing is a full true and correct transcript of his stenographic notes, in said proceedings.

Chas. von Weise

Subscribed and sworn to before me this the 14th of November, 1900.

Commissioner.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date NOV 14 1900 1900.

Name Henry J.

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship Thomas Walker

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

1 William Walker Dist. COOWEESCOOWEE. Year 1880 Page 201 No. 3266 Age 19

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Not in 1880 roll as Wm Walker

Under Guardianship of Andrew J. Norwood

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 21 1903

Delaware 189.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
CHEROKEE LAND OFFICE.
Tahlequah, I. T., November 17, 1903.

In the matter of the application of THOMAS WALKER, for enrollment as a Delaware citizen of the Cherokee Nation.

JOHN YOUNG, being first duly sworn and examined, testified as follows:

Q State your name please? A John Young.
Q How old are you? A About 57, somewhere along there.
Q Your postoffice address is Welden? A Yes sir.
Q Are you a Delaware Indian by blood? A Yes sir.
Q A citizen of the Cherokee Nation? A Yes sir.
Q How long have you resided in the Cherokee nation? A Well, its about 36 years now.
Q Did you come here when the Delawares came in 1867? A Yes sir.
Q Does your name appear on the Register of Delawares who came to the Cherokee Nation at that time; are you a Registered Delaware?
A Yes sir, but I don't know if my English name is on it; my Indian name is.
Q Do you know Thomas Walker? A Yes sir.
Q He's a young man about 22 or 23 years of age? A Yes sir.
Q What is his postoffice address? A Well, he died a good while ago, he's dead.
Q This Thomas Walker I am speaking of is a son of the old Tom Walker? A His postoffice must be Ramona.
Q He is living is he? A Yes sir.
Q Have you seen him recently? A Yes sir.
Q Did you know his father, Tom Walker, during his lifetime?
A Yes sir.
Q How long has he been dead? A Been dead over 20 years, I think.
Q Did you know the mother of this young Thomas Walker? A Yes sir, she died a good while ago too.
Q What was her name? A Jennie I think.
Q Were Thomas and Jennie Registered Delawares? A Yes sir.
Q They came here with the Delawares? A Yes sir.
Q Did they live in the Cherokee Nation continuously until the times of their death? A Yes sir.
Q Were they both full blood Delawares? A Yes sir.
Q Have you known this young Thomas Walker all of his life?
A Yes sir.
Q Did you ever know of his living outside of the Cherokee Nation?
A No sir.

R. Palmer, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings had in the above case, and the foregoing is a true and correct transcript of his stenographic notes thereof.

R. Palmer

Subscribed and sworn to before me this 20th day of November, 1903.

Samuel Townsend

DEPARTMENT OF THE INTERIOR,
COMMISSIONER TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I. T., JANUARY 8, 1906.

SUPPLEMANTAL PROCEEDINGS had in the matter of the application for the enrollment of THOMAS WALKER as a citizen of Delaware blood of the Cherokee Nation.

A. H. NORWOOD, being first duly sworn, testified as follows:

ON BEHALF OF THE COMMISSIONER:

Q What is your name? A A. H. Norwood.
Q Your age? A 55.
Q Your post office? A Dewey, Indian Territory.
Q You are a citizen by intermarriage of the Cherokee Nation? A I am.
Q Were you at one time guardian for William Walker, an adopted Delaware citizen of the Cherokee Nation? A I was.
Q Did you apply for his enrollment? A I did.
Q What is the name of his father? A Thomas Walker.
Q The record shows he is dead? A Yes sir, he died a good many years ago.
Q Do you know the name of the mother of William Walker? A I don't remember.
Q Has William Walker any brothers and sisters? A He has not.
Q Is he the only child that Thomas Walker had who is living now?
A He is the only one of the Delaware Tribe.
Q The records of this office show that on October 12, 1900, James Walker applied for the enrollment of his grand-child, Thomas Walker, a son of Thomas Walker and Jennie Walker, both deceased, do you know that boy? A No sir, I don't know him.
Q The age of this Thomas Walker is given the same as William Walker for whose enrollment you applied but his name was not identified on any of the Tribal rolls of the Cherokee Nation, do you know what relation Walker is to William Walker, your ward? A He is the grand father of William Walker.
Q He is the father of Thomas Walker, deceased, that is James?
A Yes sir.
Q Did your ward live in the family of James Walker? A He lived in the family of James Walker and John Walker, his uncle, ever since he was a small child. Under the Cherokee courts John Walker was his guardian, but under the United States Court I was appointed guardian.
Q Do you think this William Walker and James Walker are one and the same person? A I think so.
Q Do you know whether James Walker had a grand son by the name of Thomas Walker? A If he had I don't know it, I know that he has no grand son citizen of the Cherokee Nation. There never was a citizen of the Cherokee Nation by the name of Thomas Walker, a son of old Tom Walker, I knew him well when he died, and his wife I think died at the time William was born or about that time.
Q Is William Walker a full blood Delaware? A Yes sir. He is enrolled as a Delaware, he is one half Shawnee and the other half Delaware. Old James Walker himself was a Shawnee and Tom Walker was a half Delaware and half Shawnee but they were always classified as Delawares.
Q Is William Walker, your former ward, the only grand son of James Walker, who is a citizen of the Cherokee Nation? A No sir, John Walker, his son, has one or two small children, and then he has two or three young boys of Mary Spybuck, his daughter, she is the aunt of this William Walker, he makes his home there, but there never was a grand child named Tom Walker. John Walker has

ong or [illegible] Would William [illegible] he is [illegible] ago, he filed [illegible]

The records of this office show that on November 14, 1902, Andrew J. Norwood, made application for the enrollment as a citizen of Delaware Blood of the Cherokee Nation of William Walker, 19 years of age, a child of Thomas Walker, deceased, by his deceased wife. The records further show that on October 12, 1900, James Walker appeared before the Commission to the Five Civilized Tribes, and made application for the enrollment of his grand child, Thomas Walker, age 18 years, a son of Thomas and Jennie Walker, both deceased. William Walker is identified on the 1880 Authenticated roll of citizens of the Cherokee Nation, No. 3264, Cooweescoowee District, being identified thereon with his father. He is also identified on the 1896 Pay roll of citizens of the Cherokee Nation, page 328, No. 4826, as Willie Walker, Cooweescoowee District.

Thomas Walker has not been identified on any of the Tribal rolls of the Cherokee Nation, he being identified as a descendant of his father, Thomas Walker, who is identified on the 1880 Authenticated roll.

It appears from the testimony just taken that William Walker and Thomas Walker are one and the same person.

Geo. H. Lessley, being first duly sworn, states that as stenographer to the Commissioner to the Five Civilized Tribes, he reported the proceedings had in the above entitled cause, and that the above and foregoing is a true and correct transcript of his stenographic notes thereof.

Geo H. Lessley

Subscribed and sworn to before me this 8th day of January, 1906.

B. P. Ramsey

Notary Public.

Muskogee, Indian Territory, January 8, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

Referring to schedule No. 32 of citizens by blood of the Cherokee Nation heretofore approved by the Department, I have the honor to report that Thomas Walker appearing thereon opposite No. 31291 is a duplicate enrollment of William Walker, who appears on said schedule opposite No. 31613.

Testimony of A. H. Norwood, former guardian for William Walker, taken before thisoffice on January 8, 1906, shows that Thomas Walker and William Walker are one and the same person. A copy of said testimony is inclosed herewith.

No application for the selection of an allotment of land in the Cherokee Nation has been made for this person under the name of Thomas Walker.

I, therefore, respectfully recommend that the name of Thomas Walker appearing on said schedule opposite No. 31291 be

Secretary--2.

stricken from the copies of the schedule retained by the Department and the office of the Commissioner of Indian Affairs, and that this office be authorized to strike his name from the copies of said schedule returned to it.

Respectfully,

Commissioner.

Incl. GL-50.
GML

Through the
Commissioner of Indian Affairs.

(C O P Y)

Land.
3550-1906.

January 23, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to submit for your consideration the enclosed letter of the 8th instant, from the Commissioner to the Five Civilized Tribes, wherein he refers to schedule No. 32 of citizens by blood of the Cherokee Nation, heretofore approved by the Department, and reports that Thomas Walker, appearing thereon opposite No. 31291, is a duplicate enrollment of William Walker, who appears on the same schedule opposite No. 31613.

Mr. Bixby says that the testimony of A. H. Norwood, formerly the guardian of William Walker, taken at the office of the Commissioner on January 8th, 1906, shows that the names Thomas Walker and William Walker appearing on the roll represent one and the same person. A copy of the testimony is enclosed.

He further says that no application for the selection of an allotment of land in the Cherokee Nation has been made for this person under the name of Thomas Walker.

The Commissioner therefore recommends that the name of Thomas Walker, appearing on schedule No. 32 of citizens by

blood of the Cherokee Nation opposite No. 31291, be stricken from the copies of the schedule retained by the Department and this Office and that he be authorized to strike the name from the copies of the schedule returned to him.

It is shown by the testimony of Mr. Norwood that William Walker is the son of Thomas Walker who was the son of James Walker; that Thomas Walker, deceased, the father of William Walker, had no child by the name of Thomas Walker, nor was there any grand-child of James Walker of the name of Thomas, and that he knows of no other child of similar age of the name of Thomas Walker. It is satisfactorily appears that the enrollment of the name of Thomas Walker opposite No. 31291 is intended to represent William Walker, whose name appears opposite No. 31613. I therefore concur in the recommendation of the Commissioner that the name of Thomas Walker, No. 31291, be stricken from all copies of the Cherokee roll.

Very respectfully,

C. F. Larrabee,

Acting Commissioner.

EBH-Y.

D. C. 4260-1906.
I.T.D. 1342-1906.
LRS

JF Jr.
LLB

SECRETARY'S OFFICE
DEPARTMENT OF THE INTERIOR
WASHINGTON, D. C.

January 29, 1906.

Commissioner to the Five Civilized Tribes,

Muskogee, Indian Territory.

Sir:

On January 8, 1906, you reported, referring to schedule No. 32 of citizens by blood of the Cherokee Nation heretofore approved by the Department, that the name of Thomas Walker, appearing thereon opposite No. 31291, is a duplicate enrollment of William Walker, who appears on said schedule opposite No. 31613.

You recommend that the name of said Thomas Walker, appearing on said schedule opposite No. 31291, be stricken from the copies of the schedule retained by the Department and the office of the Commissioner of Indian Affairs, and that your office be authorized to strike his name from the copies of said schedule returned to it.

Reporting January 23, 1906, the Indian Office concurs in your recommendation. A copy of its letter is inclosed.

You are instructed to strike the name of Thomas Walker, appearing on said schedule opposite No. 31291, from the copy of the schedule in your office.

I have this day made the proper correction upon the schedule in this office and requested the Commissioner of Indian Affairs to correct the schedule in his possession.

Respectfully,

(Signed) Thos. Ryan,
First Assistant Secretary.

1 inclosure.

Cherokee-10538.

Muskogee, Indian Territory, February 7, 1906.

United States Indian Agent,

Muskogee, Indian Territory.

Dear Sir:

You are advised that this office is in receipt of Departmental letter of January 29, 1906, granting authority to strike the name of Thomas Walker, son of Thomas Walker and Jennie Walker, both deceased, and whose name appears on Cherokee roll card, Field No. 10538 (Delavare card No. Old Series 189), opposite Cherokee roll No. 31291, from the approved roll of citizens of the Cherokee Nation. Thomas Walker, listed on that card is a duplicate enrollment of William Walker, listed on Cherokee card, Field No. 10663 (Delavare card No. Old Series 332).

Respectfully,

LS

Acting Commissioner.

Chor (Obe...

James Horton

Trans. from Del. 333
(Old Series)

1936

DEPARTMENT OF THE
COMMISSION TO THE

NOV

COMMISSION OF THE PANAMA CANAL
DEPARTMENT OF THE
WASHINGTON, D.C. 20504
OFFICIAL BUSINESS

DELAWARE.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
CLARKSVILLE, I.T., NOV, 28th, 1900.

IN THE MATTER OF THE APPLICATION OF Charles Horton for the enrollment of himself and child as citizens of the Cherokee Nation, and he being sworn and examined by Commissioner, T. B. Needles, testified as follows:

Q What is your name? A Charles Horton.
Q How old are you? A I am thirty three.
Q What is your Postoffice address? A Bentleyville.
Q What district do you live in? A Goodwatersowne.
Q Are you a recognized citizen of the Cherokee Nation?
A Yes sir.
Q By blood or intermarriage? By marriage.
Q Whom do you want to enroll? A Just myself and one boy: My wife is dead.
Q What is the name of the boy? A James Horton.
Q How old is he? A Five years old.
Q What was your wife's name? A Mary Wilson.
Q Was she a Cherokee by blood? A No sir; she was a Delaware.
Q Have you any certificate of marriage to her? A Yes sir.
The applicant presents a duly authenticated marriage license and certificate, certifying that he was married to one, Miss Mary Wilson, a Cherokee citizen in the year 1894.
Q Is this child, James, living with you? A Yes sir.
Q How long have you lived in the Cherokee Nation?
A About twenty years.
Q Have you married since the death of your wife? A No sir.
Q Did you live with her until her death? A Yes sir.
Q Was she your first wife? A Yes sir.
Q Were you her first husband? A Yes sir.
(1896 Roll, Page 209, #514, Charles Horton, Goo. D'st)
(1896 Roll, Page 371, #961, James Horton, Goo. D'st)
Q What was your wife's father's name? A I do not know his given name.
Q Do you know her mothers name? A I do in Delaware.
Q Did they both die before 1880? A Yes sir.
Q You do not know their names? A No sir; I do not.
Q You were married in 1894? A Yes sir.

(1880 Roll, Page 204, #2851, Mary Wilson, Jr., Goo. D'st)

The name of Chalres Horton appears upon the census roll of 1896, and he makes satisfactory proof of his marriage to one, Mary Wilson, a Cherokee citizen of Delaware blood, in 1894: The name of the said Mary Wilson appears upon the authenticated roll of 1880: He swears that he has one child, James Horton, five years of age, whose name appears upon the census roll of 1896. Being duly identified, and having made satisfactory proof of residence, the said Charles Horton will be duly admitted for enrollment as a Cherokee citizen by intermarriage, and his child, James Horton, as a Cherokee citizen of Delaware blood.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 28th day of November 1900.

COMMISSIONER.

MS 333

B

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

NOV 14 1900

Date Bartlesville I.T. 1900.

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen "Delaware"

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

James Horton Dist. COOWEESCOOWEE. Year 1896 Page 271 No. 321 Age 5

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Ages

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Cher 10[illegible]

John R. Coker

Trans. from Del. 334
(Old Series)

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 16 1900

(N

Del 334

DELEWARE

Department of the Interior,
Commission to the Five Civilized Tribes,
Chelsea, I. T. November, 16th 1900.

In the matter of the application of John R. Coker for enrollment as a Cherokee citizen by Deleware blood. He being duly sworn before Commissioner Needles testified as follows:

Q What is your name? A. John R. Coker.
Q What is your post office address? A. Goodies Bluff.
Q What is your age? A. 24.
Q What district od you live in? A. Cooweescoowee.
Q Are you a recognized citizen of the Cherokee Nation? A. Yew sir.
Q By blood? A. Yes sir.
Q For whom do you apply? A. Myself.
Q How long have you lived in the Cherokee Nation ? A. Born and raised here.
Q Living here now? A. Yes sir.
Q What is the name of your father? A. Calvin Coker.
Q Is he living? A. Yes sir.
Q What is your mothers name? A. Lizzie Coker.
Q Is s e living? A. No sir.

1880 roll, page 77, No. 465, Georgia Coker, Cooweescoowee, Adpt. Del.
1896 " 130 " 943, John R. Coker, " " "

The name of John R. Coker appears on the authenticated roll as Georgia Coker who is fully identified as the applicant. His name also appears on the census roll of 1896. He being fully identified and having made satisfactory proof as to residence, he will be listed for enrollment as a Cherokee citizen by Deleware blood.

Chas. von Weise being sworn states thatas stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above entitled cause and that the foregoing is full, true nd correct transcript of his stenographic notes therein

Subscribed and sworn to before me this the 16th of November, 1900.

Commissioner.

M 1 3311

1919

D

Department of Applicants Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date NOV 15 1898 1900.

Name John R. Coker Carden Bluff I.T.

District COOWEESCOOWEE. Year 1880 Page 77 No. 465

Citizen by blood yes Mother's citizenship

Intermarried citizen no

Married under what law Date of marriage

License Certificate

Wife's name [illegible]

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

born 1898 nov. 1 & Georgia Coker

302
Delaware 334.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskogee, I. T., Dec. 1, 1903.

In the matter of the application of [illegible] for enrollment as a Delaware citizen of the Cherokee Nation.

JOHN RL COKER, being sworn and examined, testified as follows:

Q State your name? A John R. Coker.
Q What is your postoffice? A First one place and another. [illegible] lately.
Q It was Coodys Bluff? A Yes sir.
Q How old are you? A 26 past.
Q You are the son of Calvin and Lizzie Coker? A Yes sir.
Q Where were you born? A About two miles south of Coodys Bluff.
Q Cherokee Nation? A Yes sir.
Q Have you made your home continuously in the Cherokee Nation all of your life? A Yes sir.
Q Never made your home anywhere else? A No sir.
Q You are a Delaware are you? A Yes sir.
Q Are you married? A No sir.

R. Palmer, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he recorded the testimony and proceedings had in the above case, and the foregoing is a true and correct transcript of his stenographic notes thereof.

R Palmer

Subscribed and sworn to before me this 11th day of December, 1903.

Samuel Foreman
Notary Public.

Cher 10000

Rhoda I. Zulkey

Trans. from Del. 335
(Old Series)

10000

Department of the Interior,
Commission to the Five Civilized Tribes,
Chelsea, I.T., November 16, 1900.

In the matter of the application of Mark F. Bulkey for the enrollment of himself as a Cherokee by intermarriage and his children as Delawares; being sworn and examined by Commissioner Breckinridge, he testified as follows:

Q Give me your full name, please? A Mark F. Bulkey.
Q How old are you? A 41.
Q What is your post office? A Chelsea, I. T.
Q Do you live in Coowcescoowee district? A Yes, sir.
Q Do you want to enroll just yourself, or have you a family; have you a family? A Yes, sir.
Q Then you want to enroll yourself and family; have you a wife?
A My wife died this spring.
Q How many children have you? A Eight.
Q Yourself, then, and eight children? A Yes, sir.
Q Are you a Cherokee by blood? A I am a Delaware.
Q How long have you lived in the Cherokee Nation? A Ever since I was eight years old; I myself am a white man, I married a Delaware.
Q What was the name of your wife? A Lucy Connor.
Q She was a Delaware, was she? A Yes, sir.
Q You say she died when? A She died this last spring, the 15th of May.
Q How old was she when she died? A She was 54.
Q Did she live in the Cherokee Nation all her life? A Yes, sir.
(The applicant presents an official copy of the records of Coowescoowee district, showing that license was issued to him on December 26, 1882, to marry Miss Lucy Conner, the ceremony was performed by the Rev. William Adams, and this copy was supplied to the applicant on the 6th of November, 1896. This is filed herewith.)
Q Did you live with your wife from the time you married her in 1882 until she died? A Yes, sir.
Q Were you ever married except to this wife? A That was the first wife I ever married.
Q Have you married since she died? A No, sir.
Q Then you have never married except to this wife? A Yes, sir.
Q Did you ever marry any woman except Lucy Connor? A Lucy Connor was the only woman I ever married.
Q Was she ever married except to you? A No, sir.
Q Give me the name of her father? A Alex Connor.
Q Is he dead? A Yes, sir.
Q Give me the name of her mother? A Elizabeth Connor.
Q Is she dead? A Yes, sir.
Q Give me the given name, please of your children, and their ages in years? A Rhoda Bulkey, she was born on October 17, 1883.
Q Give me the name of the next child? A Charles William, 15.
Q The name of the next child? A Alexander, 14.
Q The name of the next child? A Leroy Harrison, he is 11 years old.
Q The next child? A Minnie May, 9 years old; and Ada Allie, she is 7 years old.
Q Now Oliver, he is 5 years old, that right? A Yes, sir.
Q And Mark Luther, 3 years old; is that right? A Yes, sir, that is right.
Q That is all, is it? A Yes, sir.
Q They are all living now, are they? A Yes, sir, they are all living.
(Lucy Bulkey on 1880 roll, page 83, No. 608, Lucy Conner, Coowescoowee district, adopted Delaware; on 1896 roll, page 395, Nos. [illegible] Lucy Bulkey, Coowescoowee district. Mark F. Bulkey on 1896 [illegible] page 352, No. 1154, Mark Bulkey, Coowescoowee district.)
Q Has Rhoda got a middle name? A Yes, sir, Isabell is her middle name.

(Rhoda I. Bulkey on 1896 roll, page 393, No. 796, Isabell Bulkey, Coowescoowee district. Charles W. Bulkey on 1896 roll, page 393, No. 797, Charley Bulkey, Coowescoowee district. Alexander Bulkey on 1896 roll, page 393, No. 798, Alexander Bulky. Leroy E. Bulkey on 1896 roll, page 393, No. 799, LeRoy Bulky, Coowescoowee district. Minnie May Bulkey on 1896 roll, page 393, No. 800, Minnie Bulky, Coowescoowee district. Ada A. Bulkey on 1896 roll, page 393, No. 801, Allie Bulky, Coowescoowee district. Oliver Bulkey on 1896 roll, page 393, No. 802, Oliver Bulky, Coowescoowee district.)

The applicant applies for the enrollment of himself and eight children. His deceased wife is identified on the rolls of 1880 and 1896 as an adopted Delaware. She lived in the Cherokee Nation all her life. She died in May of the present year. The applicant is shown to have married her in accordance with Cherokee law in 1882. Neither he nor his wife were previously married. He has not married since his wife's death. He lived with his wife from the time of their marriage until her death, and he has continued to live in the Cherokee Nation. He is identified on the roll of 1896, and he will be listed now for enrollment as a Cherokee by intermarriage.

Of the eight children named in the testimony, the first seven are identified on the roll of 1896, they are all living now, and will be listed for enrollment as Cherokee-Delawares. When the certificate of birth of the youngest child, Mark L., is filed with the Commission, this child also will be duly listed for enrollment as a Cherokee-Delaware.

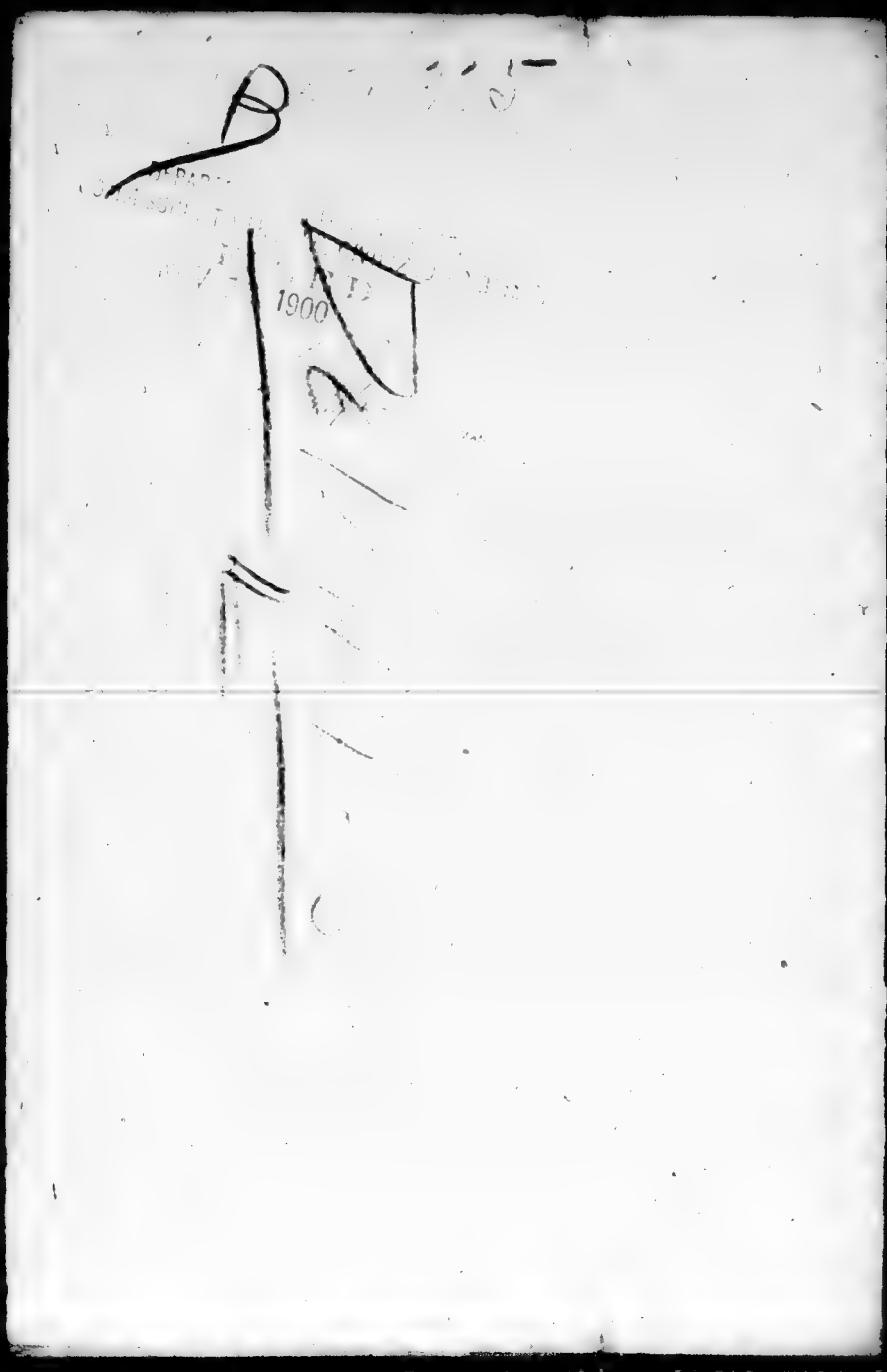
Bruce C. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

Bruce C. Jones

Sworn to and subscribed before me this the 16th of November, 1900.

C. A. Brice

Commissioner.



SCOOWEE SCOOWEE.
Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date NOV 16 1900 1900.

Name Chelsea D.

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

1 Rhoda D. Gulley Dist. SCOOWEE. Year 1900 Page 393 No. 796 Age 17
2 Charles W. " Dist. " Year " Page 393 No. 797 Age 15
3 Alexander " Dist. " Year " Page 393 No. 798 Age 14
4 Leroy H. " Dist. " Year " Page 393 No. 799 Age 11
5 Minnie M. " Dist. " Year " Page 393 No. 800 Age 9
6 Ada A. " Dist. " Year " Page 393 No. 801 Age 7
7 Oliver C " Dist. " Year " Page 393 No. 802 Age 5
8 Mark L " Dist. Year Page No. Age 2
Dist. Year Page No. Age
Dist. Year Page No. Age

Mark F. Gulley — w — 2
Lucy Gulley — d — 2

Chelsea D.

1 As 1896 roll as Isabell Gulley
2 " " " " Charley "
3 " " " " Alexander "
4 " " " " LeRoy "
5 " " " " Minnie "
6 " " " " Ada "
7 " " " " Oliver "
8 Affidavit to be supplied.

D-1335

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

NOV 13 1900

CHAIRMAN

Mrriage Licence issued to Mark Zulke a citizen of the United States on the 26th" day of ~~Dec~~ Dec 1882 to marry Miss Lucy Conner a citi zen of the Cherokee Nation:--

The following named citizens signed his petition of reccommdation

Wm Adams.	J.M.Coody.
Lewis Bibles.	Rufus ~~Riley~~ Riley.
Jno Q Conner.	Jacob White.
Calvin Coker.	Len Ketchum.
J.M.Thompson.	Tom Yarcomb.

The rites of matrimony solemnized by Rev. Wm.Adams.

Jno.Bullette, Clerk,
Coowescoowee Dist:--

$$$$$$$$$$$$$$$$$$$$$$$$$$$$

Cherokee Nation,I.T.)
Coo-wee-scoo-wee District.)

This is to certify that the above is a true and correct copy of the original record as found on page 68 in Book "A" Records of marriages in and for the District of Coo-wee-scoo-wee District.

In witness whereof I hereunto set my hand and seal of office on this the 6th" day of November.1896.

J.B.McSpadden Clerk,
Coo-wee-scoo-wee District,C.N.

D

20

IN RE

Application for Enrollment of

INFANT CHILD

Marie J. Zulley

as a citizen of the

Cherokee Nation.

Approved Nov 16 th 1900

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 16 1900

ACTING CHAIRMAN

Ans Card No 335

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation.

of Mark Luther Tulkie (Here insert name of child) born on the 28 day of August, 1890

Name of Father: Mark F. Tulkie, a citizen of the Cherokee Nation.

Name of Mother: Lucy Tulkie, a citizen of the Cherokee Nation.

Post-office, Chelsea

AFFIDAVIT OF ~~MOTHER~~ Father.

UNITED STATES OF AMERICA, } (INDIAN TERRITORY.)
Northern District. }

I, Mark F. Tulkie, on oath state that I am Abt 41 years of age and a citizen, by adoption, of the Cherokee Nation; that I am the lawful ~~wife~~ husband of Lucy Tulkie Dawd, who is a citizen, by Delaware blood of the Cherokee Nation; that a Male (male or female) child was born to ~~me~~ Lucy Tulkie on the 28 day of August 1890; that said child has been named Mark Luther Tulkie, and is now living.

Mark F. Tulkie

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 16th *day of* Nov *1900.*

David G Elliott NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, } (INDIAN TERRITORY.)
Northern District. }

I, Thos B Dickson, a Physician, on oath state that I attended on Mrs Lucy Tulkie, wife of Mark F. Tulkie, on the 28 day of August, 1890; that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named Mark Luther Tulkie

Thos B. Dickson

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 16th *day of* Nov *1900.*

David G Elliott NOTARY PUBLIC.

Cher 10667
Nancy A. Sharp

Trans. from Del. 336
(Old Series)

Cher 10667

FILED
NOV 17 1900
Acting Chairman

John M. Sharp--2.

1880 Roll; page 77, #463, Nancy Coker, Cowweescoowee.
1896 Roll; age 25M, #4159, Nancy A. Sharp; Cowweescoowee.
1896 Roll; page 32A, #95A, John M. Sharp, Cowweescoowee.
1896 Roll; page 25B, #4487, Mary E. Sharp, Cowweescoowee.
1896 Roll; page 25B, #4129, Wm. C. Sharp, Cowweescoowee.
1896 Roll; page 25C, #4080, Peter W. Starr, Cowweescoowee.

Com'r Breckinridge:--The applicant is here for the enrollment of himself, his wife and three children. His wife is identified on the roll of 1880 as an adopted Delaware. She is stated to have lived in the Cherokee nation all her life. She is identified on the roll of 1896 and she will now be listed for enrollment as a Cherokee-Delaware. Her husband is shown to have married her in accordance with Cherokee law in 1888. Neither were previously married. They have lived together ever since their marriage. The official evidence of the marriage is filed herewith. He is identified on the roll of 1896 and he will be listed now for enrollment as a Cherokee by intermarriage. The three children named in the testimony are identified on the roll of 1896. They are living and will be listed for enrollment as Cherokee-Delawares.

---oo0oo---

I, O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

DELAWARE:

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
CHELSEA, I.T., NOVEMBER 17th, 1900.

In the matter of the application of John M. Sharp for the enrollment of himself, wife and children as citizens of the Cherokee Nation; said Sharp being sworn and examined by Commissioner Breckinridge, testified as follows:

Q Give me your full name, please? A John M. Sharp.
Q How old are you? A 38.
Q What is your post office? A Chelsea.
Q You live in Cooweescoowee district do you? A Yes, sir.
Q You want to enroll yourself and family? A Yes, sir.
Q You have a wife? A Yes, sir.
Q And how many children? A Three.
Q You are a Cherokee by blood? A No, sir.
Q Is your wife a Cherokee by blood? A She is Cherokee and Delaware both.
Q Which do you classher; her mother was a Delaware was she? A Yes, sir.
Q Let me see your license and certificate?)Presents same.)

Com'r:--The applicant presents an official copy of the records of Cooweescowee district showing that license was issued to him September 28, 1888, to marry Miss Nancy Coker, and that the document was recordedon the 30th of the same month and in the same year. This is filed herewith.

Q Now, this document does not states that the marriage ceremony was performed; but it was performed was it? A Yes, sir.
Q You got your license out on the 28th of September; were you married the same day? A No, sir.
Q How long after that were you married? A It was not but a few days.
Q You were married on the 30th of September, were you? A Yes, sir
Q And then you turned the document to be recorded the same date? A Yes, sir.
Q Where were you married? A Cal Coker's, at Coodys Bluff.
Q How far from the Clerk's office? A About two miles.
Q Who was Clerk at the time? A Bill Terry.
Q Did he live there at the house? A No,sir.
Q He lived there in the neighborhood? A Yes, sir.
Q Did the Minister have to go by the Clerk's house to go home? A Yes, sir, it was between there and his house.
Q So he just carried the license over there the day you married and had it recorded? A Yes, sir.
Q Were you ever married except to this wife? A No, sir.
Q Was she ever married except to you? A No, sir.
Q Have you lived with her ever since you married her?? A Yes, sir.
Q And all the time in the Cherokee Nation? A Yes, sir.
Q Your wife's full name at this time is Nancy Sharp? A Nancy Ann.
Q How old is she? A 27.
Q Give me the name of your wife's father? A Calvin Coker.
Q Is he dead? A No, sir.
Q Give me the name of her mother? A Lizzie Coker.
Q Is she dead? A Yes, sir.
Q Was your wife born in the Cherokee Nation? A Yes, sir.
Q Has she lived here all her life? A Yes.
Q Give me the names of your children, please? A Mary Elizabeth.
Q How old is she? A Eight years old.
Q The next child? A William Calvin.
Q How old is that child? A Seven years old.
Q The next child? A Burr W.
Q Howold is that child? A Five.
Q These children are all living now are they? A Yes, sir.

1880 Roll; page 77, #463, Nancy Coker, Cooweescoowee.
1896 Roll; page 258, #4486, Nancy A. Sharp, Cooweescoowee.
1896 Roll; page 324, #954, John M. Sharp, Cooweescoowee.
1896 Roll; page 258, #4487, Mary E. Sharp, Cooweescoowee.
1896 Roll; page 258, #4499, Wm. C. Sharp, Cooweescoowee.
1896 Roll; page 258, #4489, Burr W. Sharp, Cooweescoowee.

Com'r Breckinridge:--The applicant applies for the enrollment of himself, his wife and three children: His wife is identified on the roll of 1880 as an adopted Delaware. She is stated to have lived in the Cherokee nation all her life. She is identified on the roll of 1896 and she will now be listed for enrollment as a Cherokee-Delaware. Her husband is shown to have married her in accordance with Cherokee law in 1888. Neither were previously married. They have lived gotether ever since their marriage. The official evidence of the marriage is filed herewith. He is identified on the roll of 1896 and he will be listed now for enrollment as a Cherokee by intermarriage. The three children named in the testimony are identified on the roll of 1896. They are living and will be listed for enrollment as Cherokee-Delawares.

---oooOOOooo---

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. O. Rosson

Subscribed and sworn to before me this 17th day of November, 1900.

M. D. Green

Commissioner.

336

B

SCOOWEESCOOWEE.
Statement of Applicant When Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date NOV 17 1900 1900.

Name Chelsea D. S.

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Cherokees Date of marriage

License Certificate

Wife's name Nancy A. Sharp, nee Coker

SCOOWEESCOOWEE.

District Year Page 77 No. 463

Citizen by blood Delaware Mother's citizenship Calvin Coker — do — 1/4

Intermarried citizen Yes Lizzie " — do — do

Married under what law Date of marriage

License Certificate

Names of Children:

2 Mary E. Sharp	Dist.	F.	Year	Page 257	No. 4487	Age 8
3 William C. "	Dist.	"	Year	Page 257	No. 4488	Age 7
4 Burr W. "	Dist.	"	Year	Page 257	No. 4489	Age 5
	Dist.		Year	Page	No.	Age
	Dist.		Year	Page	No.	Age
	Dist.		Year	Page	No.	Age
	Dist.		Year	Page	No.	Age
	Dist.		Year	Page	No.	Age
	Dist.		Year	Page	No.	Age
	Dist.		Year	Page	No.	Age

Cherokees

1 Applicant is Nancy Coker
3 " for Wm C. Sharp

Cher 10668

Charles Coker

Trans. from Del. 337
(Old Series)

a 553

Department of the Interior.
Commission to the Five Civilized Tribes.
Chelsea, I. T., November 17, 1900.

In the matter of the application of Charles Coker for the enrollment of himself, wife and children as Cherokee citizens; he being sworn and examined by Commissioner C. R. Breckinridge, testified as follows:

Q Give me your full name. A Charles Coker.
Q How old are you? A 29.
Q What is your postoffice? A Chelsea.
Q You live in Cooweescoowee district do you? A Yes sir.
Q Have you a family? A Yes.
Q Have you a wife? A Yes.
Q How many children? A Four.
Q You want to enroll yourself, wife and four children? A Yes sir.
Q Are you a Cherokee by blood? A Yes.
Q Is your wife a Cherokee by blood? A No, white woman.
Q Have you lived in the Cherokee Nation all your life? A Yes.
Q Giv me the name of your father? A Cal Coker.
Q Is he dead? A No, he's living.
Q Gi ve me the name of your mother? A Lizzie.
Q Is she dead? A Yes sir.
Q Give me the name of your wife. A Phoebe.
Q How old is she A 32.
Q When did you marry her? A In '90.
Q Were you ever married except to her? ANo sir.
Q Was she ever married except to you? A No sir.
Q Have you and she lived together ever since M married? A Yes.
Q She s living with yu now is she? A Yes sir.
Q Give me the names of your children. A Mary E.
Q How old is she? A 8 years old.
Q Next child? A Lillie C.
Q How old is she? A 7.
Q Next child? A Eliza J.
Q How old is she? A 4 years old.
Q Next child? A Cherokee.
Q How old is that child? A Born in July, 1900.
Q All living now are they? A Yes.
1880 roll; page 77, #462, Charlie Coker, Cooweescoowee.
1896 roll; page 131, #956, Charley Coker, Cooweescoowee.
299, #224, Phibie Coker, Cooweescoowee.
131, #957, Mary E. Coker,
131, #958, Lillie P. Coker.
Q Are you a Delaware? A My father is a Cherokee, my mother was a Delaware.
Q Then you are properly a Delaware? A I went on both rolls.

Commissioner Breckinridge-
The applicant applies for the enrollment of himself, his wife, and four children. He is of Delaware origin. He has lived in the Cherokee Nation all his life; he is identified on the rolls of 1880 and 1896, and he willbe listed now for enrollment as a Cherokee-Delaware. His wife married him in 1890; neither were previously married; she is a white woman; they have lived together ever since their marriage; she is identified on the roll of 1896 with her husband and children, and she will be listed now for enrollment as a Cherkee by adoption. Of the four children named in the testimony, the first two are identified on the rll of 1896; they are living now, and will be listed for enrollment as Cherokee-Delawares. When he files certificates of birth of the two youngest children, Eliza J. and Cherokee, these children also will be listed for enrollment as Cherokee-Delawares.

[redacted]

Elsa Rothenberger

[redacted]

[redacted]

NOTARY PUBLIC

COOWEESCOOWEE.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Dist. Chelsea D. NOV 17 1900. 1900.

1 29 Name Charles Coker

District COOWEESCOOWEE. Year 1880 Page 77 No. 462

Citizen by blood Yes Mother's citizenship Calvin Coker — 1

Intermarried citizen M. Lizzie " — d

Married under what law Delaware Date of marriage

License 32 Certificate

2 ~~Wife's name Rhoda Coker~~

District COOWEESCOOWEE. Year 1880 Page 77 No. 463

Citizen by blood No Mother's citizenship

Intermarried citizen Yes

Married under what law Date of marriage 1895

License Certificate

Names of Children:

3 Mary E. Coker Dist. COOWEESCOOWEE. Year 1896 Page 131 No. 957 Age 8

4 Lillie C. " Dist. " Year " Page 131 No. 958 Age 7

5 Eliza J. " Dist. Year Page No. Age 4

6 Cherokee " Dist. Year Page No. Age 5 mos

Dist. Year Page No. Age

Dist. Year Page No. Age

Delaware

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

1 On 1880 Roll as Charlie Coker

~~2 " 1896 " " Rhoda "~~

4 & 6 "affidavits" to be supplied

5 " Lillie "

20

IN RE

Application for Enrollment of

INFANT CHILD

Blanche Baker,

as a citizen of the

Cherokee Nation.

Approved, Jan. 12 1900.

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
NOV 1900

Delaware No 337

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Cherokee, Coker, born on the 12th day of June, 1900

(Here insert name of child.)

Name of Father: Charles Coker, a citizen of the Cherokee Nation.

Name of Mother: Phebe Coker, a citizen of the Cherokee Nation.

Post-office, Chelsea I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY. } District.

I, Phebe Coker, on oath state that I am 32 years of age and a citizen, by Marriage, of the Cherokee Nation; that I am the lawful wife of Charles Coker, who is a citizen, by Blood, of the Cherokee Nation; that a Female child was born to me on the 12th day of June 1900, that said child has been named Cherokee Coker, and is now living.

Phebe Coker

WITNESSES TO MARK:

(Must be Two Witnesses.) }

Subscribed and sworn to before me this 17th day of November 1900.

Edward Byrd

NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY. } District.

I, J. M. Bone, a Physician, on oath state that I attended on Mrs. Phebe Coker, wife of Charles Coker, on the 12 day of June, 1900; that there was born to her on said date a Female child; that said child is now living and is said to have been named Cherokee Coker

J. M. Bone M.D.

WITNESSES TO MARK:

(Must be Two Witnesses.) }

Subscribed and sworn to before me this 17th day of November 1900.

Edward Byrd

NOTARY PUBLIC.

D-1337

20

IN RE

Application for Enrollment of

INFANT CHILD

Eligo J. Curtis,

as a citizen of the

Cherokee Nation.

Approved Jan 20 1902

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
RECEIVED
NOV 1902

Delaware 337

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Eliza J. Coker, (Here insert name of child.), born on the 20th day of October, 1896

Name of Father: Charles Coker, a citizen of the Cherokee Nation.

Name of Mother: Phebe Coker, a citizen of the Cherokee Nation.

Post-office, Chelsea, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY. Coowescoowee District. }

I, Phebe Coker, on oath state that I am 32 years of age and a citizen, by Marriage, of the Cherokee Nation; that I am the lawful wife of Charles Coker, who is a citizen, by Blood, of the Cherokee Nation; that a Female (male or female) child was born to me on the 20th day of October 1896; that said child has been named Eliza J. Coker, and is now living.

Phebe Coker,

WITNESSED TO MARK:

(Must be Two Witnesses.) }

Subscribed and sworn to before me this 17th day of November 1900.

Edward Byrd
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY. Coowescoowee District. }

I, Mahala Peterson, a Midwife, on oath state that I attended on Mrs. Phebe Coker, wife of Charles Coker, on the 20th day of October, 1896; that there was born to her on said date a Female (male or female) child; that said child is now living and is said to have been named Eliza J Coker

Mahala Peterson

WITNESSED TO MARK:

(Must be Two Witnesses) }

Subscribed and sworn to before me this 20th day of November 1900.

Edward Byrd
NOTARY PUBLIC.

Cher 10669

Elmer P. Merritt

Trans. from Del. 338
(Old Series)

Cher 10669

a 213

DEPARTMENT OF THE INTERIOR
COMMISSIONER OF INDIAN AFFAIRS

FILED
DEC 5 1901

Applicant and children Delawares; doubtful as to husband, Everett M.

Department of the Interior,
Commission to the Five Civilized Tribes,
Chelsea, I.T., November 19, 1900.

In the matter of the application of Adeline L. Lowrance for the enrollment of herself, husband and children as Cherokee citizens; she and her children being of Delaware blood; being sworn and examined by Commissioner Breckinridge she testified as follows:

Q Give me your full name? A Adeline L. Lowrance.
Q How old are you? A 48.
Q What is your postoffice? A Alluwee.
Q You live in Cooweescoowee District? A Yes, sir.
Q Who do you want to enroll, just yourself, or have you a family? A I have a family.
Q Have you a husband? A Yes, sir.
Q And how many children? A I have only two children of my own living, I have three step-children.
I have a son over age.
Q You apply then for only one of your own children and three step-children? A Yes, sir.
Q None of these children are married? A No, sir, they are not married.
Q Are you a Cherokee by blood? A No, sir, I am a Delaware.
Q And what is your husband? A He is a white man.
Q How long have you lived in the Cherokee Nation? A Ever since we moved to this country, I suppose about 56 years.
Q You have lived here ever since have you? A Yes, sir.
Q Give me the name of your father? A Charles Journeycake.
Q Is he dead? A Yes, sir.
Q Give me the name of your mother? A Jane.
Q Is she dead? A Yes, sir.
Q How often have you been married? A I have been married four times.
Q What was the name of your first husband? A Samuel D. Love.
Q When did you marry him? A I married him in 1872.
Q Did you live with him until his death? A No, sir.
Q When did you separate from him? A I separated from him 28 years ago.
Q You separated from him then in 1872? A Yes, sir, about that.
Q Was he a white man or a Cherokee? A He was a Delaware.
Q When did you marry the second time? A The second time I married John L. Sullivan.
Q Was he a white man or a Cherokee? A He was a white man.
Q When did you marry him? A About 14 years ago.
Q Is he dead? A I don't know sir.
Q Did you separate from him? A Yes, sir, he deceived me, and was taken up for bigamy.
Q When was it you separated from him, about 18 months after you married him? A Yes, sir.
Q Is your first husband Samuel D. Love dead? A Yes, sir.
Q When did he die? A I can't remember just when he did die. I was married again when he died.
Q Did you get a divorce from him? A Yes, sir.
Q Have you a copy of the decree of divorce? A No, sir, it is in the clerk's office.
Q Did you get a divorce from John L. Sullivan; is there a decree of divorce between you? A Yes, sir.
Q Have you any official copy of that document? A No, sir.
Q Whom did you marry the third time? A C. W. Merritt.
Q Was he a white man? A Yes, sir.
Q When did you marry him? A In 1888.
Q Is he dead? A I don't know.
Q How long did you live with him? A I lived with him something like 7 years.

Q Then you separated from him? A Yes, sir.
Q Did you get a divorce from him? A Yes, sir.
Q Have you a copy of the decree of divorce? A Yes. sir.
(Produces papers.)
Com'r: The applicant presents an official copy of the decree of divorce rendered by T. M. Buffington, Judge of the Northern Judicial Circuit of the Cherokee Nation, on July 20, 1897, granting a divorce to the applicant from her husband, C. W. Merritt; this is filed herewith.
Q After that divorce you married again? A Yes, sir.
Q To whom did you marry the next time? A Everett Lowrance.
Q Have you a certificate of your marriage to him? A Yes, sir.
(Produces papers.)
Com'r: The applicant presents a certificate showing that she was united to her present husband in marriage as stated by her on June 21, 1899; the ceremony being performed by the Rev. Thomas Lloyd.
Q Your present husband is a white man? A Yes, sir.
He is an adopted citizen rather.
Q He claims to be a citizen by intermarriage does he? A Yes, sir, that's all.
Q Does he claim through any other marriage except his marriage to you? A Yes, sir.
Q Was he married to a Cherokee citizen before? A He was married to a Delaware.
Q Give me the name of your husband in full? A Everett M. Lowrance.
Q How old is he? A He is 40 I think.
Q Have you and he lived together ever since you were married in June 1899? A Yes, sir.
Q He is living with you now? A Yes, sir.
Q Where is he at this time? A He is at Wagoner serving on the grand jury.
Q Was he married before he married you? A Yes, sir.
Q How many times was he married before he married you? A Just once.
Q To whom was he married the first time? A To Emma C. Worrell.
Q Did you say she was a Delaware? A Yes, sir.
Q Is she dead? A Yes, sir.
Q When did she die? A She has been dead about 4 years I think.
Q She was never married except to your husband? A Never was.
Q And your husband was never married except to her and to you? A And to myself.
Q How old was Emma Worrell when she died? A I don't know.
Com'r: The applicant presents an official copy of the records of Coowescoowee District showing that a license was issued to E.M. Lowrance a citizen of the United States to marry Miss Emma Worrell, a citizen of the Cherokee Nation, on the 31st day of December, 1887, and that same was recorded on the 13th day of January, 1888; the record does not state whether the marriage was consummated in accordance with that license; this is filed herewith.
The applicant now presents what purports to be the original of the marriage license just referred to, and the certificate indorsed thereon shows that the marriage was performed by the Rev. James J. Dodd on the first of January, 1888; this is also filed herewith. Q Did your husband live with his wife Emma C. Worrell from the time of their marriage until she died? A She left him for a few weeks, but they made up, and they lived together until she died.
Q How long was that previous to her death? A They had a child the time she left him, and she came back to him and they had two children.
Q She lived with him then until she died? A Yes, sir.
Q And one child was born after her reunion to him? A 2 children.
Q Give me the name of your child? A Elmer Preston Merritt.
Q How old is that child? A 11 years old.

Q He is living now? A Yes, sir.
Q Give me the name of your three step-children? A Edith May Lowrance.
Q How old is that child? A She is 12.
Q The next child? A Arthur Lee.
Q How old is that child? A 9 years old.
Q The name of the next child? A Addie Lenora.
Q How old is that child? A 7 years old.
Q These are all children of Mr. Lowrance by his first marriage?
A Yes, sir.
Q Now your name in 1880 was Love was it? A Yes, sir.
Q And in 1896 was Merritt? A Yes, sir.
1880 roll, page 129 #1640 Adaline Love Cooweescoowee adopted Delaware 27 years old.
Q What was the name of Emma Worrell's father? A William Worrell.
Q Is he dead? A Yes, sir.
Q And the name of her mother? A Matilda.
1880 roll page 29 #118 Emma Worrall Orphan roll Saline Dist native Delaware.
1896 roll page 378 #473 Adaline Merritt Cooweescoowee.
1896 roll page 375 #400 Emma Lowrance Cooweescoowee native Delaware 30 years old.
1896 roll page 313 #620 E. (V) M. Lawernce Cooweescoowee.
1896 roll page 378 #474 Elmer P. Merritt "
1896 roll page 375 #401 Edith Lawrance, "
1896 roll page 375 #402 Artie Lawrance, "
1896 roll page 375 #403 Addie Lawrance, "

By Cherokee rep've Baugh:
Q Did you bring a suit in the courts against Samuel D. Love?
A No, I believe I did not since I come to think of it. We compromised and he brought the suit and give me the child.
Q You went to Col. Bryan's and he drew up the papers between you and he, and you just separated, and you and he agreed to separate?
A Yes, sir.

Com'r Breckinridge: The applicant applies for the enrollment of herself, her husband and four children, one being a child of hers by a former husband and three being children of her present husband by a former wife. The applicant herself is identified on the rolls of 1880 and 1896 as an adopted Delaware; she has lived in the Cherokee Nation for 30 odd years, ever since the Delawares came to the Cherokee Nation, and she will be listed now for enrollment as an adopted Delaware. Her child Elmer P. Merritt, is identified on the roll of 1896, is living now, and will be listed for enrollment as a Cherokee Delaware.

The three children Edith M., Arthur L. and Addie L. Lowrance are children of her husband by a former wife; their mother Emma C. Worrell, is identified on the rolls of 1880 and 1896, and her marriage is established by the official evidence filed herewith; she is now dead; these children will now be listed for enrollment as Cherokee Delawares; their mother being identified as a Delaware.

As regards the application for the enrollment of the husband of the applicant, Everett M. Lowrance, he is shown to have married his first wife, a Cherokee woman of the Delaware tribe, in accordance with Cherokee law in 1888; it is stated that he did not marry between the time of the death of that wife to his marriage to his present wife, who is shown to be a Delaware by her enrollment cited; but the present applicant is shown to have married three times prior to her present marriage, and she has been divorced from all three of her former husbands, but does not present official evidence of her divorce from her first husband, Samuel D. Love, who was living at the time she married her second husband; as regards the marriage of her present husband it is required that

legal evidence be furnished of her divorce from her first husband; she does not present official evidence of her divorce from her second husband, John L. Sullivan, who may be still living, and it is required that official evidence of divorce from this husband be supplied to the Commission; the applicant's husband is in the attitude of having been married to a woman of Cherokee citizenship, and while his present wife is undoubtedly a woman of Cherokee citizenship, it does not appear from the evidence now adduced, that she was in a position to consummate a legal marriage with her present husband, and no attempt is made at this time to decide what the effect would be upon his right of a union with her under the present status of the two parties; he will be listed as a Cherokee by intermarriage upon a doubtful card for further consideration, and the decision will be made known to him at his postoffice address.

The Cherokee representative present states that it is reported that the applicant's husband at one time abandoned his first wife and lived as husband and wife with a white woman, and it is desired that he appear before the Commission and establish in a satisfactory manner the legal status of his relations to his deceased wife.

M. D. Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

(Signed) M. D. Green.

Subscribed and sworn to before me this 19th day of November, 1906.

(Signed) C. R. Breckinridge,

Commissioner.

Arthur C. Croninger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he made the foregoing copy, and that the same is a true and complete copy of the original transcript.

Arthur C. Croninger

Subscribed and sworn to before me this 25th day of November, 1901.

M D Green

Notary Public.

B-12338

DEPART
CORN SCHOOL

NOV

10 Nov 38

COOWEESCOOWEE.
Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date NOV 19 1900 1900.

Name Allowee Lowrance

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law Delaware Date of marriage .....

License ..... Certificate .....

1 Wife's name Adeline L Lowrance

District COOWEESCOOWEE. Year 1896 Page 129 No. 1640

Citizen by blood Delaware Mother's citizenship Chas. Journeycake — d

Intermarried citizen ..... — d

Married under what law ..... Date of marriage 1872 (1876) (1888) (1899)

License ..... Certificate Filed NOV 19 1900

Names of Children:

2	Thos. P. Merritt	Dist. COOWEESCOOWEE.	Year 1896	Page 378	No. 474 747	Age 11
3	Edith M. Lowrance	Dist. "	Year "	Page 375	No. 401	Age 12
4	Arthur L. "	Dist. "	Year "	Page 375	No. 402	Age 9
5	Addie L "	Dist. "	Year "	Page 375	No. 403	Age 7
		Dist.	Year	Page	No.	Age
		Dist.	Year	Page	No.	Age
		Dist.	Year	Page	No.	Age
		Dist.	Year	Page	No.	Age
		Dist.	Year	Page	No.	Age
		Dist.	Year	Page	No.	Age

Delaware

1 Aug 8 1900 Adaline Love
3 " 1896 " " Edith Lowrance
4 " " " " Addie "
5 " " " " Addie "

(COPY)

1887. Dec. 31. Issued a marriage License to [redacted] citizen of the United States to marry Miss Emma C. Worrell citizen of the Cherokee Nation.

Petition signed by Joseph Hill. Jas Big-John. S. D. Love. Henry Harrison. Benjamin Conner. Frank Bullette. Geo. Wilson. C. V. Tanner, and E. J. Campbell.

Recorded on the 13th" day of Jan. 1888.

Wm. V. Carey, Clk. C.D.C.N.

Cherokee Nation. I.T.
Coo-wee-scee-wee District.

This is to certify that the above is a true and correct copy of a record found on page 132 in Book "A" Records of marriages in and for the District of Coo-wee-scee-wee . Cherokee Nation.

In witness whereof I hereunto set my hand and seal of office on this the 9th" day of November. A.D. 1896.

(Signed) Joe M Lahay Clerk.
Coo-wee-scee-wee District. C.N.

[redacted]
x S E A L x
[redacted]

C

ENDORSEMENT. Del. 338
DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED.
F I L E D
NOV. 19 1900
Tams Bixby
Acting Chairman.

Lucy M. Bowman, being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes, she made the above copy and that the same is a true and correct copy of the original.

Lucy M Bowman

Subscribed and sworn to before me this 2 day of August, 1901.

Charles [illegible]
Notary Public.

D

Illinois Cherokee Nation I.T.
Jan 1st 1888

I do hereby certify that I did unite in the Holy Bond of matrimony the within named C M Torrence and Emma C Worrell at the Residence of Charley Sumners on the first day of January 1888 in the presence of "Taylor Roberts and Mrs "Taylor Roberts" and in the presence of Mrs Charley Sumners Dated this Day and year first above written

James J Dodd Minister of the Gospel

Marriage ——— License

To any person legally authorized to solemnize Marriage Greeting—

You are hereby authorized to join in the holy bonds of Marriage and to celebrate the rites and ceremonies of Marriage between Mr. E ell Lorance, ~~and Miss~~ a citizen of the United States and Miss Emma C Worell a Cherokee citizen of the Cherokee Nation. according to the usual customs and laws of the Cherokee Nation. And you are required to return this License to this office within thirty days from the celebration of such Marriage With a Certificate of the same endorsed thereon and signed by you.

The said E ell Lorance having complied with the laws of the Cherokee Nation regulating intermarriage with white men.

Given from under my hand and seal of Office at this the 31st day of Dec. A.D. 1887

J E Campbell.
Dep't Clk Tahlequah Dist
C. N.

In the Name of the Father, and of the Son, and of the Holy Ghost. Amen.

This Certifies that [illegible]
of [illegible]
and [illegible] of [illegible]

Were United by me in Holy Matrimony

on the [illegible] day of [illegible] A. D.
1894 at [illegible]
[illegible]

In Presence of

[illegible]

[illegible] Rector of St. Johns Church [illegible]

"What God hath joined together let not man put asunder."

CHEROKEE NATION

COO-WEES-COO-WEE DISTRICT

To any lawful officer GREETING: In the name of the Cherokee Nation you are commanded to summons C. W. Merritt to be and appear at the lawful place of holding Court in said District and Nation on the first monday in June 1897 at 9 o clock a.m. then and there to answer the demand of Adaline. L. Merritt who claims the right of being divorced from the bonds of matrimony now existing between this plaintiff and defendant. The custody of their minor child viz: Elmer P. Merritt age 7 years until he shall arrive at the age of maturity.

And for cause of action plaintiff alleges:-

1st That plaintiff and defendant are each citizens of the Cherokee Nation and residents of said district.

2nd. That plaintiff and defendant were lawfully married toeach other on the 28th. day of March 1888 and continued to live together as man and wife until July 1896.

3rd. That the aforesaid minor child is the offspring of plaintiff and defendant and is the fruit of said marriage.

4th. That in July 1896 this defendant without cause or assigning any reason therefor and without any notice to plaintiff willfully abandoned and deserted her.

5th. That at divers times during their married life this defendant was so cruel and abusive as to render the life of this plaintiff unbearable

6th. That on or about the third of October 1896 this defendant returned or came to the home of plaintiff and at once began to abuse and maltreat plaintiff in a very cruel manner and on the night of October the 4th 1896 by reason of the cruel treatment of defendant to plaintiff this plaintiff was compelled to scream for help.

Wherefore plaintiff asks judgment for divorce and custody of said minor child and for all other and proper reliefs as to the court may seem just

Fail not to execute and return this summons within the time as required by law.

Given under my hand and seal of Office on this 28 day of Nov 1896

J. W. McLaney Clerk

Coo-wees-coo-wee District Cherokee Nation

Served this by leaving this summons at the last-place of residence in Coo-wees-coo-wee District.

This the 23rd day April 1897

J. Ward Sheriff. By J. Mackey Deputy Sheriff C.C.S

JUDGEMENT.

JUDGEMENT.

Adjourned term of the Regular June term Circuit Court -

Hon. T. M. Buffington; Presideing.

Case of

Adaline L. Merritt, Plaintiff,

vs.

C. W. Merritt, Defendant,

This case coming on for a hearing at this term of the court and the defendant having been called three several times as required by law and a rule of this court and no answer for the defendant and finding the complaint and service regular. Judgement was rendered by default. And it is further ordered adjudged and decreed by this court that the bonds of matrimony now and heretofore existing between plaintiff and defendant are dissolved and held for naught. And it is further ordered and decreed by this court that plaintiff is entitled to the custody of her minor child Elmer P Merritt and all other reliefs sued for as setforth in the citation.

Given from under my hand and in office on this 20 day of July 1897. T. M. Buffington Judge.

Northern Judicial Circuit Cherokee Nation.

Attest.

Jesse Sahay Clerk.

Coowecccoowee District C.N.

COMMISSION TO THE CIVILIZED TRIBES
RECEIVED
DEC 1903

JOR
Delaware 338.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Vinita, I. T., Dec. 4, 1903.

In the matter of the application of ADELINE L. LOWRANCE, for the enrollment of herself, and child, Elmer P. Merritt, and step-children, Edith M., Arthur L., and Addie L. Lowrance, as Delaware citizens of the Cherokee Nation.

ADELINE L. LOWRANCE, being sworn and examined, testified as follows:

Q State your name? A Adeline L. Lowrance.
Q How old are you? A I was born in '52. November, 1852.
Q About 51 years old then? A Yes sir.
Q What is your postoffice? A Allowe.
Q You are a recognized citizen by Delaware blood of the Cherokee Nation are you? A Yes sir.
Q Did you come from Kansas with the Delawares who came to the Cherokee Nation in 1868? A Yes sir.
Q Does your name appear upon the Register of Delawares who came at that time? A I understood it did.
Q Your maiden name was Journeycake? A Yes sir.
Q Is that the name by which you would appear upon the Register? A I suppose so.

COMMISSION:
From an examination of the Register made in 1867, of Delaware Indians who elect to remove to the Cherokee Nation, itis found that the applicant, Adeline L. Lowrance, is identified thereon as Adeline Journeycake, No. 928.

Q Have you made your home in the Cherokee Nation continuously since you came here with the Delawares? A Yes sir.
Q Never made your home anywhere else? A Never have.
Q What is your present husband's name? A Everett Lowrance.
Q Everett M? A Yes sir.
Q This is he? A Yes sir.
Q You and he are living together? A Yes sir.
Q You have children, Elmer P. Merritt, Edith M., Arthur L. and Addie L. Lowrance? A Yes sir.
Q Are they all living? A Yes sir.
Q All living with you? A Yes sir.

R. Palmer, beingsworn, states that as stenographer to the Commission to the five civilized tribes, he recorded the testimony and proceedings had in the above case, and the foregoing is a true and correct transcript of his stenographic notes thereof.

R Palmer

Subscribed and sworn to before me this 11th day of December, 1903.

Samuel Formaca
Notary Public.

Cher 10670
Lillie Parker

Trans. from Del. 339
(Old Series)

Cher 10670

COMM
TRIBES.
5 1901
ING CHAIRMAN

Department of the Interior,
Commission to the Five Civilized Tribes.
Chelsea, I.T., November 19, 1900.

In the matter of the application of Mary Parker for the enrollment of herself and children as Delawares, and her husband as a Cherokee by intermarriage; being sworn and examined by Commissioner Brecinridge through John Secondine, a duly sworn interpreter, she testified as follows:

Q Give me your full name, please? A Mary Parker.
Q How old are you? A 35.
Q What is your postoffice? A Chelsea, I.T.
Q In what district do you live, Cooweescoowee? A Yes, Cooweescoowee.
Q Who do you want to enroll, yourself and family? A Yes, sir.
Q Have you got a husband? A Yes, sir.
Q How many children? A Six.
Q Are you a full blood Delaware? A Yes, sir.
Q What is your husband, a Delaware? A I don't know what he is.
Q He is an Indian? A Yes, he is an Indian.
Q Is he a Cherokee? A He claims to be A Sioux.
Q Have you lived in the Cherokee Nation all your life, or did you come here with the Delawares? A Yes. I have been here ever since the Delawares moved down here.
Q That is about 32 years, isn't it? A Yes.
Q Have you been married more than one time? A I have been married twice.
Q When did you marry your first husband, how long ago? (Presents paper.)
Q What was your name in 1880, was it Bigfield? A Yes, sir.
Q Give me the name of your father? A Bigfield.
Q Is he dead? A Yes, sir.
Q Give me the name of your mother? A Mary Bigfield, she is dead.
Q What is the name of your husband, George Parker? A Yes, sir.
Q How old is George Parker? A About 36 years old.
(The applicant presents an official copy of the record of Cooweescoowee District, showing that license was issued the 13th of July, 1888, authorizing marriage between George Parker, a citizen of the United States, and Mary Bigknife. This document is recorded on the 30th day of July, 1888. There is no record made of marriage having been consummated, but presumably that was done before the document was admitted to record.)
Q Has George Parker lived with you ever since he married you in 1888? A Yes, sir.
Q Was he ever married except to you? A No, sir, never did have any other woman.
Q Where is he now? A He is back there somewhere.
Q What was the name of your husband before you married George Parker? A Joseph Hill.
Q When did you marry Joe Hill? A I can't tell.
Q About what time? A About 20 years ago.
Q Was he dead when you married George Parker? A No, he wasn't.
Q Did you have any children by Joe Hill? A No, sir.
Q Did you ever get a divorce from him? A Yes, sir.
Q Where is your decree of divorce? A I haven't got it.
Q What did you do with it? A I never received it, I was divorced but I never did get the papers.
Q Give me the names of your children? (Presents paper with names and ages of children thereon.)
Q Millie, 11 years old; Carrie, 9 years old; John W., 7 years old; Minnie, 6 years old; Elmer, 4 years old; Bertha, 2 years old; is that right? A Yes, sir.
Q These children all alive now? A Yes, sir, they are all alive.
Q When did Hill die? A About 20 years ago.
Q Did Joe Hill die about four years ago? A Yes.

(Mary Parker on 1880 roll, page 66, No. 181, Mary Bigfield Cooweescoowee District; on 1896 roll, page 380, No. 506, Mary Parker, Cooweescoowee District. Lillie Parker on 1896 roll, page 380, No. 507, Cooweescoowee District. Carrie Parker on 1896 roll, page 380, No. 508, Cooweescoowee District. John W. Parker on 1896 roll, page 380, No. 509, Cooweescoowee District. Minnie Parker on 1896 roll, Page 380, No. 510, Cooweescoowee District.)
Q Why wasn't your husband enrolled in 1896? A I don't know.

The applicant applies for the enrollment of herself, her husband and six children. She is identified on the rolls of 1880 and 1896 as an adopted Delaware. She has lived in the Cherokee Nation some thirty-two years, and she will be listed now for enrollment as an adopted Delaware. Of her six children, the first four named in the testimony are identified with her on the roll of 1896, they are living now, and will be listed for enrollment as Cherokee-Delawares. When the Commission is supplied with certificates of birth of the two younger children, Elmer and Bertha Parker, they also will be listed for enrollment as Cherokee-Delawares.

Her husband, George Parker, is shown to have married her in accordance with Cherokee law in 1888. She states that they have lived together ever since. She testified that he is a Sioux Indian. He is not identified on the roll of 1896, and the applicant is unable to establish at this time the fact of her having been lawfully divorced from her first husband, Joe Hill, to whom she was married nearly 20 years ago, and who died some four years ago.. For the further consideration of the application for the enrollment of George Parker, and to await official evidence of a lawful divorce having been obtained between the applicant and her first husband, Joe Hill, George Parker, will now be classed as a Cherokee by intermarriage upon a doubtful card, and the final decision of the Commission will be made known to him at his post office address.

Bruce C. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

(Signed) Bruce C. Jones.

Sworn to and subscribed before me this the 20th of November, 1900.

(Signed) C. R. Breckinridge,

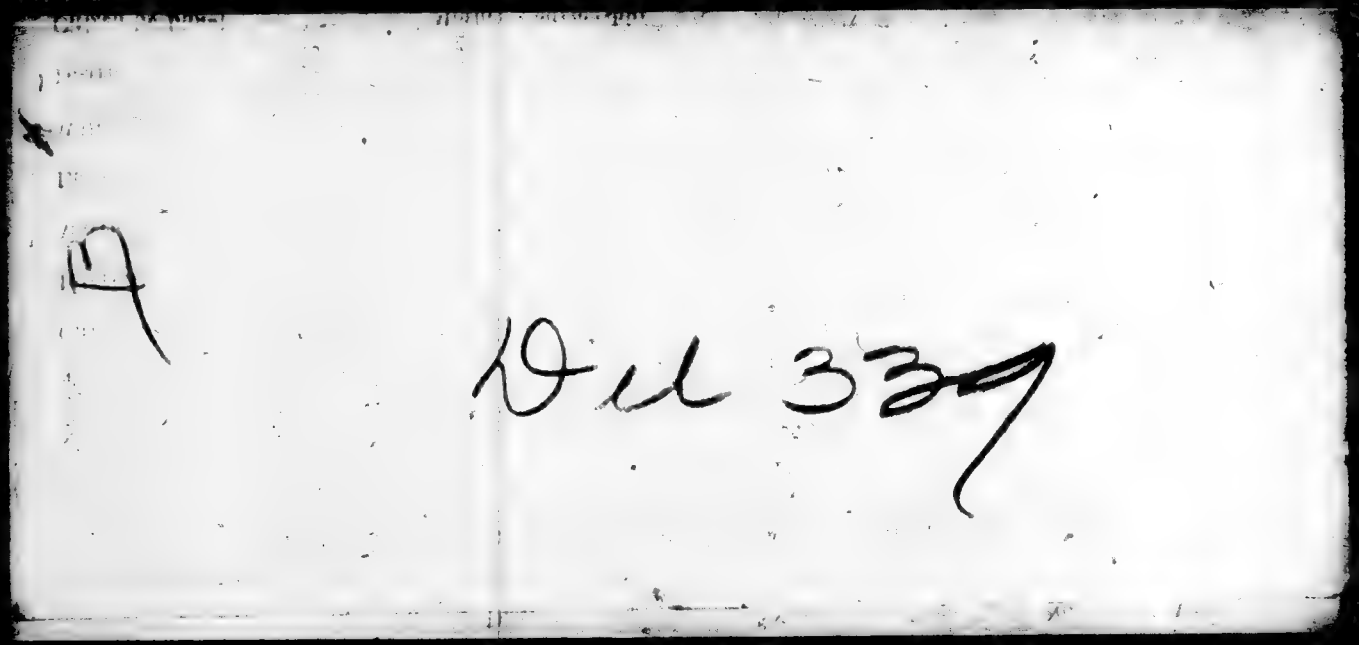
Commissioner.

Arthur C. Croninger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he made the foregoing copy, and that the same is a true and complete copy of the original transcript.

Arthur C. Croninger

Subscribed and sworn to before me this 25th day of November, 1901.

W. M. Green.
Notary Public.


4
Del 339

COOWEESCOOWEE
Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date NOV 19 1900 1900.

1 Name Chelsea G.

District ... Year ... Page ... No. 1

Citizen by blood ... Mother's citizenship ...

Intermarried citizen ... Delaware

Married under what law ... Date of marriage ...

License ... Certificate ...

1 Wife's name Mary Parkerson Lingfield

District COOWEESCOOWEE. Year 1880 Page 66 No. 181

Citizen by blood Full-Blood Mother's citizenship Cherokee - dec'd

Intermarried citizen ... Mary " - "-d

Married under what law ... Date of marriage ...

License ... Certificate ...

Names of Children:

2 Lillie Parker Dist. COOWEESCOOWEE. Year 1880 Page 365 No. 527 Age 11

3 Carrie " Dist. " Year " Page 365 No. 528 Age 9

4 John N. " Dist. " Year " Page 365 No. 529 Age 7

5 Minnie " Dist. " Year " Page 365 No. 530 Age 6

6 Elmer " Dist. " Year " Page ... No. ... Age 4

7 Bertha " Dist. ... Year ... Page ... No. ... Age 2

Dist. ... Year ... Page ... No. ... Age ...

Dist. ... Year ... Page ... No. ... Age ... Delaware

Dist. ... Year ... Page ... No. ... Age ...

Dist. ... Year ... Page ... No. ... Age ...

1 Cr. 1880 roll as Mary Lingfield
6 and 7 affidavits to be filed here.

C. Dc 339

1838. July 13th. Issued a Marriage License to Geo Parker a citizen of the United States to marry Mary Big-Knife a citizen of the Cherokee Nation. Petition signed signed by W.V.Carey. Sam M.Smith. J.S.Bean. Gabe Carey. Frank Bullett. Ben Conner. Geo Colgate. and W.W.Nichol666.ac.

Issued this 10th day of July 1838.

W.V.Carey, Clk-C-D-C-N.

Cherokee Nation, I.T.
Tee-ah-scoo-tee District.

The foregoing instrument of writing is a true and correct copy of record on page 130 in Book "A" Records of Marriages for the district of Tee-ah-scoo-tee District, Cherokee Nation, I.T. as appears.

In witness whereof I have hereunto set my hand and seal of office on this 6th day of March 1907.

Sam McSahay Clerk.
Tee-ah-scoo-tee District, C.N.

IN RE

Application for Enrollment of

INFANT CHILD

Nation.

Approved: [illegible] 190[illegible]

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Elmer Parker, (Here insert name of child) born on the 8 day of December, 1896

Name of Father: George Parker, a citizen of the Cherokee Nation.

Name of Mother: Mary Parker, a citizen of the Cherokee Nation.

Post-office. Chelsea I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY
Northern District.

I, Mary Parker, on oath state that I am 34 years of age and a citizen, by Blood, of the Cherokee Nation; that I am the lawful wife of George Parker, who is a citizen, by Blood, of the Cherokee Nation; that a male (male or female) child was born to me on the day of 1; that said child has been named Elmer Parker, and is now living.

Mary Parker

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 19 day of Nov 1900.

David G Elliott
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY
Northern District.

I, Jane Nelson, a Midwife, on oath state that I attended on Mrs. Mary Parker, wife of George Parker, on the 8 day of December, 1896; that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named Elmer Parker

Jane X Nelson
her
Mark

WITNESSES TO MARK

(Must be Two Witnesses) J W Coghill
Hallie J Emerson

Subscribed and sworn to before me this 19 day of Nov 1900.

David G Elliott
NOTARY PUBLIC

E 20 1

IN RE

Application for Enrollment of

INFANT CHILD

[illegible] Parker

as a citizen of the

[illegible] Nation.

Approved. [illegible] 1900

[illegible]

Commissioner.

Card Ref. 339.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Bertha Parker, born on the 4th day of November, 1898

(Here insert name of child.)

Name of Father: George Parker, a citizen of the Cherokee Nation.

Name of Mother: Mary Parker, a citizen of the Cherokee Nation.

Post-office, Okesa Ok

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY. }
Northern District. }

I, Mary Parker, on oath state that I am 32 years of age and a citizen, by blood, of the Cherokee Nation; that I am the lawful wife of George Parker, who is a citizen, by blood, of the Cherokee Nation; that a female (male or female) child was born to me on the 4th day of November 1898; that said child has been named Bertha Parker, and is now living.

Mary Parker

WITNESSES TO MARK.

(Must be Two Witnesses)

Subscribed and sworn to before me this 19 day of Nov 1900.

David G Elliott
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY. }
Northern District. }

I, Jane Wilson, a Midwife, on oath state that I attended on Mrs. Mary Parker, wife of George Parker, on the 4th day of November, 1898; that there was born to her on said date a female (male or female) child; that said child is now living and is said to have been named Bertha Parker.

her
Jane X Wilson
mark

WITNESSES TO MARK:

(Must be Two Witnesses)

J W Coghill
Hillard Dawson

Subscribed and sworn to before me this 19th day of Nov 1900.

David G Elliott
NOTARY PUBLIC.

JOR
Delaware 339.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Nowata, I. T., Nov. 30, 1903.

In the matter of the application of MARY PARKER, for the enrollment of herself, and children, Lillie, Carrie, John W., Minnie, Elmer and Bertha Parker, as Delaware citizens of the Cherokee Nation.

MARY PARKER, being sworn and examined, testified as follows:

Q What is your name? A Mary Parker.
Q How old are you? A I don't know; I was two years old when I come to this country.
Q You are about 38 or '9 years old then? A Yes sir.
Q What is your postoffice? A Chelsea.
Q You are a full blood Delaware citizen of the Cherokee Nation?
A Yes sir.
Q Did you come from Kansas with the Delawares in 1868? A Yes sir.
Q Does your name appear upon the Register of Delawares who came at that time? A I think so.
Q Were your father and mother living at that time? A Yes sir.
Q Did they come down here with you? A Yes sir.
Q What is your Delaware name? A Na-oh-a-tie.
Q What was your father's name? A All I know was Big Field.
Q Who was Ar-cus-sha-pun-nah-qua? A That's my mother.
Q Who is Pa-che-lun-go-na-xing? A Brother.
Q Who is O-we-ar-e-numd? A Brother, older than I am.
Q Who is Wey-loo-holland? A Older brother.
Q Who is the next child in your family to that brother? A Myself.
Q Do you know someone named Chuck-qui-lun-go-na-qua? A No. Probably it might be my name.
Q Did they ever call you by that name? A We used to go by the English name.
Q What was your English name? A Mary Big Field.
Q Were you the youngest one in your family that was born in Kansas and came here with the Delawares? A Yes sir.
Q And you come in your family, right next to Wey-loo-holland?
A Yes sir.

COMMISSION:
There is identified upon the Register of Delaware Indians who were admitted into and came to the Cherokee Nation in 1868, at No. 357, a Chuck-qui-lun-go-na-qua, appearing upon said Register with the family of the applicant. This party has placed after this name a pencil note that it was the identification of the applicant upon the Register. She is duly identified at this time as Being the person whose name appears at No. 357, and that name is accepted at this time as that of the applicant.

Q Have you lived in the Cherokee Nation continuously since you came herewith the Delawares? A Yes sir.
Q You never made your home anywhere else outside of the Cherokee Nation? A No sir.
Q You have children, Lillie, Carrie, John W., Minnie, Elmer and Bertha? A Yes sir.
Q Are they all living? A Yes sir.
Q What is your husband's name? A George Parker.
Q Is he living? A Yes sir.
Q Do you and he live together? A Yes sir.
Q What is he? A Part Chippewa.

R. Palmer, being sworn, states that he [illegible] for the commission to the Five Civilized Tribes, and [illegible] proceedings had in the above cause, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

R Palmer

Subscribed and sworn to before me this 9th day of December, 1901.

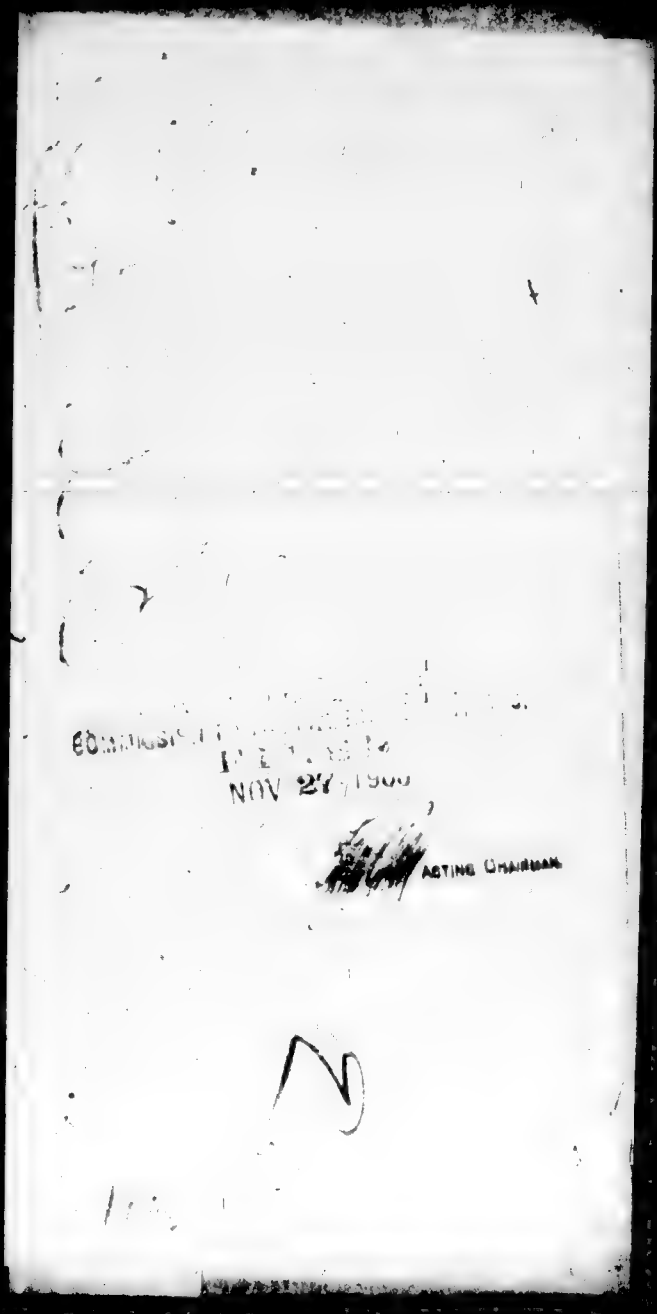
Samuel Fortenberry
Notary Public.

Cher 10671

Nathan F. Adams

Trans. from Del. 341
(Old Series)

Cher 10671


NOV 27 1900
ACTING CHAIRMAN

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
CHELSEA, I.T., NOV. 20th, 1900.

IN THE MATTER OF THE APPLICATION OF Nathan F. Adams for the enrollment of himself, wife and children as citizens of the Cherokee Nation, and he being sworn and examined by Commissioner, C. R. Breckinridge, testified as follows:

Q Give me your full name? A Nathan F. Adams.
Q How old are you? A Twenty five.
Q What is your Postoffice? A Adair.
Q In what district do you live? A Delaware.
Q Who is it you want to have enrolled? A Myself and family.
Q Have you a wife? A Yes sir.
Q How many children have you? A Two.
Q Are you a Cherokee by blood? A Delaware.
Q What is your wife? A White woman.
Q How long have you lived in the Cherokee Nation? A All my life.
Q Give me the name of your father? A William Adams.
Q Is he dead? A No sir.
Q Give me the name of your mother? A Louisa.
Q Is she dead? A No sir.
Q Give me the name of your wife? A Effie M.
Q How old is she? A Twenty four.
Q When did you marry her? A March , 1894.
Q Were you ever married except to this wife A No sir.
Q Was she ever married except to you? A No sir.
Q What was her name when you married her? A Effie Jackson.
Q Has she lived with you ever since you and she were married?
A Yes sir.
Q Give me the names of your children please? A Viola M. Adams/
Q How old is that child? A Five years old.
Q What is the name of the next child? A Emmett L.
Q How old is that child? A One year past.
Q They are both living now, are they? A Yes sir.

(1880 Roll, Page 58, #9, Nathan F. Adam, Coo. District)
(1896 Roll, Page 357, #27, Nathan Adams, Coo. District)
(1896 Roll, Page 293, #7, Effie M. Adams, Coo. District)
(1896 Roll, Page 357, #28, Viola M. Adams, Coo. District)

Q Have you a certificate of your marriage? A Yes sir.
Q Let me have it? (Applicant hands paper to Commissioner)

The applicant presents a certificate, showing that he and his wife were married on the first day of March, 1894, by Reverend A. A. Drown. This is filed herewith.

The applicant applies for the enrollment of himself, his wife and two children. He is identified on the rolls of 1880 and 1896, as a Delaware: He has lived in the Cherokee Nation all his life, and he will now be listed for enrollment as a Cherokee Delaware.

His wife is shown to have married him on March 1st, 1894. Neither was previously married. They have lived together ever since their marriage as husband and wife. She is identified on the roll of 1896: She is a white woman: She will be listed now for enrollment as a Cherokee by adoption.

The child, Viola M. Adams is identified with her parents on the roll of 1896: She is living now, and she will be listed for enrollment as a Cherokee Delaware.

When a certificate of the birth of the younger child, Emmett L. Adams, is filed with the Commission, this child also will be listed for enrollment as a Cherokee Delaware.

The undersigned, [illegible] Commission to take [illegible] testimony and proceedings in [illegible] true and complete transcript of his [illegible] notes [illegible]

Subscribed and sworn to before me this [illegible] day of November, 1920.

COMMISSIONER.

COOWEESCOOWEE.

Statement of Applicant Taken Under Oath.

DELAWARE.

CHEROKEES BY BLOOD AND ADOPTION.

Date NOV 20 1900 1900.

25 Name Nathan F. Adams, Adair D.

District COOWEESCOOWEE. Year 1880 Page 37 No. 9

Citizen by blood Del, Mother's citizenship Wm Adams — 2

Intermarried citizen No Louisa " — 2

Married under what law Date of marriage

License Certificate

Wife's name A. Lavonia

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

2 Viola M. Adams Dist. COOWEE. Year 1896 Page 357 No. 28 Age 5

3 Emmett L. " Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

A. Lavonia

Dist. Year Page No. Age

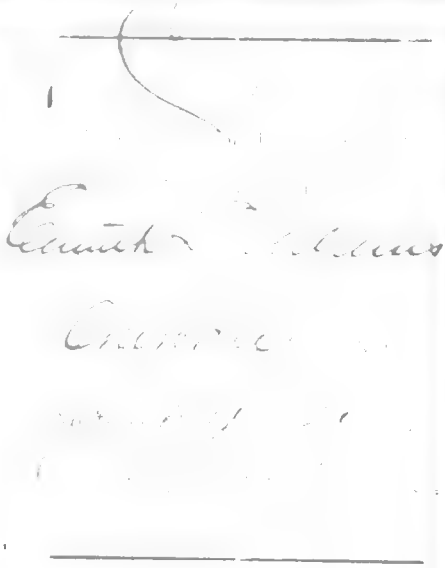
Dist. Year Page No. Age

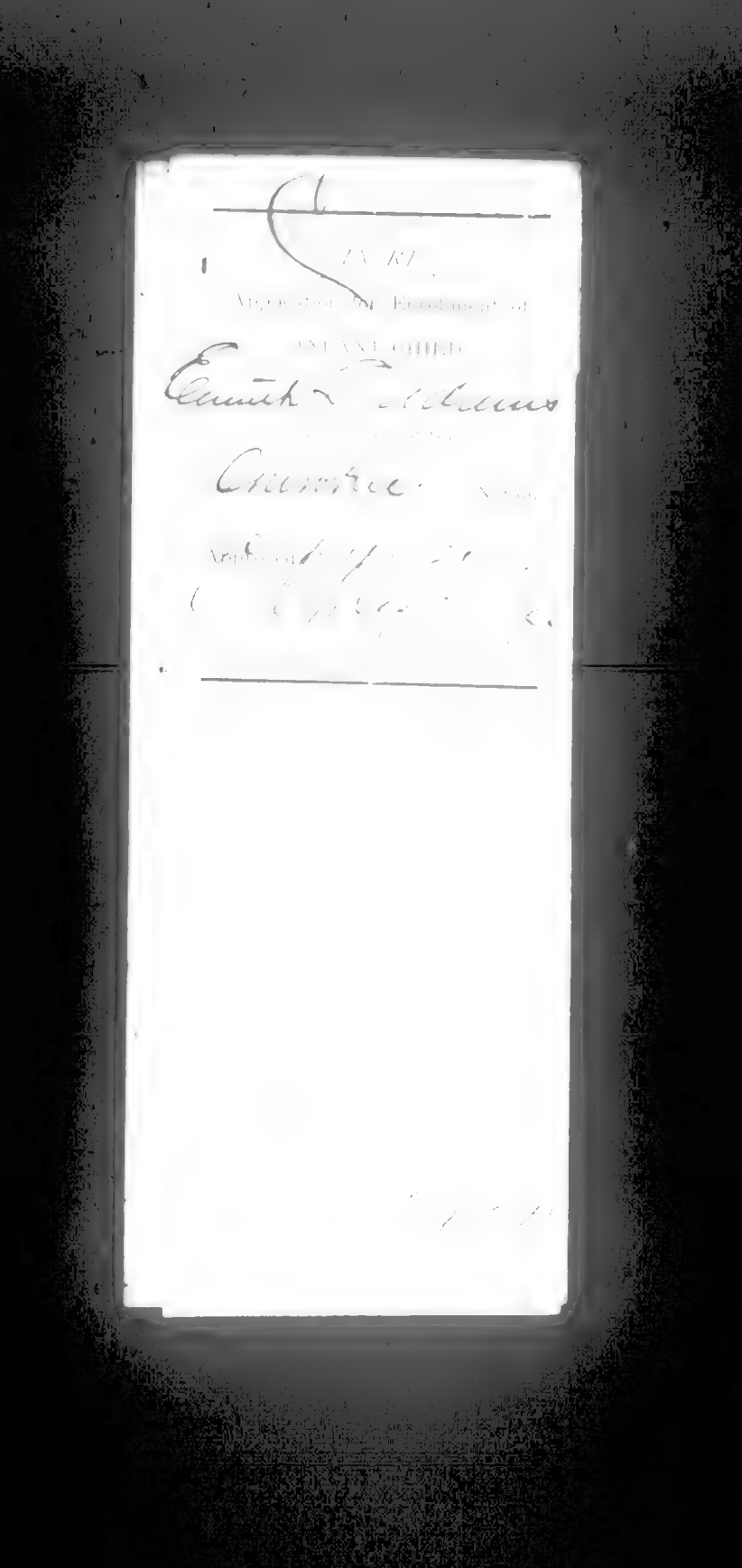
Dist. Year Page No. Age

Dist. Year Page No. Age

1 Cert & Proofs Nathan F. Adams

3 Affidavits to be supplied.





DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of Emmett Logan Adams, born on the 8 day of Aug, 1899
(Here insert name of child.)
Name of Father: Nathan F. Adams, a citizen of the Cherokee Nation.
Name of Mother: Effie May Adams, a citizen of the Cherokee Nation.
Post-office Adair Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
Northern District.

I, Effie May Adams, on oath state that I am 23 years of age and a citizen, by adoption, of the Cherokee Nation; that I am the lawful wife of Nathan F. Adams, who is a citizen, by blood, of the Cherokee Nation; that a male (male or female) child was born to me on the 8 day of aug. 1899; that said child has been named Emmett L. Adams, and is now living.

Effie May Adams

WITNESSES TO MARK:
(Must be Two Witnesses.)

Subscribed and sworn to before me this 18 day of aug. 1900.

John E. Reuter
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Northern District.

I, Mrs Nathan Adams, I was present, on oath state that I attended on Mrs. Effie May Adams, wife of Nathan F. Adams, on the 8 day of aug, 1899; that there was born to her on said date a male (male or female) child; that said child is now living and is said to have been named Emmett Logan Adams.

Nathan Adams.

WITNESSES TO MARK:
(Must be Two Witnesses.) Wm. Adams

Subscribed and sworn to before me this 19 day of Nov 1900.

W. M. Bennett
NOTARY PUBLIC.

Recorded on page 270
Book (B) of Records of
Marriage Licenses of
Coowneescoowee Dist.
Jno. Lakey Clerk

COOWEESCOOWEE.

Aug 16th 1894.

CERTIFICATE OF MARRIAGE.

COOWEESCOOWEE DISTRICT,
Cherokee Nation, Indian Territory.

I A. A. Brown a minister of the Gospel
~~I, H. H. Trott, Clerk~~ of Cooweescoowee District, Cherokee Nation, do hereby certify that
Mr. Nathan F Adams of Allowe Ind. Terry
and Miss Effie May Jackson of Vinita Ind Terry
were by me joined in marriage on this the First day of March .1895
agreeable to the authority in me vested, under the laws of the Cherokee Nation, Indian Territory.

In Witness Whereof I have hereunto set my hand and Official Seal
on the date and date above written.

SEAL

A. A. Brown
Minister of the Gospel ~~in~~ Cooweescoowee District, Cherokee Nation, Ind. T.r.

Ind. Indian Chieftain Print, Vinita, I. T.

BCJ

Chero Doc 10671

Department of the Interior,
Commission to the Five Civilized Tribes,
Cherokee Land Office,
Tahlequah, I.T., May 3, 1904.

In the matter of the application of NATHAN F. ADAMS for the enrollment of himself and his children, VIOLA M. and EMMETT L. ADAMS, as citizens of the Cherokee Nation of Delaware blood.

SUPPLEMENTAL TESTIMONY.

EFFIE M. ADAMS, being duly sworn and examined by the Commission, testified as follows:

Q What is your name? A Effie M. Adams.
Q How old are you? A 27.
Q What is your postoffice? A Catale at the present.
Q Are you a citizen by intermarriage of the Cherokee Nation?
A Yes sir, by intermarriage.
Q Have you some children, Mrs. Adams? A Yes sir, I have two children, a girl and a boy.
Q What are their names? A Viola May Adams and Emmett Logan Adams.
Q Your husband is named Nathan F. Adams? A Yes sir.
Q You and he living together now? A No sir.
Q When was it you separated? A It's been over a year ago.
Q About what time? A Well, it's been about a year in January or February.
Q You separated in January or February? A Well we haven't lived together as man and wife, haven't kept house for over a year; he has been in Colorado; but we haven't lived together for over a year; we have never been divorced.
Q Who has the custody of the children? A Oh, I have in full, supporting them and everything; he does nothing for them; I have my little girl in school.
Q Have you had the children ever since you separated? A Indeed I have, and paid their expenses and had the care of them.
Q He hasn't in any way had custody of them since you separated? Or supported them? A No, he has not; I have asked him to, but he has not offered to.

------oo------

Mabel F. Maxwell, being duly sworn, states that, as stenographer to the Commission to the Five Civilized Tribes, she correctly recorded the testimony in this case, and that the above and foregoing is a true and complete transcript of her stenographic notes thereof.

Mabel F. Maxwell

Subscribed and sworn to before
me this 3rd day of May, 1904.

Simon R. Washington
Notary Public.

EFM

Cherokee 10671

Department of the Interior,
Commission to the Five Civilized Tribes,
Cherokee Land Office,
Tahlequah, I. T. May 25, 1904.

In the matter of the application of NATHAN F. ADAMS for the enrollment of himself and his children, Viola M. and Emmett L. Adams, as citizens of the Cherokee Nation of Deleware blood.

SUPPLEMENTAL TESTIMONY.

NATHAN F. ADAMS, being first duly sworn and examined by the Commission, testified as follows:

Q What is your name? A Nathan F. Adams
Q How old are you? A 29
Q What is your post office address? A Chelsea.
Q Are you the husband of Effie M. Adams? A Yes, sir.
Q Effie is a Deleware, is she? A She is a white woman.
Q You are a Deleware? A Yes, sir.
Q You and your wife have two children, Viola M. and Emmett L.
A Yes, sir.
Q How long have you and your wife been separated? A Well she, we have been separated since about the first of October, 1901.
Q Have not lived together since that time? A No.
Q Where are the two children living? A They are stopping with her part of the time and with my mother part of the time.
Q Who has the custody of them? The mother? A Yes, sir.
Q She is looking after them? A Yes, sir.
Q Where are you living? A I live at Chelsea.
Q Where does she live? A Well, I could not exactly say where she lives.
Q You have not been supporting her since you left? A No, sir.
Q You have not been home to visit your wife and children since you left in '01. A Well, I don't think that she has a home.
Q Who is she living with? A She is living around so far as I know.
Q Making her own living? A Yes, sir.
Q The children have not lived with you since you and your wife separated? A No, sir.
Q Do you support them? A Yes, sir , partly.
Q How? A Well, I occasionally , in one way, I send them money, to her and she uses the money I suppose for the children.
Q How much would you send in the course of a year? A. Well, I could not exactly say, in the course of a year, probably $50 or 75 dollars.

Q Are you divorced? A No, sir.
Q Neither one of you applied for a divorce? A No, not yet, no, sir.
Q What was the cause of the separation? A Well, that is more than I can tell exactly. I don't know as I had any cause th leave.
Q She left you? A Yes, sir.
Q Took the children with her? A Yes, sir. I was working at the time. I was city marshall at Adair and was working for the M.K.& T Railroad, partly and working under the United States Marshall, going all the time, day and night. I was making good money.
Q What cause had she for leaving you? A Well, I suppose it was jealousy, that's all I know.
Q Did you have any place in the Cherokee Nation? A Yes, sir.
Q Where you living on that place, while you were living together as husband and wife? A We had a home at Adair.
Q You want to file for yourself and two children on part of your own holdings? A. Yes.
Q Has your wife any land she could file on for these children?
A No, sir, not now.
Q Did she at any time? A. No, sir.
Q Apart from what you had? A No, sir.
Q What kind of land is it you have for these children? A . Well, I would call it good land, right in the river bottom on the Verdigris River, not really bottom land, but next to the bottom.
Q You say your wife has no land she could file on for these children? A Unbeknownst to me if she has.
Q Have you been holding this land for yourself and children since you separated? A Not since we separated, no, sir, about a year since I bought this land - my brother let me have this land.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, she recorded the testimony in this case, and that the above and foregoing is a true and complete transcript of her stenographic notes thereof.

Frances Halcomb

Subscribed and sworn to before me this

26th day of May, 1904.

Simon R. Washington
Notary Public

Estella, I.T.
May 29th, 1903.

Commission to the Five Civilized Tribes,
Tahlequah, I T.

Dear Sirs:

In would like to be enformed if I could select and allot lands for my too children, Viola M. Adams & Emmett L. Adams, previding Nathan F. Adams Thear Father hasny already Filed, who is my Former Husband. I will explain why I Request this on 2 page.

I, Effie M. Adams, married Nathan F. Adams a Citizen by Blood of the Cherokee Nation March first 1894 at Claremore, I.T. and lived Together as man & wife untill September 1901, and my husband fell in love with a Girl that staid with us and Degreaded my self by not showing any respect to his family. Geting in big Debt giveing Notes knowing he was unable to pay out no chance for any happiness in the future and was a very unpleasant husband at any rate and was very much Deseaveing telling me untruthes Exaggreated on Everything he said. This was why I Deserted him September 1901. I moved from Adair to Vinita, I.T. where I rezided 4 months then went from there too Estella with my sister and Nathan F. Adams come to see myself & children Frequently and promised to Do far Differant if I would beleave him and live as man and wife again. Though n t keep house again soon and I beleaved him again Promised if he kept his word I would keep house again with him Gladly and since that he has proved more Faulce than Ever and has not helped me suport our children scarcely any I can prove I have kep my children right by me and strictly alone a mothers part and Raising them Perfectly hinerable I have been keeping house at a Ranch, cooking for hands geting my children board and waiges likewise for the last six months sewed or done anything that was honerable for my childrens suport and keep Them Properly and thear Father just will not help Them Enough to half keep one child and has come to see Then Twice since December and brought a Girl to acompany him and have gave them $12 since about 15 of December, so why should he be the Proper one to have Thear Land. I think myself the proper one as I suport and have every reaspunsibility of my children. I desire very much to have my girl Viola in school and her land would Educate her it is for my Childrens Benefit. Espashly Viola age 8 years Emmett 3 years old I have explaned to you by Letter as plane as could in Person and will swair to the same and can prove myself perfectly honerable and Perfectly Truthful have gave Mr. Adams ample time to Do right so now I mean strict Business

hoping to Receive an Early Reply

Yours very Respt,
Mrs. Effie M. Adams,
Estella, I.T.

P.S.

I have never Been Divoarced nor Received sweet-hearts.

Cher 10672

Benjamin Miller

Trans. from Del. 342
(Old Series)

Cher 10672

2

R

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, Indian Territory, [illegible], 1900.

In the matter of the application of Benjamin Miller for the enrollment of himself as a Cherokee citizen; being sworn by Chas. F. Breckinridge and examined by the Commission, he testified as follows:

Note: Applicant is deaf, and some questions were written to him.

Q What is your name? A Benjamin Miller.
Q How old are you? A 25.
Q What is your post-office address? A Watova.
Q Are you a Cherokee, Shawnee or a Delaware? A Delaware.
Q By blood? A Yes sir.
Q Who do you want to enroll, yjust yourself? A Just myself.

Note: Applicant cannot be made to understand questions and examination is made through a friend of his.

NATHAN ADAMS, being sworn and examined testified asfollows:

Q What is your name? A Nathan Adams.
Q How old areyou? A 25.
Q What is your post-office? A Adair.
Q Do you know this man Benjamin Miller? A Yes sir.
Q You know about how old he is? A Why from what his parents says he is about 26.
Q Is he a Delaware or a Cherokee? A He is a Delaware and Mexican.
Q What was the name of hisfather? A Jose Miller.
Q Washis father a Delaware or a Mexican? A Mexican.
Q You know what hismother's name is? A No sir, I don't know his mother; his mother isdead.
Q She was a Delaware? A Yes sir.
Q Is his father living? A Yes sir.
Q Do you know whether this man's name appears upon the roll of 188
A No sir I couldn't say.
Q Hashe lived in the Cherokee Nation all his life? A About, yes to the best of my knowledge he come in here when the Delawares did.
Q He has alwaysmade it his home since that time? A Yes sir.
1880 roll for applicant's father, page 135 #1758 Jesse Miller, Cooweescoowee District, as adopted Delaware.
1880 roll page 135 #1761 Benjamin Miller Cooweescoowee adoptedDelaware
Q Do you know where he was livingin 1896? A He was living on Verdigris near Alluwee.
Q You dont know whether he was enrolled? A No sir.
1896 roll examined and name of applicant not found.

Commission: Applicantion is made for the enrollment of Benjamin Miller, a citizen of the Cherokee Nationof Delaware blood, through Nathan Adams; the applicant is not in a condition to testify for himself; his father is identified upon the authenticated roll of 1880, and the applicant is identified thereon as an adopted Delaware; he cannot be identified on the census roll of 1896; it appears from the testimony that he has resided in the Cherokee Nation all his life; he is undoubtedly a full-blood Indian, and will be listed for enrollment by the Commission as a citizen of the Cherokee Nation of Delaware blood.

M.D.GREEN, being first duly sworn, states that [illegible] to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in the case and that the foregoing is a true and complete transcript [illegible] notes.

Subscribed and sworn to before me this 20th day of [illegible]

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

(25)

Date NOV 20 1900 1900.

Name Benjamin Miller Malova D.

District COOWEESCOOWEE. Year 1880 Page 136 No. 1761

Citizen by blood 1/2 D.B. Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

DELAWARE.

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

On 1880 rolls as Ben Miller

COPY.

Cherokee-10672.

Muskogee, Indian Territory, April 1, 1905.

John McCracken,

Watova, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of March 25, 1905, relative to the enrollment of Benjamin Miller as a citizen of the Cherokee Nation of Delaware blood.

In reply you are advised that the name, Benjamin Miller, appears upon a partial roll of citizens by blood of the Cherokee Nation approved by the Secretary of the Interior on January 28, 1905, opposite No. 32098.

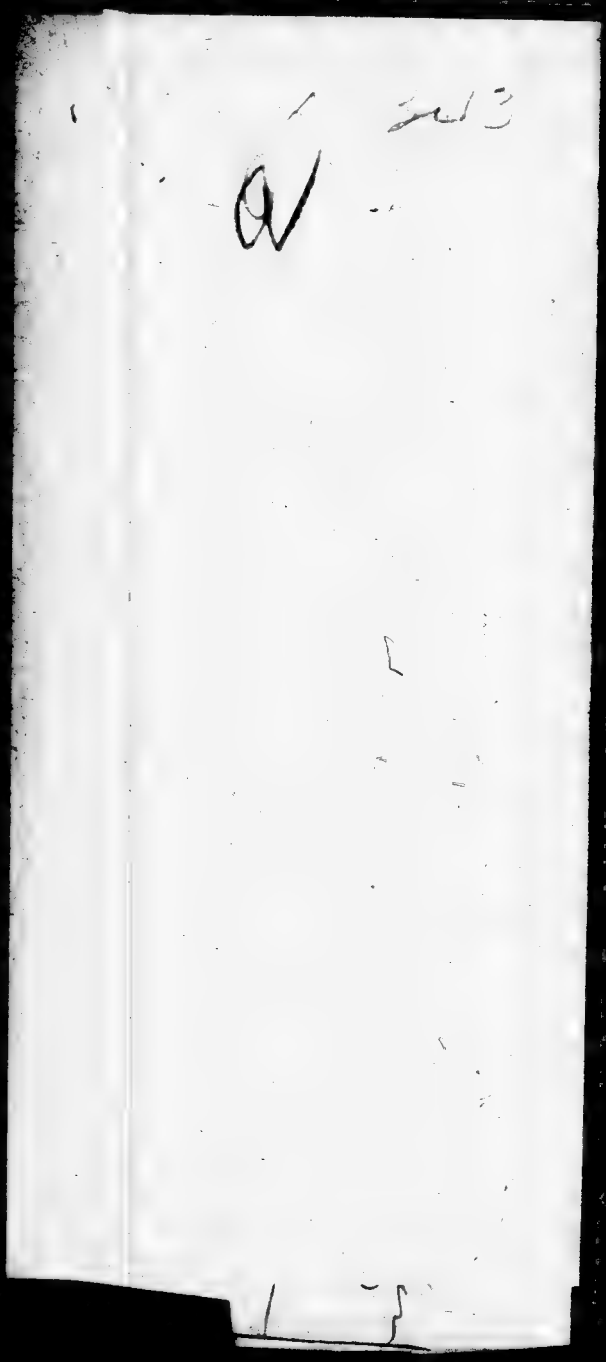
Respectfully,

(SIGNED) Tams Bixby.
Chairman.

Cher 10615

Nancy Wilson

Trans. from Del. 343
(Old Series)



DELAWARES:

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
CHELSEA, I.T., NOVEMBER 20th, 1900.

In the matter of the application of Thomas Wilson for the enrollment of himself, wife and child as citizens of the Cherokee Nation; said Wilson being sworn and examined by Commissioner Breckinridge, testified as follows: Examination conducted through Interpreter.

THOMAS NEWCOMB, being duly sworn as Interpreter, testified as follows:

Q Give your full name there? A Thomas Newcomb.
How old are you? A I am 44 years old.
Q What is your post office? A Alluwee.

Q Ask this old gentheiam what his name is? A Thomas Wilson.
Q How old is he? A 67.
Q What is his post office? A Alluwee.
Q He lives in Cooweescoowee district, does he? A Yes, sir.
Q Who does he want to enroll? A Himself, his wife and one daughter.
Q How old is his daughter? A She is 20 years old.
Q What is he, a Delaware? A Yes.
Q Is his wife a Delaware? A Yes.
Q How long has he lived in the Cherokee Nation? A About 33 years.
Q Came here with the Delawares? A Yes.
Q Has he lived here ever since? A Yes, sir.
Q What is the name now of his wife? Interpreter gives Indian name. (Her name appears upon the rolls as "Mrs.Thomas Wilson.")
Q How old is his wife? A 56 years old.
Q Did she come with him when the Delawares came? A Yes, she came here with the Delawares.
Q How long has she been your wife? A About 30 years.
Q Now, give me the name of this child? A Nancy Wilson.
Q How old is she, 20 years? A Yes.
Q She is living now is she? A Yes.

1880 Roll; page 204, #3326, Tom Wilson, Cooweescoowee.
1880 Roll; page 204, #3327, Mrs. Tom Wilson, Cooweescoowee.
1880 Roll; page 204, #3328, Infant Wilson, Cooweescoowee.
1896 Roll; page 391, #769, Thomas Wilson, Cooweescoowee.
1896 Roll; page 391, #770? Mrs. Tom Wilson, Cooweescoowee.
1896 Roll; page 391, #771, Nancy Wilson, Cooweescoowee.

Com'r Breckinridge:--The applicant applies for the enrollment of himself, his wife and one child. He and his wife are identified on the rolls of 1880 and 1896 as adopted Delawares. They came with the Delawares more than 30 years ago to the Cherokee Nation and they have lived here ever since. They will now be listed for enrollment as adopted Delawares. His daughter is identified on the rolls of 1880 and 1896 as an adopted Delaware. She is still a minor and will be now listed for enrollment as a Cherokee-Delaware.

---ooo000ooo---

J. O. Reason, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. O. Reason

Subscribed and sworn to before me this 21st day of November, 1900.

M D Lane
NP

Commissioner

COWEESCOOWEE.
Division of Northern Tenn. Eastern Dist.

CHEROKEES BY BLOOD AND ADOPTION.

Date NOV 20 1900 1900.

Name C. Thomas Wilson Allowed ✓

District COOWEESCOOWEE. Year 1880 Page 214 No. 3326

Citizen by blood Del. Mother's citizenship

Intermarried citizen No.

Married under what law

License Certificate

Wife's name Mrs Thomas Wilson

District COOWEESCOOWEE. Year 1880 Page 214 No. 3327

Citizen by blood Del. Mother's citizenship

Intermarried citizen No

Married under what law Date of marriage

License Certificate ✓

Names of Children

2 Nancy Wilson Dist. COOWEE. Year 1880 Page 214 No. 3328 Age 20

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

1 Cant Enroll as Tom Wilson

2 " " " Mrs " "

3 " " " Infant "

JOR
Delaware 343.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Dewey, I. T., November 27, 1903.

In the matter of the application of THOMAS WILSON, for the enrollment of himself, his wife, Mrs. Thomas Wilson, and child, Nancy Wilson.

GEORGE PARKS, being duly sworn, and examined, testified as follows:

Q What is your name? A George Parks.
Q How old are you? A 30.
Q What is your postoffice? A Alluwe.
Q You are a Delaware citizen of the Cherokee Nation? A Yes sir.
Q What is the name of your wife? A Nancy.
Q She's living is she? A Yes sir.
Q Is she the daughter of Thomas and Mrs. Thomas Wilson? A Yes sir.
Q They are both dead are they? A Yes sir.
Q You have just executed an affidavit as to Thomas Wilson's death on the 9th of September, 1903, and Mrs. Thomas Wilson's death on the 25th of April, 1902, have you? A Yes sir.
Q Do you know Thomas Wilson's Delaware name? A No.
Q Would you know it if you were to hear it? A No.
Q Did you ever hear her father's name? A No.
Q Did she ever have a husband named Big John? A I don't know.

JOHN R. WILLEY, being sworn and examined, testified as follows:

Q Your name is John R. Willey, you are 53 years old, your post-office is Nowata? A Yes sir.
Q You are a Registered Delaware are you? A Yes sir.
Q Do you know Mrs. Thomas Wilson? A Yes sir.
Q What was her Indian name? A Ah-quail-pun-dah-kah-e-qua.
Q Did she at one time live with a man named Big John? A Yes sir.

COMMISSION:

From an examination of the Register made in 1867 of Delaware Indians who elect to remove to the Cherokee Nation, it is found that the applicants in this case are identified thereon as follows:

Thomas Wilson, as E-yar-tup, alias Tom Wilson, No.747.
Mrs. Thomas Wilson, as Ah-quail-pun-dah-kah-e-qua.

Q Has Mrs. Thomas Wilson lived in the Cherokee Nation continuously since the Delawares came here until the time of her death? A Yes sir.

GEORGE PARKS, being recalled, testified as follows:

Q When were you and Nancy married? A The 22nd of July.
Q What year? A 1903.
Q You and she are living together now are you? A Yes sir.

COMMISSION:

The witness, George Parks, is listed for enrollment on Delaware card No. 107.

Q Has your wife lived in the Cherokee Nation continuously all of her life? A Yes Sir.
Q She never made her home anywhere else at all? A No.

COMMISSION:

The applicant presents a duly authorized marriage license issued by Charles A. Davidson, Clerk of the U. S. Court for the Northern District, Indian Territory, on the 22nd day of June, 1903, authorizing the marriage of George Parks and Nancy Wilson; also a certificate signed by S. L. Whipby, a minister of the Gospel, on the 30th day of July, 1903, certifying that he united in matrimony the above named parties on the 29th of July, 1903.

R. Palmer, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he recorded the testimony and proceedings had in the above case, and the foregoing is a true and correct transcript of his stenographic notes thereof.

R Palmer

Subscribed and sworn to before me this 8th day of December, 1903.

Samuel Fornerd
Notary Public.

JOR Cherokee 10673

Department of the Interior,
Commission to the Five Civilized Tribes,
Cherokee Land Office,
Tahlequah, I.T. June 16, 1904.

In the matter of the application of Nancy Wilson for the enrollment of herself as a Delaware citizen by blood of the Cherokee Nation.

SUPPLEMENTAL TESTIMONY.

GEORGE PARKS, being duly sworn and examined by the Commission, testified as follows:

Q What is your name? A George Parks.
Q How old are you? A 30 or 31 I forget which.
Q What is your post office? A Alluwe.
Q Your post office used to be Welden? A Yes sir, it used to be Welden.
Q You are a Cherokee citizen are you? A Yes sir, Delaware.
Q Are you married? A Yes sir.
Q Have you married since you were enrolled? A Yes sir.
Q What was your wife's name before you married her? A ~~Nancy~~ Nancy Wilson.
Q Is she a daughter of Thomas and Mrs. Thomas Wilson? A Yes sir.
Q When did you and she marry? A I believe in July, I forgot to bring the papers.
Q Next month will be a year? A Yes sir.
Q Are you and Nancy living together now? A Yes sir.
Q Did she ever make her home outside the Cherokee Nation? A No sir.
Q Lived here continuously all of her life? A Yes sir.
Q She has always been recognized as a Delaware citizen of the Cherokee Nation? A Yes sir.

Mary B. Risser, being duly sworn, states that, as stenographer to the Commission to the Five Civilized Tribes, she correctly recorded the supplemental testimony in this case and that the foregoing is a true and complete transcript of her stenographic notes therein.

Mary B. Risser

Subscribed and sworn to before me
this 23rd day of June, 1904.

J. Rosser
Notary Public.

MBR

Muskogee, Indian Territory, June 8, 1906.

C E R T I F I C A T E.

This is to certify that the records of the Commission to the Five Civilized Tribes show that Thomas Wilson is a Delaware Indian and that he died on the 9th day of September, 1903.

The records of the Commission further show that Nancy Wilson is the daughter of Thomas Wilson, deceased, and is a full blood Indian.

The records of the Commission further show that Nancy Wilson was married in July, 1903, to George Parks, a citizen of the Cherokee Nation.

The records of the Commission further show that at the time Thomas Wilson applied for enrollment that he also applied for the enrollment of Nancy Wilson, his daughter, and that he did not apply for the enrollment of any other person.

Commissioner in Charge.

Cher 1067.4

Polly M. Newcomb

Trans. from Del 344
(Old Series)

DELAWARES:

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES,
CHEROKEE, I.T., NOVEMBER 20th, 1900.

In the matter of the application of Thomas Newcomb for the enrollment of himself, wife and child as citizens by Delaware blood of the Cherokee nation; said Newcomb being sworn and examined by Commissioner Breckinridge, testified as follows:

Q Give me your full name? A Thomas Newcomb.
Q How old are you? A 44 years old.
Q What is your post office? A Alluwee.
Q Do you live in Cooweescoowee district? A Yes, sir.
Q Do you want to enroll yourself and family? A Yes, sir.
Q Have you a white? A Yes, sir.
Q How many children? A One.
Q Are you a Delaware? A Yes, sir.
Q What is your wife? A She is a white woman.
Q How long have you lived in the Cherokee nation; came here with the Delwares? A Yes, sir, I come with the Delawares.
Q Give me your wife's name, please? A Mary Jane Newcomb.
Q How old is your wife? A 32.
Q When did you marry her? A I have been married eight years ago the 14th of August.
Q Were you ever married before that? A Yes, sir.
Q How many times? A This second time I have been married.
Q Was your first wife dead when you married this wife? A Yes, she dead. She was a Delaware.
Q Was your wife ever married before she married you? A Yes, sir.
Q How many times? A Once.
Q Was that husband dead before she married you? A Yes, sir.
Q What was his name? A Jim Durham.
Q When did he die? A He died ten years ago.
Q You and your wife, have you lived together as husband and wife ever since you married eight years ago? A Yes, sir.
Q Give me the name of your child? A Pollie May.
Q How old is the child? A Going on eight years old.

1880 Roll; page 149, #2109, Tom Newcomb, Cooweescoowee.
1896 Roll; page 397, #491, Thomas Newcomb, Cooweescoowee.
1896 Roll; page 317, #793, Mollie Newcomb, Cooweescoowee.
1896 Roll; page 397, #492, Polly May Newcomb, Cooweescoowee.

Com'r Breckinridge:--The applicant applies for the enrollment of himself, his wife and one child: He is identified upon the rolls of 1880 and 1896 as an adopted Delaware. He has lived in the Cherokee nation more than 30 years and he will be listed now for enrollment as an adopted Delaware. His wife is identified with him on the roll of 1896. She is a white woman. Both she and her husband were previously married, but his wife and her former husband were dead at the time of their marriage. She has lived with him some eight years ever since their marriage. She is identified with him and their child on the roll of 1896. She will be now listed for enrollment as an adopted Cherokee. The child, Pollie May Newcomb, is identified on the roll of 1896, is living now and will be listed for enrollment as a Cherokee-Delaware.

---oooOOOooo--

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. O. Rosson

Subscribed and sworn to before me this 21st day of November, 1900.

Tams Bixby

Commissioner.

Statement of Applicant for Enrollment before me.

CHEROKEES BY BLOOD AND ADOPTION.

Date NOV 20 1900 1900.

Name 44 Thomas Newcomb, Ottawa Co

District COOWEESCOOWEE. Year 1880 Page 149 No. 209

Citizen by blood Full Mother's citizenship

Intermarried citizen No

Married under what law Date of marriage

License Certificate

Wife's name McCarvare

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

2 Polly M. Newcomb Dist. COOWEESCOOWEE. Year 1896 Page 379 No. 492 Age 8

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

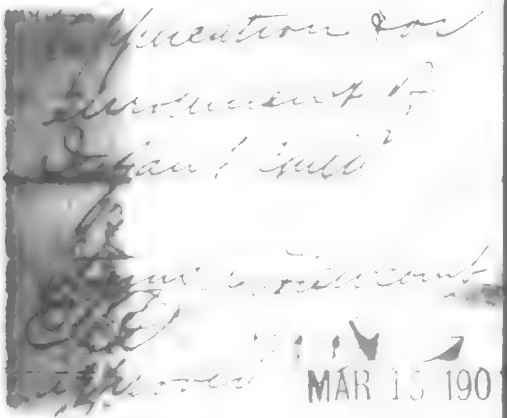
Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Delaware

1 Ca. 1899 roll as Tom Newcomb
2 " 1896 " " Polly May "



MAR 13 190

DEPARTMENT OF
COMMISSION OF THE
FILED
MAR 13

[redacted]tment of the Interior
[redacted]mission of the Five Civilized Tribes

In Re Application for Enrollment as a Citizen of the Cherokee Nation of Otmus Andrew Newcomb born on the 1st day of Jaury 1901. Name of Father Thomas Newcomb a citizen of the Cherokee Nation, Name of Mother Mary J. Newcomb a citizen of the Cherokee Nation
Post office Okmulgee Ind. Ter.

Affidavit of Mother

United States of America }
Indian Territory }
Northern District }

I Mary J Newcomb on oath state that I am thirty two years of age and a citizen by marriage, of the Cherokee Nation; that I am the lawful wife of Thomas Newcomb, who is a citizen by blood of the Cherokee Nation; that a male child was born to me on the 1st day of Jaury 1901; that said child has been named Otmus Andrew Newcomb, and is now living

Witness to mark
J E Campbell
D. A. Lovette.

her
Mary J. Newcomb
X
mark

Subscribed and sworn to before me this 15th day of Febry 1901
Thomas R. Glass
Notary Public

(Jay Com. Ex. Feb 28th 1904)

Affidavit of attending Physician, or Midwife.

United States of America }
Indian Territory }
Northern District }

I William Nairn a physician on oath state that I attended on Mrs Mary J Newcomb wife of Thomas Newcomb on the 1st day of Jaury 1901; that there was born to her on said date a male child that said child is now living and is said to have been named Otmus Andrew Newcomb

Wm Nairn MD

Subscribed and sworn to before me this 8th day of March 1901
Thomas R. Glass
Notary Public

Delaware 344.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
CHEROKEE LAND OFFICE.
Tahlequah, I. T., November 17, 1903.

In the matter of the application of THOMAS NEWCOMB, for the enrollment of himself, and children, Polly M. and Otmus A. Newcomb, as Delaware citizens of the Cherokee Nation.

JOHN YOUNG, being first duly sworn and examined testified as follows:

Q State your name please? A. John Young.
Q How old are you? A About 57, somewhere along there.
Q Your postoffice address is Weldon? A Yes sir.
Q Are you a Delaware Indian by blood? A Yes sir.
Q A citizen of the Cherokee Nation? A Yes sir.
Q How long have you resided in the Cherokee Nation? A Well its about 36 years now.
Q Did you come here when the Delawares came in 1867? A Yes sir.
Q Does your name appear on the Register of Delawares who cametto the Cherokee Nation at that time; are you a Registered Delaware? A Yes sir, but I don't know if my English name is on it; my Indian name is.
Q Do you know Thomas Newcomb? A Yes sir.
Q He's a man now about 47 years of age? A Yes sir.
Q What is his postoffice address? A Alluwe.
Q Have you seen him recently? A Yes sir.
Q How long since you seen him? A This summer, in Dewey.
Q He is living at this time so far as you know? A Yes sir.
Q He testified that he was a half breed Delaware Indian? A Yes sir.
Q Do you know whether he came ~~xxx~~ to the Cherokee Nation with the Delaware Indians in 1867? A Yes sir.
Q Does his name appear on the Register of Delawares who came at that time? A Yes sir.
Q Has he lived in the Cherokee Nation continuously since he came here? A Yes sir.
Q You have known him continuously since he came here? A Yes sir.
Q Do you know his wife Mary J. Newcomb? A No, I don't.
Q Do you know his children? A No sir.
Q You don't know how many children he has? A No sir.
Q Is it your understanding that he married a white woman? A Yes sir.

COMMISSION:
From an examination of the Register made in 1867, of Delaware Indians who elect to remove to the Cherokee Nation, it is found that the applicant is identified thereon as Hamilton Newcomb (Tom Newcomb), No. 506.

Q He never has made his home outside of the Cherokee Nation since the Delawares came here? A No sir.

R. Palmer, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings had in the above case, and the foregoing is a true and correct transcript of his stenographic notes thereof.

R Palmer

Subscribed and sworn to before me this 20th day of November, 1903.

~~Samuel Freeman~~
Notary Public.

Cher 10675

Anna J. Seigel

Trans. from Del. 346
(Old Series)

Cher 10675

DEPAWARES:

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
CHELSEA, I.T., NOVEMBER 20th, 1900.

In the matter of the application of George W. Seigel for the enrollment of himself, wife and children as citizens of the Cherokee Nation by Delaware blood; said Seigel being sworn and examined by Commissioner Breckinridge, testified as follows:

Q Give me your full name? A George W. Seigel.
Q How old are you? A 39.
Q What is your post office? A Kinnison.
Q Do you live in Cooweescoowee district? A Yes, sir.
Q Who do you want to enroll, yourself and family? A Myself, wife and six children.
Q Are you a Cherokee by blood? A No, sir.
Q Is your wife a Cherokee? A NO, sir, adopted Delaware.

Com'r:--The applicant presents an official copy of the records of Cooweescoowee district showing that on October 30th, 1889, license was issued to him to marry Miss Anna J. Anderson, and that the ceremony was performed on the sate date by the Clerk of the district. This is filed herewith.

Q Have you lived with your wife in the Cherokee Nation ever since you married her in '89? A Yes, sir.
Q Were you ever married except to this wife? A No, sir.
Q Was she ever marridd except to you? A No, sir.
Q Your wife's full name then at this time is Anna H. Seigel, is it? A Yes, sir.
Q How old is she? A 27.
Q What is the name of her father? A Alexander M. Anderson.
Q Is he dead? A No, sir.
Q Give me the name of her mother? A Rachel.
Q Is she dead? A No, sir.
Q Was your wife born in the Cherokee Nation? A Yes, sir, so I was told.
Q Has she lived here all her life? A Yes, sir.
Q Give me the names, please, of your children? A Ada.
Q How old is that child? A Born November 22, 1890.
Q Ten years old? A Yes, sir.
Q The next child? A Charles J.
Q How old is he? A Born January 5, 1891.
Q The next child? A Leslie M.
Q How old is that child? A December 30th, 1893.
Q The next child? A James A
Q How old is that child? A Born November 21, 1895.
Q The next child? A Eva G.
Q How old is that child? A Born November 25, 1897.
Q The next child? A Anna H.
Q How old is she? A Born January 21, 1900.
Q These children are all living now, are they? A Yes, sir.

1880 Roll; page 58, #15, A. J. Anderson, Cooweescoowee.
1896 Roll; page 385, #625, Anna J. Seigel, Cooweescoowee.
1896 Roll; page 323, #893, George W. Seigel, Cooweescoowee.
1896 Roll; page 385, #626, Ada Seigel, Cooweescoowee.
1896 Roll; page 385, #627, Charles J. Seigel, Cooweescoowee.
1896 Roll; page 385, #628, Leslie M. Seigel, Cooweescoowee.
1896 Roll; page 385, #629, James A. Seigel, Cooweescoowee.

Com'r Bredkinridge:--The applicant applies for the enrollment of himself, his wife and six children: His wife is identified on the rolls of 1880 and 1896 as an adopted Delaware. She has lived in the Cherokee Nation all her life and she will be listed now for enrollment as a Cherokee-Delaware. He is shown to have married his wife in accordance with Cherokee law in 1889. Neither were previously married. They have lived together ever since their marriage. He is identified on the roll of 1896 and he will be listed now for enrollment as a Cherokee by intermarriage.

Of the six children named in the testimony, the first four older children are identified on the roll of 1896. They are living now and will be listed for enrollment as Cherokee-Delawares. When the applicant files proper certificates of the birth of the two youngest children, Eva C. and Anna R., they will also be listed for enrollment as Cherokee-Delawares.

---oo0OOo0oo---

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. O. Rosson

Subscribed and sworn to before me this 21st day of November, 1900.

M D Lee

M B

Commissioner.

~

W

COWEESCOOWEE

CHEROKEES BY BLOOD AND ADOPTION.

Date NOV 20 1900 NOV 20 1900 1900.

Name Kennedy D.

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen McClaware

Married under what law Date of marriage

License Certificate

1 Wife's name Anna J. Deigel

District Year Page 58 No. 15

Citizen by blood Full Mother's citizenship Alex. M. Anderson —do—

Intermarried citizen Yes Rachel " — —do—

Married under what law Date of marriage

License Certificate

Names of Children:

2	Ada Deigel	Dist.		Year 1896	Page 385	No. 626	Age 10
3	Charles J. "	Dist.	"	Year "	Page 385	No. 627	Age 9
4	Leslie M. "	Dist.	"	Year "	Page 385	No. 628	Age 7
5	James A. "	Dist.	"	Year "	Page 385	No. 629	Age 5
6	Eva J. "	Dist.		Year	Page	No.	Age 3
7	Anna R. "	Dist.		Year	Page	No.	Age 10 mo
		Dist.		Year	Page	No.	Age
		Dist.		Year	Page	No.	Age
		Dist.		Year	Page	No.	Age
		Dist.		Year	Page	No.	Age

McClaware

1 Card & Roll as A. J. Anderson

6 and 7 Affidavits to be supplied.

the 25th day of September 1900.

C.M. Abbott

Assistant Examining Surgeon

Chicago Ill.

9

Oct.30th 1889 License issued to Geo.W.Geigel a United States citizen to marry Miss Anna J.Anderson a bona fied Citizen of the Cherokee Nation

Petition signed by Jno.M.Anderson, Leo.H.Walker, Geo.Walker, J.C.[illegible], S.[illegible], Wm.Field, Geo.Beers, Henry Wolfe,

[illegible] Oct. 30th by Wm.W.[illegible], Clk Coo.Dist. C.N.

[illegible] Oct. 30th 1889.

Wm.W.[illegible], C.D. C.N.

B. W. Alberty

IN RE

Application for Enrollment of

INFANT CHILD

Era L. Singh.

as a citizen of the

Cherokee Nation.

Approved [illegible] 1906

[illegible]

Commissioner.

[illegible]

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE *Application for Enrollment*, as a citizen of the Cherokee Nation,

of Eva Gertrude Seigel, born on the 26th day of November, 1897.
(Here insert name of child.)

Name of Father: George W. Seigel, a citizen of the Cherokee Nation.

Name of Mother: Anna J. Seigel, a citizen of the Cherokee Nation.

Post-office Kinnison I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
~~INDIAN TERRITORY,~~
State of Texas, Lamar County, } ss.
~~District.~~

I, Anna J. Seigel, on oath state that I am 27 years of age and a citizen, by birth, of the Cherokee Nation; that I am the lawful wife of George W. Seigel, who is a citizen, by adoption, of the Cherokee Nation; that a female child was born to me on the 26th day of November 1897; that said child has been named Eva Gertrude Seigel, and is now living.
(Male or female)

Anna J Seigel

WITNESSES TO MARK:
(Must be Two Witnesses)
Geo H Boon
W Van Fleet

Subscribed and sworn to before me this 7th *day of* November 1900.

Thos J Hammelle
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
~~Indian Territory,~~
State of Texas
Lamar County, } ss.
~~District.~~

I, Rachel Anderson, a midwife, on oath state that I attended on Mrs. Anna J Seigel, wife of George W. Seigel, on the 26th day of November, 1897; that there was born to her on said date a female child; that said child is now living and is said to have been
(Male or female)
named Eva Gertrude Seigel.

her
Rachel X Anderson
mark

WITNESSES TO MARK:
(Must be Two Witnesses)
Geo H Boon
W Van Fleet

Subscribed and sworn to before me this 7th *day of* November 1900.

Thos J Hammelle
NOTARY PUBLIC.

IN RE

Application for Enrollment of

INFANT CHILD

Anna A. Segal

as a citizen of the

Cherokee Nation.

Approved Apr. 20 1900

A. Bruce

Commissioner.

Card

Delaware 346

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of Anna Rachel Seigel, born on the 21st day of January, 1900
(Here insert name of child.)
Name of Father: George W. Seigel, a citizen of the Cherokee Nation.
Name of Mother: Anna J. Seigel, a citizen of the Cherokee Nation.
Post-office Kenwood I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
~~INDIAN TERRITORY,~~
State of Kansas, Labette County, } ss.

I, Anna J. Seigel, on oath state that I am 27
years of age and a citizen, by Birth, of the Cherokee Nation;
that I am the lawful wife of George W. Seigel, who is a citizen, by
adoption, of the Cherokee Nation; that a female child was
(Male or female)
born to me on the 21st day of January 1900; that said child has been
named Anna Rachel Seigel, and is now living.

Anna J. Seigel

WITNESSES TO MARK:
(Must be Two Witnesses.) Geo H Boon
W Van Tuber

Subscribed and sworn to before me this 7th day of November 1900.
Thos. J. Mannelly
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
~~INDIAN TERRITORY,~~
State of Kansas, Labette County, } ss.
~~District~~

I, Rachel Anderson, a midwife, on oath state that I
attended on Mrs. Anna J. Seigel, wife of George W. Seigel,
on the 21st day of January, 1900; that there was born to her on
said date a female child; that said child is now living and is said to have been
(Male or female)
named Anna Rachel Seigel. her
Rachel X Anderson
mark.

WITNESSES TO MARK:
(Must be Two Witnesses.) Geo H Boon
W Van Tuber

Subscribed and sworn to before me this 7th day of November 1900.
Thos. J. Mannelly
NOTARY PUBLIC.

IN RE

Application for Enrollment of

INFANT CHILD

as a citizen of

CHEROKEE NATION.

Approved [illegible] 1907

[illegible]

Commissioner.

For Sale by Leader Printing Co., Vinita

IN RE

Application for Enrollment of

INFANT CHILD

of

CHEROKEE NATION

Approved

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE: Application for Enrollment, as citizen of the Cherokee Nation, of Henry Geo. Seigel, born on the 17 day of July, 1902.

Name of Father: George W. Seigel, a citizen of the Cherokee Nation.

Name of Mother: Anna J. Seigel, a citizen of the Cherokee Nation.

Post-office: Robinson I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, NORTHERN DISTRICT.

I, Anna J. Seigel, on oath state that I am 29 years of age and a citizen, by Blood, of the Cherokee Nation; that I am the lawful wife of George W. Seigel, who is a citizen, by Married, of the Cherokee Nation, that a Male child was born to me on the 17 day of July, 1902; that said child has been named Henry Geo Seigel, and is now living.

WITNESSES TO MARK: Anna J. Seigel

(First two Witnesses)

Subscribed and sworn to before me this 20 day of August, 1902

G. S. Davis
NOTARY PUBLIC.

My com. exp. Feb. 21, 1905

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, NORTHERN DISTRICT.

I, J. B. Johnson, a Physician, on oath state that I attended on Mrs. Anna J. Seigel, wife of Geo W. Seigel on the 17 day of July, 1902; that there was born to her on said date a Male child; that said child is now living and is said to have been named Henry Geo Seigel

J. B. Johnson M.D.

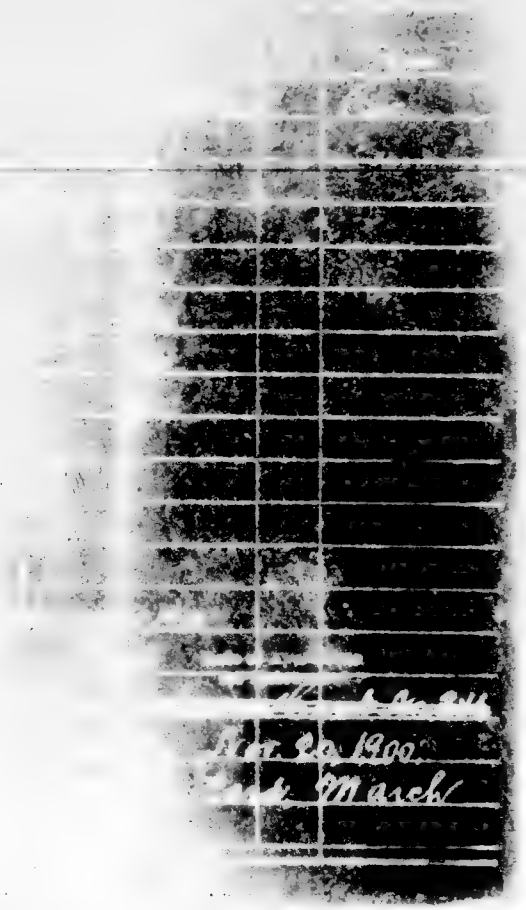
WITNESSES TO MARK:

(First two Witnesses)

Subscribed and sworn to before me this 21 day of July, 1902.

G. S. Davis
NOTARY PUBLIC.

My com. exp. Feb 21 any 1905



CARD NO.

FIELD NO.

ENROLLMENT OF PARENTS

Name	Name of Mother	Year
[illegible]	Rachel	
[illegible]	[illegible]	
[illegible]	[illegible]	
[illegible]	[illegible]

(Blank 21.)

CHEROKEE ROLL. INDIANS BY BLOOD.

Number.	Name.	Age.	Sex.	Blood.	Card No.
52107	Seigel, Eva G.	5	F	1/8	10675

Cher 10678

Edward O. Nidiffer

Trans. from Del. 347
(Old Series)

"R"

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
CHELSEA, I. T., NOV. 20th, 1900.

IN THE MATTER OF THE APPLICATION OF Edward Olinthus Nidiffer for the enrollment of himself and child as citizens of the Cherokee Nation, and he being sworn ~~and ex~~ by Commissioner, C. R. Breckinridge, testified as follows:

By the Commission:
Q What is your name please? A Edward Olinthus Nidiffer.
Q How old are you? A Twenty three.
Q What is your Postoffice address? A Afton.
Q Are you a Cherokee by blood? A Cherokee and Delaware both.
Q What degree of Indian blood do you claim?
A I do not know just how much Cherokee I am: More Delaware than Cherokee.
Q How much Indian blood do you claim? A About one fourth I guess.
Q For whom do you make application? A Myself and one child.
Q Yourself and one child? A Yes sir.
Q How long have you actually resided in the Cherokee Nation?
A All my life.
Q Have you been outside of the Cherokee Nation for any purpose within the past three years? A No sir.
Q What is the name of your father? A Freeman Nidiffer.
Q Is he living? A Yes sir.
Q Is your father a Cherokee or Delaware? A Cherokee.
Q What is the name of your mother? A Mary R.
Q Is she living? A Yes sir.
Q Is she a Cherokee or Delaware? A Delaware.
Q Does your name appear upon the roll of 1880? A Yes sir.
Q What district were you living in at that time? A Delaware.
Q What district were you living in in 1896? A I think Coowee-scoowee.
Q Are you married? A Yes sir.
Q What is your wife's name? A Maud R.
Q Is she living? A Yes sir.
Q How old is she? A Twenty two years old.
Q Is she a Cherokee or a white woman? A White woman.
Q When were you married to her? A In 1897 I believe.
Q Have you any evidence of your marriage? A Yes sir.

The applicant presents a marriage license, authorizing the marriage of the applicant to Miss Maude Lewis; license issued by James A Winston, Clerk of the United States Court for the Northern District of the Indian Territory on the 20th day of November, 1897. He also presents a certificate, showing that he was married by T. M. Buffington, Judge of the Northern Circuit of the Cherokee Nation, on the 21st day of November, 1897. License and certificate are filed herewith.

Q Give me the name of your child? A Louisa R.
Q How old is this child? A Three weeks old, last Friday, I believe.
Q Is this child living and living with you at this time?
A Yes sir.
Q You are the father of the child? A Yes sir.
Q And your present wife is the mother? A Yes sir.
Q Were you ever married before? A Yes sir.
Q What was the name of your first wife? A Bertha Dorsey.
Q Was she a white woman, you say? A I guess so.
Q When did she die? A I do not know whether she is dead or not.
Q Were you divorced from her? A Yes sir.
Q Have you any evidence of your divorce? A Not sir, but not with me.
Q Who secured the divorce? Did you, or was the divorce granted to her? A Granted to me.
Q Upon what grounds? A We just did not agree.
Q Did she leave you, or did you leave her? A I left her.

Q Did you leave her, or did she leave you? A I left her.

By Mr. Cale Starr, Cherokee Representative:
Q You say you brought the suit for divorce? A Yes sir/
Q In what ~~ground~~ Court? A Cherokee Court, Claremore.
Q Coowescoowee District? A Yes sir.
Q What ground did you allege for obtaining the divorce?
A Just because she had been with some one else.
Q What do you mean by that? A She had been with another man.
Q It was upon the ground of adultery then? A I do not know what you call it. I guess that is it.

By the Commission:
Q Was your wife ever married before? A Yes sir.
Q What was her first husband's name? A James Lewis.
Q Is he living or dead? A Dead.
Q When did he die? A About six years ago I think.
Q He died before you married her? A Yes sir, about two years.
Q Did she live with him continuously until the time of his death?
A Yes sir.
Q Never was divorced from him? A No sir.

(1880 Roll, Page 293, #1883, Edward O. Neidiffer, Del. D'st)
(1896 Roll, Page 224, #5549, Edward O. ~~Nidiffer~~ Nidiffer, Coo-weescoowee District)

Q Do you desire to be enrolled as a Delaware? A Yes sir.

The applicant applies for the enrollment of himself and one child as citizens of the Cherokee Nation of Delaware blood. He is i den-tified upon the authenticated roll of 1880, and upon the census roll of 1896, as a nativr Cherokee: He has lived in the Cherokee Nation all hiw life. His mother appears upon the said rolls as an adopted Delaware, and he avers that his mother was a Delaware by blood.
The applicant will be listed for enrollment by this Commission as a citizen of the Cherokee Nation by Delaware blood. When he files with the Commission a properly executed affidavit of the birth of his child, Louisa E., this child also will be listed for enrollment as a Cherokee citizen by Delaware blood.
He presents satisfactory proof of marriage to Maur R. Nidiffer, a white woman, on the 21st day of November, 1897: He has lived with her continuously since that time. He avers that he was formerly married to one, ~~Mamie Lewis~~ Bertha Dorsey: He was divorced from her, and he will be required to file with the Commission either the original, or a certified copy of the decree of Court granting him the divorce from his former wife, Bertha Dorsey.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 26th day of November, 1900.

COMMISSIONER.

Chinese Repository

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

(23)

Date NOV 20 1900 1900.

1 Name Edward O. Nidiffer Atlas D.S.

District DELAWARE. Year 1880 Page 293 No. 1883

Citizen by blood yes 1/4 Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

2 Louisa E. Nidiffer Dist. Year Page No. Age 3 mos

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

DELAWARE.S

1 on 1880 roll as Edward O Nidiffer

2 Birth affidavit required

Copy of decree of divorce between Edward O. Nidiffer and former wife to be supplied

Chr 20676

IN RE

Application for Enrollment of

INFANT CHILD

Louisa Evelyn Riddle,

as a citizen of the

Nation.

Approved, [illegible] 1907

[illegible]

Commissioner.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Louisa Evelyn Nidiffer, born on the 26 day of October, 1900,
(Here insert name of child)

Name of Father: Edward Clenthus Nidiffer, a citizen of the Cherokee Nation.

Name of Mother: Maud R. Nidiffer, a citizen of the Cherokee Nation.

Post-office, Afton

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern District. } ss

I, Maud R. Nidiffer, on oath state that I am 22 years of age and a citizen, by Marriage, of the Cherokee Nation; that I am the lawful wife of Edward Clenthus Nidiffer, who is a citizen, by Blood, of the Cherokee Nation; that a Female (male or female) child was born to me on the 26 day of October 1900; that said child has been named Louisa Evelyn Nidiffer, and is now living.

Maud R Nidiffer

WITNESSES TO MARK: (Must be Two Witnesses)
Cleo Smith
[illegible]

Subscribed and sworn to before me this 16 day of Nov 1900.

J. S. Smith
NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern District. } ss.

Jas. R. Dawson, a Physician, on oath state that I attended on Mrs. Maud R. Nidiffer, wife of Edward Clenthus Nidiffer, on the 26 day of October, 1900; that there was born to her on said date a Female (male or female) child; that said child is now living and is said to have been named Louisa Evelyn Nidiffer.

Jas R. Dawson M.D.

WITNESSES TO MARK: (Must be Two Witnesses)
Jas M Scott
Cleo Smith

Subscribed and sworn to before me this 16th day of Nov 1900.

J. S. Smith
NOTARY PUBLIC.

Cher 10677

Isaac Secondine

Trans. from Del 348
(Old Series)

[redacted]

IN THE MATTER OF THE [redacted]
[redacted]

Q Give me your full name? A [redacted]
Q How old are you? A [redacted]
Q What is your Postoffice address? A [redacted]
Q What district do you live in? A Yes sir.
Q Where do you want to [redacted]
Q Have you lived in the Cherokee Nation all your life? A
A Yes sir.
Q Are you a Cherokee by blood? A Delaware.
Q Give me the name of your father? A Tillers Coon Mills.
Q Is he dead? A No sir.
Q Give me the name of your mother? A Rachel.
Q Is she dead? A Yes sir.

(1880 Roll, Page 171, #3864, Isaac Secondine, Geo. District)
(1896 Roll, Page 305, #314, Isaac Secondine, Geo. District)

The applicant is identified on the rolls of 1880 and 1896, as a Delaware: He has lived in the Cherokee Nation all his life, and he will be listed for enrollment as a Cherokee citizen Delaware.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 21st day of November, 1900.

COMMISSIONER.

J. D. 348

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
NOV 21 1900

ACTING CHAIRMAN.

CHEROKEES BY BLOOD AND ADOPTION

Date

Name Isaac Secondine, Cowlys Bluff P.O.

District COOWEESCOOWEE. Year 1880 Page 171 No. 2384

Citizen by blood Del. Mother's citizenship Fishmore, Secondine — do

Intermarried citizen No Rachel " — do

Married under what law Date of marriage

License Certificate

Wife's name Delaware

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
Delaware	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Del 307

Delaware #307.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Tahlequah, I.T., January 8, 1904.

In the matter of the application of [redacted] for the enrollment of himself and children, Charles [redacted] and Andrew Secondine as Delaware citizens of the Cherokee Nation.

SUPPLEMENTAL STATEMENT.

Upon an examination of the Register of [redacted] made in 1867, of the names of persons who elected to become citizens of the Cherokee Nation in accordance with the terms of the Treaty between the Delaware and Cherokee Indians, entered into April 8, 1867, it is found that the applicant is duly identified upon said Register as follows:

Filmore Secondine, as Fill-more Secondine, No. 684.

It is ordered that copies of this statement be filed with and made a part of the record in this case.

C. R. Breckinridge Jr.
Commissioner.

MH

COPY.

Cherokee--20277.

Muskogee, Indian Territory, February 28, 1905.

Isaac Secondine,

Nowata, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of February 20, 1905, asking to be advised whether or not your application for enrollment as a citizen of the Cherokee Nation has been finally approved by the Secretary of the Interior.

In reply you are advised that the name of Isaac Secondine appears upon a partial roll of citizens by blood of the Cherokee Nation approved by the Secretary of the Interior on January 26, 1905, opposite No. 32112.

Respectfully,

SIGNED. Tams Bixby, Chairman.
Commissioner in Charge.

Cher 10678

John W. Washington

Trans. from Del. 349
(Old Series)

DELAWARES: No.

Department of the Interior,
Commission to the Five Civilized Tribes,
Chelsea, I. T., November 21st, 1900.

In the matter of the application of Cyrus Washington for the enrollment of himself and five children as Cherokee citizens by Delaware blood, and for the enrollment of his wife, Rachel Washington, as a Cherokee citizen by intermarriage:

He being duly sworn before the Commission, testified as follows:

Q What is your name? A Cyrus Washington.
Q How old are you? A 36:
Q What is your post office address? A White Oak.
Q Are you a Cherokee by blood? A Delaware.
Q What degree of Delaware blood do you claim? A One half.
Q For whom do you make application for enrollment? A Myself, wife and five children.
Q How long have you lived in the Cherokee Nation? A Have been living her ever since I was seven years old.
Q Have you been outside of the Cherokee Nation for any purpose within the past three years? A No sir.
Q What is your father's name? A George Washington.
Q Is he living? A No, sir.
Q Was he a Cherokee? A No, sir.
Q Delaware? A Yes, sir.
Q What is the name of your mother A Nancy.
Q Is she a Delaware? A Yes, sir.
Q Does your name appear upon the 1880 roll? A I reckon so.
Q What district were you living in then? A Delaware district.
Q What district were you living in in 1896? A Cooweescoowee.
Q Are you married? A Yes, sir.
Q What is your wife's name? A Rachel.
Q Is she living? A Yes, sir.
Q How old is she? A 30 years old.
Q Is she a Cherokee?or Delaware? A She is a white woman
Q What is her father's name? A John Bowsmith.
Q What is your wife's mother's name? A HAnnah.
Q Were your wife's parents ever recognized as citizens of the Cherokee Nation? A No, sir.
Q How many children have you under 21 years of age and unmarried?
A Five.
Q Give me the name of the eldest? A John Wesley.
Q How old is he? A 12 years.
Q Give me the name of the next child? A Louis.
Q How old? A Six.
Q Give me the name of the next child? A Ethel W/
Q What is her age? A Four years.
Q The next one? A Hannah B
Q How old? A Two years.
Q The next child? A Gertrude.
Q What is her age? A She was born the 11th of last month.
Q Are these children all alive and living with you at this time?
A Yes, sir.
Q Are you the father of all these children? A Yes, sir.
Q Is Rachel the mother? A Yes, sir.
Q When were you married? A This copy I have here shows that I was married on the 15th of January, 1885. The certificate and license that I got got burned up.

The applicant presents a certified copy of marriage license showing that he was married to Rachel Bowsmith on the 15th of January, 1885. This is filed herewith.

Q Have you lived with her continuously since that time? A Yes, sir.
Q Were you ever married before? A No, sir.
Q Was she? A No, sir.

Cyrus Washington--2.

1880 Roll; page 316, #2883, Cyrus Washington, Delaware.
Q Were your father and mother both Delawares? A Yes, sir.
Q Did they die before the year of 1880 (Warrant)? A I cannot tell.
Q Did they ever call your mother Eliza? A That is my step-mother's name.
1896 Roll; page 391, #772, Cyrus Washington, Cherokee-Delaware.
1896 Roll; page 389, #1074, Rachel Washington, Cherokee-Delaware.
1896 Roll; page 391, #773, Wesley Washington, " "
1896 Roll; page 391, #774, Louis " "
1896 Roll; page 391, #775, Ethel " "

The applicant applies for the enrollment of himself and five children as Cherokee citizen by Delaware blood and for his wife as a Cherokee citizen by intermarriage: He is identified on the 1880 roll as a native Cherokee, but he avers that both his father and mother were Delawares by blood. He is identified on the census roll of 1896 as an adopted Delaware. He will be listed now for enrollment by this Commission as a Cherokee-Delaware. His three eldest children are identified on the census roll of 1896 as adopted Delaware. Their residence has been established to the satisfaction of the Commission and they also will be listed for enrollment as Cherokees by Delaware blood. When he furnishes affidavits as to the birth of his two youngest children, they also will be listed for enrollment as Cherokee-Delawares. He produces satisfactory proof of his marriage to his wife in the year 1898. He has lived with her continuously since then, and she will be listed for enrollment as a Cherokee by intermarriage. She is identified on the census roll of 1896 as an adopted white. The applicant has resided in the Cherokee Nation for 20 years.

Chas. von Weise, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all the proceedings in the above entitled cause, and that the foregoing is a true, full and correct transcript of his stenographic notes therein.

Chas von Weise

Subscribed and sworn to before me this 26th day of November, 1900.

M D Lacey
Not

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
NOV 21 1900

D

ACTING CHAIRMAN.

Department of the Interior, Dawes Commission.

CHEROKEES BY BLOOD AND ADOPTION.

36

Date NOV 21 1900 1900.

Name Cyrus Washington White man

District DELAWARE Year 1880 Page 336 No. 2883

Citizen by blood 1/2 Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

DELAWARES

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children

2 John W Washington	Dis. COOWEESCOOWEE.	Year 1880	Page 391	No. 773	Age 12
3 Lucie "	Dis. COOWEESCOOWEE.	Year 1880	Page 391	No. 774	Age 6
4 Ethel "	Dist.	Year 1880	Page 391	No. 775	Age 4
5 Hannah S.	Dist.	Year	Page	No.	Age 2
6 Gertrude	Dist.	Year	Page	No.	Age 1 mo.
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

2 on 1896 roll

4 on 1896 roll Wesley Washington Ethel

5 and 6 Birth affidavits required

DEPARTMENT OF THE INTE
COMMISSION TO THE FIVE CIVILI
FILED
NOV 21 1900

JAS. R. SHEEHAN, Mayor
W. H. DREW, Recorder
DAVIS HILL, Treasurer
J. B. BURCKHALTER, City Att'y.
J. F. LEDBETTER, Marshal

THE

MAYOR'S OFFICE

Copy

ALDERMEN:
L. S. BELL.
L. C. COUCH.
J. S. DAVENPORT.
D. T. HALL.
G. W. MILLER.

Vinita, Ind. Ter., 11/9/ 1900.

This is to certify that I did legally marry Cyrus Washington to Rachell Bowman on 15th day of January 1885 according to the laws of the Cherokee Nation

Jeff McGee.
Clk Del District
that time.

Copy of certificate sworn to and subscribed before me this 21st day of September 1900.

J. R. Sheehan
Mayor

20

IN RE

Application for Enrollment of

INFANT CHILD

Hannah S Washington

as a citizen of the

Cherokee Nation.

Appeared, Nov 21 1900

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 21 1900

ACTING CHAIRMAN

Dec. 3149.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of Hannah J. Washington, (Here insert name of child.) born on the 15th day of March, 1898
Name of Father: Cyrus Washington, a citizen of the Cherokee Nation.
Name of Mother: Rachel Washington, a citizen of the Cherokee Nation.
Post-office, White Oak.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, } (INDIAN TERRITORY.)
Northern District. }

I, Rachel Washington, on oath state that I am 37 years of age and a citizen, by adoption, of the Cherokee Nation; that I am the lawful wife of Cyrus Washington, who is a citizen, by Blood, of the Cherokee Nation; that a female (male or female) child was born to me on the 15th day of March 1898; that said child has been named Hannah J. Washington, and is now living.

Rachel Washington

WITNESSES TO MARK:

(Must be Two Witnesses.) }

Subscribed and sworn to before me this 21 *day of* Nov 1900.

David G Elliott
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, } (INDIAN TERRITORY.)
Northern District. }

I, Cyrus Washington, a Father Midwife, on oath state that I attended on Mrs. Rachel Washington, wife of Cyrus Washington on the 15 day of March, 1898; that there was born to her on said date a female (male or female) child; that said child is now living and is said to have been named Hannah J. Washington.

Cyrus X Washington
his
mark

WITNESSES TO MARK:

(Must be Two Witnesses.) } D G Elliott
J W Coghill

Subscribed and sworn to before me this 21 *day of* Nov 1900.

David G Elliott
NOTARY PUBLIC.

6

20

IN RE

Application for Enrollment of

INFANT CHILD

Gertrude Washington

as a citizen of the

Cherokee Nation.

Approved. Nov 21 1900

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 21 1900

ACTING CHAIRMAN.

Def. 349.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of Gertrude Washington (Here insert name of child), born on the 10 day of Oct, 1900
Name of Father: Byrus Washington, a citizen of the Cherokee Nation.
Name of Mother: Rachel Washington, a citizen of the Cherokee Nation.
Post-office, White Oak I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY.
North District.

I, Byrus Washington, on oath state that I am 37 years of age and a citizen, by Adoption, of the Cherokee Nation; that I am the lawful wife of Byrus Washington, who is a citizen, by Blood, of the Cherokee Nation; that a female (male or female) child was born to me on the 10 day of Oct 1900; that said child has been named Gertrude Washington, and is now living.

Rachel Washington

WITNESSES TO MARK.

(Must be Two Witnesses.)

Subscribed and sworn to before me this 21 *day of* Nov *1900.*

David G Elliott
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY.
Northern District.

I, Byrus Washington, a Cherokee Indian, on oath state that I attended on Mrs. Rachel Washington, wife of Byrus Washington, on the 10 day of Oct, 1900; that there was born to her on said date a female (male or female) child; that said child is now living and is said to have been named Gertrude Washington

Byrus D. Washington
mark

WITNESSES TO MARK:

(Must be Two Witnesses.) D. G. Elliott
J. W. Coghill

Subscribed and sworn to before me this 21 *day of* Nov *1900.*

David G Elliott
NOTARY PUBLIC.

Del 349

Delaware # 349.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
Muskogee, Okla.

In the matter of the application
for the enrollment of [illegible]
Ethel W., Hannah S. and Gertrude E. [illegible]
citizens of the Cherokee Nation.

SUPPLEMENTAL STATEMENT.

Upon an examination of the Register of [illegible]
made in 1867, of the names of persons who elected to
become citizens of the Cherokee Nation in accordance with the
terms of the Treaty between the Delaware and Cherokee
Indians, entered into April 8, 1867, it is found that the
cant is duly identified upon said Register as follows:

Cyrus Washington, as Cyrus Washington, No. 675.

It is ordered that copies of this statement be filed with
and made a part of the record in this case.

C. A. Wash[illegible] Jr.
Commissioner.

MH

Cher 104

Shastca Johnston

Trans. from Dec 350
(Old Series)

NOV 23 1960

ACTING CHAIRMAN

WIFE, SHASTA, AND CHILD, OUITA, DELAWARES:

Department of the Interior,
Commission to the Five Civilized Tribes,
Tahlequah, I. T., November 28, 1900.

In the matter of the application of William P. Johnston for the enrollment of himself, wife and child as Cherokee citizens; being sworn and examined by Commissioner Needles, he testifies as follows:

Q What is your name? A William P. Johnston.
Q What is your age? A 25
Q What is your post-office address? A Tahlequah.
Q Do you live in Tahlequah District? A Yes sir.
Q Are you a recognized citizen of the Cherokee Nation by blood?
A Yes sir.
Q Who do you desire to enroll? A Myself, wife and child.
Q What is the name of your wife? A Shasta Johnston.
Q She is a Cherokee citizenby blood? A Yes sir.
Q When did you marry her? A 1898.
Q What was her name before you married her? A Shasta Lane.
Q How old is she? A 20
Q What was herfather's name? A Andrew J.
Q Is he living? A No sir.
Q What is her mother's name? A Lucinda.
Q Is Lucinda living? A Yes sir.
Q What is the name of your child? A Ouita.
Q How old is that child? A 5 months.
Q Have you any proof of birth with you? A Produces apers
1880 roll page 773 #1126 Wm P. Johnston Tahlequah Dist
1896 roll page 1193 #1706 William P. Johnston Tahlequah
1880 roll page 132 #1710 as Shoto Lane Cooweescoowee, Delaware
Q Your wife is a m here as a Delaware? A I think she is, yes sir.
1896 roll page 375 #584 Shasta Lane Cooweescoowee, native Delaware
Q Have you always lived in the Cherokee nation? A Yes sir.
Q Shasta Lane your first wife? A Yes sir.
You her first husband? A Yes sir.
Q Living with her now? A Yes sir.

Com'r Needles: The name of William P. Johnston appears upon the authenticated rollof 1880 as well as the census roll of 1896; he avers that he was married in 1898 to one Shasta Lane, and her name appearsupon the authenticated roll of 1880 asShoto Lane a Cherokee citizenof Delaware blood; her name also appearsupon the census roll of1896; he presents satisfactory proof as to the birth of one child, named Ouita, five monthsold, whose name does not appear upon the roll, having been born after the same was compiled; they being identified and having made satisfactory proof as to residence said William P. Johnston will be duly listed for enrollment as a Cherokee citizen by blood;

His wife, Shasta Johnston, and his child, Ouita Johnston will be duly listed for enrollmentas Cherokee citizens of Delaware blood.

M.D.Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in thiscase and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 28 day of November 1900.

Commissioner.

Roll 350 B

TO THE FIVE C[illegible]BES.

FILED
NOV 27 1900

[illegible]
ACTING CHAIRMAN

Enrollment of Applicants Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date NOV 27 1900 1900.

Name Delaware Johnson

District Delaware Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License 20 Certificate

Wife's name Shasta Johnston

District COOWEESCOOWEE. Year 1880 Page 132 No. 1710

Citizen by blood Yes Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

2 Cuida Johnston Dist. Year Page No. Age 5mo

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Son 1880 mail to State Land
& Birth affidavit sup'l

20

IN RE

Application for Enrollment of

INFANT CHILD

Onita Johnston

as a citizen of the

Cherokee Nation.

Approved: [illegible] 1901

Commissioner.

[illegible] THE FIVE [illegible]

FILED

NOV 2. 1900

Ind Card 1350

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of Orita Johnston, born on the 4th day of June, 1900
(Here insert name of child.)
Name of Father: W. Arrivo Johnston, a citizen of the Cherokee Nation.
Name of Mother: Shasta Johnston, a citizen of the Cherokee Nation.
Post-office, Tahlequah, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY }
Northern District. }

I, Shasta Johnston, on oath state that I am 20 years of age and a citizen, by blood, of the Cherokee Nation; that I am the lawful wife of Wm Arrivo Johnston, who is a citizen, by blood, of the Cherokee Nation; that a female child was born to me on the 4th day of June 1900; that said child has been named Orita Johnston, and is now living.

Shasta Johnston

WITNESSES TO MARK

(Must be Two Witnesses.)

Subscribed and sworn to before me this 22 *day of* November 1900.

D. D. Bayles
NOTARY PUBLIC

My Com. Exp. Apr. 24 1903

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY }
Northern District. }

I, W. G. Blake, a Physician, on oath state that I attended on Mrs. Shasta Johnston, wife of W. A. Johnston, on the 4th day of June, 1900 that there was born to her on said date a female child; that said child is now living and is said to have been named Orita Johnston.

W. G. Blake M. D.

WITNESSES TO MARK

(Must be Two Witnesses.)

Subscribed and sworn to before me this 22nd *day of* November 1900.

D. D. Bayles
NOTARY PUBLIC

Chr. 10479 D.L. 350.

IN RE

Application for Enrollment of

INFANT CHILD

William Lane Johnston

as a citizen of

Cherokee Nation.

Approved, Secretary of the Interior, 190 1

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV [illegible] 1901

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation, of William Lane Johnston (Here insert name of child), born on the 23 day of October, 1901.

Name of Father: W. P. Johnston, a citizen of the Cherokee Nation.

Name of Mother: Shasta Johnston, a citizen of the Cherokee Nation.

Post-office, Tahlequah I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, ~~INDIAN TERRITORY~~, Northern District.

I, Shasta Johnston, on oath state that I am years of age and a citizen, by Delaware Blood, of the Cherokee Nation; that I am the lawful wife of W. P. Johnston, who is a citizen, by Blood, of the Cherokee Nation, that a male (male or female) child was born to me on the 23 day of October, 1901; that said child has been named William Lane Johnston, and is now living.

Shasta Johnston

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 7th *day of* November 1901.

O. S. Bayles NOTARY PUBLIC

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, ~~INDIAN TERRITORY~~, Northern District.

I, W. S. Beake, a Physician, on oath state that I attended on Mrs. Shasta Johnston, wife of W. P. Johnston, on the 23 day of October, 1901; that there was born to her on said date a male (male or female) child; that said child is now living and is said to have been named William Lane Johnston

W. S. Beake M.D.

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 7th *day of* November 1901.

O. S. Bayles NOTARY PUBLIC

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
DEC 23, 1903

CHAIRMAN.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
TAHLEQUAH, INDIAN TERRITORY, [illegible], 1900.

In the matter of the application of [illegible] for enrollment of herself and children, [illegible], as citizens of the Cherokee Nation of Delaware blood.

Said SHASTA JOHNSTON, being first duly sworn, testified as follows:

Examination by the Commission.

Q What is your name?
A Shasta Johnston.
Q How old are you?
A 23 years old.
Q What is your post office address?
A Tahlequah.
Q You are a Delaware by blood, are you?
A Yes,sir.
Q Were you born in the Cherokee Nation?
A Yes,sir.
Q Have you lived there all your life?
A Yes,sir.
Q What is your mother's name?
A Lucinda Lane.
Q Is she a registered Delaware?
A Yes,sir.
Q Is she living?
A Yes,sir.
Q When were you married?
A In June, 1899.
Q What is your husband's name?
A William Percy Johnston.
Q Is he a Cherokee?
A Yes,sir.
Q You have two children, have you?
A Yes,sir; I have two.
Q Ouita and William L.?
A Yes,sir.
Q Are they both living?
A Yes,sir.
Q Have you and your husband been living in the Cherokee Nation since you were married?
A Yes,sir.
Q Your father is dead, is he?
A Yes,sir.
Q He was a white man?
A Yes,sir.
Q Has your mother always lived in the Cherokee Nation since she came to Tahlequah?
A Yes,sir.
Q Did she and your father live together all the time in the Cherokee Nation?
A Yes,sir.

George W. Irwin, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he

No. 250--E.

correctly recorded the testimony and proceedings [illegible] that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 12th day of December, 1908.

Notary Public.

Cher [illegible]

Charles H. Love

Trans. from Del. 352
(Old Series)

Ad 35n

2

FILED
JAN. 24 1901

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T., JANUARY 21st, 1901.

In the matter of the application of Charles Henry Love for enrollment as a citizen of the Cherokee Nation (Delaware), and he being sworn and examined by Commissioner T. B. Needles, testified as follows:

Q What is your name? A Charles Love.
Q Any middle name? A Henry.
Q What is your age? A Twenty-two years old.
Q What is your post office address? A Alluwee.
Q Are you a recognized citizen of the Cherokee Nation? A Yes,sir.
Q By blood? A Yes, sir, Delaware.
Q Whom do you want to enroll? A Myself.
Q Just yourself? A Yes, sir.
Q You are not married? A No, sir.
Q (1880 Roll; page 129, #1641, Charles H. Love, Cooweescoowee.)
(1896 Roll page 375, #399, Charles H. Love, Cooweescoowee.)
Q How long have you lived in the Cherokee Nation? A All of my life.
Q Born here and always lived here? A Yes, sir.
Q

Com'r T. B. Needles: The name of Charles Henry Love appears upon the authenticated roll of 1880, as well as the census roll of 1896; being duly identified thereby and making satisfactory proof of residence, he will be duly listed for enrollment as a Cherokee citizen by Delaware blood.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoi ng is a true and complete transcript of his stenographic notes thereof.

R R Cravens

Subscribed and sworn to before me this 22d day of January, 1901.

T. B. Needles

Commissioner.

Delaware
Card No 357

B

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
JAN 21 1901

ACTING CHAIRMAN.

Additional Applications Taken Under Act.

CHEROKEES BY BLOOD AND ADOPTION.

Date JAN 21 1901 1900.

2 Name Charles H. Love Alluwe, I.T.

District COOWEESCOOWEE. Year 1880 Page 129 No. 1641

Citizen by blood Yes Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Delaware

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Ed 357

a

DEPARTMENT OF THE IN[illegible]
[illegible]SION TO THE FIVE CIVILIZED [illegible]S

FILED
JAN 24 1901

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T., January 21st, 1901.

In the matter of the application of Charles Henry Love for enrollment as a citizen of the Cherokee Nation (Delaware), and he being sworn and examined by Commissioner T. B. Needles, testified as follows:

Q What is your name? A Charles Love.
Q Any middle name? A Henry.
Q What is your age? A Twenty-two years old.
Q What is your post office address? A Allisuee.
Q Are you a recognized citizen of the Cherokee Nation? A Yes, sir.
Q By blood? A Yes, sir, Delaware.
Q Whom do you want to enroll? A Myself.
Q Just yourself? A Yes, sir.
Q You are not married? A No, sir.
Q (1880 Roll; page 129, #1641, Charles H. Love, Coeweeseeowee.)
(1896 Roll page 375, #5990, Charles H. Love, Coeweeseeowee.)
Q How long have you lived in the Cherokee Nation? A All of my life.
Q Born here and always lived here? A Yes, sir.
Q

Com'r T. B. Needles: The name of Charles Henry Love appears upon the authenticated roll of 1880, as well as the census roll of 1896; being duly identified thereby and making satisfactory proof of residence, he will be duly listed for enrollment as a Cherokee citizen by Delaware blood.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

R R Cravens

Subscribed and sworn to before me this 22d day of January, 1901.

T B Needles

Commissioner.

Cher 10551

Edward T. Newcomb

Trans. from Del. 354
(Old Series)

Delaware by blood:

[redacted]

In the matter of the application of Edward Taylor Newcomb for enrollment as a Cherokee citizen by Delaware blood, said Newcomb being sworn and examined by Commissioner T. B. Needles, testified as follows:

Q What is your name? A Edward Taylor Newcomb.
Q How old are you, Edward? A I am 28 years and seven months old.
Q What is your post office? A Nowata.
Q Do you apply to be enrolled as a Cherokee by Blood? A Yes, sir.
Q Is your name on the roll of 1880? A I don't know, sir.
Q What is your father's name? A Zachariah Newcomb.
Q Is your father living? A No, sir.
Q What is your mother's name? A Amanda Newcomb.
Q Have you always lived in the Cherokee Nation? A Yes, sir, I was born here.
Q Are you a United States soldier? A Yes, sir.
Q Where are you stationed? A Fort Grant, Arizona.
Q You are a Delaware? A Yes, sir.

The 1880 Authenticated Roll of citizens of the Cherokee Nation examined and applicant's name found thereon, page 149, #2108, Edward Newcomb, Cooweescoowee District, adopted Delaware.

The 1896 Census Roll of Citizens of the Cherokee Nation examined and applicant's name found thereon, page 379, #495, Edward Newcomb, Cooweescoowee District.

Q Are you married? A Yes, sir.
Q What is your wife's name? A Laura.
Q Do you want to enroll your wife? A No, sir.
Q Have you always lived in the Cherokee Nation? A Yes, sir.
Q Make your home in the Cherokee Nation now, do you?
A Yes, sir.

COM'R NEEDLES:--Edward T. Newcomb applies for the enrollment of himself as a Cherokee citizen of Delaware blood. He is duly identified upon the authenticated roll of 1880 and the census roll of 1896 as indicated in the testimony and makes satisfactory proof as to residence, consequently Edward T. Newcomb will be listed for enrollment as a Cherokee citizen of Delaware blood.

---oooOOOooo---

J. O. Reason, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. O. Reason

Subscribed and sworn to before me this 18th day of June, 1901.

T. B. Needles

Commissioner.

CHRONICLE, JAN 8 1932

CHEROKEES BY BLOOD AND ADOPTION.

Date June 17, 1901

Name Edward F. Newcomb Nowata I.T.

District Coo Year 880 Page 149 No. 205

Citizen by blood Delaware Mother's citizenship Frank Newcomb - dead

Intermarried citizen Coo Amanda Wilson - dead

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Wife's name Delaware

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
Maude	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

App. made by No. 1 Enrolled as Coo
Card No. 1 " 1896 " Page 379 & 495 - Edward Newcomb
Testimony of Edward Newcomb.

Cher 10672

Joseph Secondine

Trans. from Del 355

(Old Series)

and examined by Commissioner C. R. Keadle, testified as follows:

Q What is your name? A Joseph Proctline.
Age 32.
Q What is your post office? A Hewett.
Q What district do you live in? A Cooperstown.
Q Do you apply for enrollment as a Cherokee citizen of Delaware blood? A Yes, sir.
Q Have you been recognized by the Cherokee authorities as a Cherokee citizen? A Yes, sir.

The Isso Authenticated Roll of Citizens of the Cherokee Nation examined and name of applicant found thereon, page 174, #2'25, Joseph Proctline "Cowessess" on roll district. The Isso Census Roll of Citizens of the Cherokee Nation examined and name of applicant found thereon, page 174, #560, Joseph Proctline, Cowessess District.

Q What is your father's name? A Thomas Proctline.
Q What is your mother's name? [illegible].
Q Have you always lived in the [illegible]
A Yes, sir.
Q All your life? A Yes, sir.

Court Reader:--Joseph Proctline applies for the enrollment of himself as a Cherokee in the Delaware District. He is identified upon the authenticated roll of Isso and the census of 1896 and makes satisfactory proof as to his relationship and may now be listed for enrollment as a Cherokee citizen of Delaware blood.

Q What is your
A
Q What is your
A What
Q Do you
blood? A
Q Have you
once citizen? A

The [illegible] Nation [illegible] 174, #560, Joseph Secondine, Cooweescoowee District.
The 1896 Dawes roll of Citizens [illegible] examined and name of applicant [illegible] #560, Joseph Secondine, Cooweescoowee District.

Q What is your father's name? A Thomas Secondine.
Q What is your mother's name? A Jane.
Q Have you always lived in the Cherokee Nation?
A Yes, sir.
Q All your life? A Yes, sir.

Com'r Needles:--Joseph Secondine applies for the enrollment of himself as a Cherokee Indian of Delaware blood. He is duly identified upon the authenticated roll of 1880 and the census roll of 1896 and makes satisfactory proof as to his residence and will now be listed for enrollment as a Cherokee citizen of Delaware blood.

---oooOOOooo---

J. O. Bosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. O. Bosson

Subscribed and sworn to before me this 1st day of July, 1901.

[signature]

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JUN 27 1901

ACTING CHAIRMAN

CHEROKEES BY BLOOD AND ADOPTION.

Date J..... 1900.

Name Joseph Secondine Jr

District Del Year 1880 Page 174 No. 2625

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Wife's name Delaware

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
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.....	Dist.	Year	Page	No.	Age .....

#17896 Roll page 382 No 560 Joseph Rcendyne.

COPY.

Cherokee 19683

Muskogee, Indian Territory, October 5, 1904.

J. A. Tillotson,

Nowata, Indian Territory,

Dear Sir:

The Commission is in receipt of your letter of September 24, relative to the enrollment of Joseph Secondine as a Registered Delaware. You state that Joseph is a nickname, and that his real name is Silas Secondine.

In reply you are advised that an examination of the Delaware Register in possession of the Commission has been made and neither the name Joseph Secondine or Silas Secondine can be found thereon. You are further advised that if he still desires to establish his right to enrollment as a Registered Delaware he may appear before the Commission at any time and he will be given a hearing.

Respectfully,

SIGNED. Tams Bixby.
Chairman.

Cher 10683

Charley Bill

Trans. from Del. 356
(Old Series)

1

Q Where were you born? A Right there by Big Creek.
Q Your mother die up there? A Yes, sir.
Q Your father died up there? A Yes, sir, I don't know where he died.
Q Have you been back up to Kansas? A No, sir.
Q Been over in the Quapaw Agency? A No, sir.
Q Been here in Oklahoma anywhere? A No, sir.
Q Been right here in the Cherokee Nation all the time? A Yes, sir, ever since I was a little fellow.
Q Come here when you were a little fellow? A No, sir.
Q Lived here all the time? A Yes, sir.
Q Born here? A Yes, sir.
Q What was your mother's name? A Hester Leonard.
Q Now all the time you knew your mother could help to get on the roll; did you have any reason for that? A No, sir.

Commission: How long has your mother been dead? A I don't know.

The 1880 roll of Cherokee citizens examined, and the mother of applicant identified thereon, page 129, No. 1848, Hester Leonard, Goose Neck District, enrolled Delaware.

By Commissioner Brumley Bill applies for the enrollment of himself as a Cherokee-Delaware. He is identified upon the authenticated roll of 1880 and the census roll of 1896. He avers that he is the child or John Bill and Hester Leonard. The said Hester Leonard is also identified upon the authenticated roll of 1880 as an adopted Delaware. The applicant makes satisfactory proof as to his residence in the Cherokee Nation, and will be listed for enrollment as a Cherokee-Delaware.

Delaware.

Department of the Interior,
Commission to the Five Civilized Tribes,
Nowata, I.T., June 29, 1901.

In the matter of the application of Charley Bill for enrollment as a Delaware by blood.

Charles Bill, appearing before the Commission and being duly sworn and examined, testified as follows:

Q What is your name? A Charles Bill.
Q How old are you? A About 21.
Q What is your post office address? A Nowata.
Q Who do you want to have enrolled besides yourself; anybody else besides yourself? A No one.
Q What district are you living in? A Coowescoowee.
Q What is your father's name? A John Bill.
Q Is he living or dead? A Dead.
Q What is your mother's name? A Hester Leonard.
Q Is your mother living? A No, sir.
Q Are you a Cherokee by blood or a Delaware? A Delaware.
Q Were you born here? A Yes, sir.
Q Lived here all the time? A Yes, sir.
Q Living here now? A Yes, sir.
Q Did you have any sisters? A Yes, sir,
Q What are your sister's name? A One is Katie Anderson.
Q Was her name formerly Katie Bill? A I don't know.
Q Did you have any brothers? A Just one.
Q What was his name? A Joe Brown.
Q Did you have a sister named Louisa? A Yes, sir.
Q Have one named Caroline? A Yes.

The 1880 authenticated roll of Cherokee citizens examined and the applicant identified thereon, page 75, No. 415, Coowescoowee district, as Charlie Bill, adopted Delaware.

Q Did you ever go by the name of Spybuck? A When I was at school.

The 1896 census roll of Cherokee citizens examined and the applicant identified thereon, page 381, No. 118, Coowescoowee district, as Charley Bill, adopted Delaware.

Q Are your sisters Caroline and Louisa living? A No, sir, both dead.
Q Are you married? A Yes, sir.
Q What is the name of your wife? A Susie Bill.
Q She a Cherokee or a Delaware? A Delaware.
Q Has she been enrolled? A Yes.
Q When? A She enrolled here at Nowata.
Q What was her name before you married her? A Susan Tongonoxie.
Q Has your wife got a child? A Yes, sir.
Q What is its name? A Edna Secondine.
Q Now what is your correct name, Spybuck or Bill? A Bill or my right name.
Q You want to be enrolled as Bill? A Yes, sir.
Q Are you living with your wife Susie? A No, sir.

By W.W.Hastings, Cherokee attorney: Why didn't you apply when we were up here before, last fall? A I didn't have no one to help me.

Q You didn't need any help to come before the Commission; where have you been; where were you last fall when this Commission was up here? A I was at home.
Q Where is your home? A Right over here.
Q How far from here? A About four miles.
Q Wasn't your neighbors all coming in to the Commission at that time? A No, I don't know whether they did or not.
Q How long have you been living over there? A About four years.
Q Where did you come from down there? A I come from Big Creek.
Q How long had you been living up on Big Creek? A About five years.
Q [illegible] did you come from [illegible] there in Big Creek?

A No where else, just up there.
Q Where did you come from down to Big Creek? A (No response.)
Q You say you lived on Big Creek about six years? A Yes, sir.
Q And came from Big Creek down here about four years ago? A Yes, sir
Q Where did you come from when you came to Big Creek? A That is the only place I know.
Q Where were you born? A Right there by Big Creek.
Q Your mother die up there? A Yes, sir.
Q Your father died up there? A Yes, sir, I don't know where he died.
Q Have you been back up to Kansas? A No, sir.
Q Been over in the Quapaw Agency? A No, sir.
Q Been here in Oklahoma anywhere? A No, sir.
Q Been right here in the Cherokee Nation all the time? A Yes, sir, ever since I was a little fellow.
Q Come here when you were a little fellow? A No, sir.
Q Lived here all the time? A Yes, sir.
Q Born here? A Yes, sir.
Q What was your mother's name? A Hester Leonard.
Q Now all the time you knew you needed some help to get on the roll; did you have any reason for that? A No, sir.
Commission: How long has your mother been dead? A I don't know.

The 1880 roll of Cherokee citizens examined, and the mother of applicant identified thereon, page 129, No. 1649, Hester Lenard, Cooweescoowee district, adopted Delaware.

By Commissioner Charley Bill applies for the enrollment of himself as a Cherokee-Delaware. He is identified upon the authenticated roll of 1880 and the census roll of 1896. He avers that he is the child of John Bill and Hester Leonard. The said Hester Leonard is also identified upon the authenticated roll of 1880 asm an adopted Delaware. The mapplicant makes satisfactory proof as to his residence in the Cherokee Nation, and will be listed for enrollment as a Cherokee-Delaware.

****

Bruce C. Jones, being duly sworn, says that as stenographer to the Commission tothe Five Civilized Tribes he correctly recorded the proceddings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

Bruce C. Jones

Sworn to and subscribed before me this the 29th of June, 1901.

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JUN 29 1901

ACTING CHAIRMAN.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD. ROLL OF 1880.

Date June 14, 1900.

Name Thomas Bill

District Tahlequah Year 1880 Page 15 No. 113

Citizen by blood Yes Mother's citizenship Cherokee { John Bill - d
Sarah { Lucy Bill - d

Intermarried citizen No

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Wife's name .....

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship Delaware

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children: Delaware

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
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	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Roll of 1880 No 32 Thomas Bill
Roll of 1896 Vol 3 Page 118 Tahlequah Dist

JOR
Delaware 356.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Nowata, I. T., Dec. 1, 1903.

In the matter of the application of CHARLEY BILL for enrollment as a Delaware citizen of the Cherokee Nation.

CHARLEY BILL, being sworn and examined, testified as follows:

Q What is your name? A Charley Bill.
Q How old are you? A About 23.
Q What is your postoffice? A Nowata.
Q You are a Delaware are you? A Yes sir.
Q Were you born in the Cherokee Nation? A Yes sir.
Q Have you lived in the Cherokee Nation all your life? A Yes sir.
Q You never made your home anywhere else? A No sir.
Q Did your father and mother come from Kansas with the Delawares?
A I suppose they come from there.

R. Palmer, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he recorded the testimony and proceedings had in the above case, and the foregoing is a true and correct transcript of his stenographic notes thereof.

R Palmer

Subscribed and sworn to before me this 11th day of December, 1903.

Samuel Foreman,
Notary Public.

COMMISSIONERS
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE,
W. E. STANLEY.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

Delaware 386

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Tahlequah, Indian Territory, January 16, 1904.

Charley Bill,

Nowata, Indian Territory.

Dear Sir:

The Commission is in receipt of application and plat describing land which you desire segregated for you as a descendant of a deceased registered Delaware.

It does not appear, however, that the land which you describe, was selected and occupied by the deceased registered Delaware, of whom you claim to be a descendant. Under the Commission's resolution, providing what land should constitute the Delaware segregation, the only land segregated to deceased registered Delawares was land selected and occupied by them during their lifetime and now held by a descendant.

The land you describe is not, therefore, land which should be properly embraced in the segregation.

Respectfully,

C. R. Breckinridge.

Commissioner in Charge
Cherokee Land Office.

MYM

Department of the Interior.

Commissioner to the Five Civilized Tribes,

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS

Penalty for private use, $300.

Bruce Davis

Trans. from Dal[illegible]

(Old Series)

1057

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
JUL 29 1902

G.

Del.

Department of the Interior.
Commission to the Five Civilized Tribes.
Zena, I. T., May 14, 1902.

In the matter of the application of BRUCE DAVIS for the enrollment of himself as a citizen of the Cherokee Nation by Delaware blood

ELIZABETH DAVIS, being first duly sworn, and being examined, testified as follows:

BY COMMISSION: What is your name? A Elizabeth Davis.
Q How old are you? A Must be about thirty-nine years old.
Q Are you a citizen by blood of the Cherokee Nation?
A I reckon I am, I could not tell you. I was born in Kansas.
Q You are a Delaware Indian by blood, are you? A Yes sir.
Q What is your post office address? A Vinita.
Q You live in Delaware District, A Yes sir.
Q Who do you want to enroll? A Bruce Davis.
Q Is he your son? A Yes sir.
Q How old is he? A He will be seventeen years old the 11th day of August.
Q Does he live with youA Yes sir.
Q Is his post office address the same as yours? A Yes sir.
Q How much Delaware blood do you claim to have? A Are you a quarter blood, or half breed? A I could not tell you.
Q Your mother is a full blood Delaware? A I reckon she must be, just about.
Q Have you always lived in Delaware District, Cherokee Nation?
A Ever since we have been here.
Q When did you first come here? A I don't know how long that was. Ever since I was five years old.
Q You have never been out of the district since that time? A No sir
Q With whom were you living in 1880, about twenty-two years ago?
A William Davis.
Q You would have been enrolled under the name of Davis at that time?
A I don't know.
Q Did you evergo by the name of Elizabeth Carlton? A I always went by the name of Marker until I married, and then went by the name of Davis.
Q What is your mother's name? A Jane Marker.
Q What washer name before she was Marker? A Jane Carlton.
Q What is the name of your father? A John C. Connor.
Q Your father was sometimes called Carlton? A Yes sir.
Q How long has your father been dead? A He is not dead. He is living. I saw him last winter. He was at the court house.
Q Has he always lived in Delaware District since he moved to the Cherokee nation? A He lives at Nowata, in Cooweescoowee District.
Q This Bruce Davis is living at this time? A Yes sir.
Q Has he always lived in Delaware District? A Yes sir.

JANE MARKER, being first duly sworn, and being examined, testified as follows:

BY COMMISSION: What is your name? A Jane Marker.
Q How old are you? A Fifty-nine, I believe.
Q What is your post office address? A Vinita.
Q You live in Delaware District, do you? A Yes sir.
Q Are you a citizen of the Cherokeenation by Delaware Blood?
A Yes sir.
Q Do you know the applicant here, Elizabeth Davis? A She is my daughter.

Q Do you know her? A Yes sir.
Q Do you know under what name she could have been enrolled in 1880?
A No, I don't know that part of it.
Q What was the name of her father? A They always called him John Q. Connor, sometimes Carlton, but when they called Connor they always got made. His father's name was Connor.
Q What was your name about twenty-two years ago, when the 1880 roll was made? A Marker.
Q Was this Elizabeth Davis living with you then? A Yes sir.
Q She then went by the name of Connor or Carlton? A Yes sir.
Q Did she have any brothers and sisters? A Half brothers and sisters.
Q No full brothers and sisters? A No sir.

1880 authenticated roll of citizens of the Cherokee nation examined for applicant's maternal grandmother, and name identified as follows:

No. 1818, Jane Marker, Adopted Delaware, age 35, Delaware District.

This enrollment from printed copy of 1880 roll.

No. 619, Elizabeth Carlton, Adopted Delaware , age 18, Delaware District.

This enrollment from printed copy of 1880 roll.

1896 census roll of citizens of the Cherokee nation examined, and applicant identified as follows:

Page 620, #9, Bruice Davis, Delaware District, age 11. Delaware.

Q What is the name of Bruce Davis' father? A William Davis.
Q Is he living? A Yes sir.
Q Is he a Cherokee by blood or is he a white man? A He is a white man.

Bruce Davis will be liste for the enrollment upon a straight card.

Wm. Hutchinson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

Wm Hutchinson

Subscribed and sworn to before me this 17 day of May, 1902.

Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
JUL 28 1902

ACTING CHAIRMAN

CHEROKEES BY BLOOD AND ADOPTION

Date May 14

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate Vinita, I.T.

Names of Children:

Bruce Davis	Dist. Delaware	Year 1896	Page 620	No. 9	Age 17
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Mrs. Elizabeth Davis, Del

On 1896 Roll as Bruce Davis

Delaware

...TO THE FIVE CIVILIZED TRIBES.

FILED
MAY 26 1902

...ACTING CHAIRMAN.

RESIDENCE: Delaware District

POST OFFICE: Vinita IT

Party No. 4

CHEROKEE NATION. CHEROKEE ROLL.

CARD NO.

FIELD NO. 4-169

Dawes' Roll No.	NAME.	Relationship to Person First Named	AGE.	SEX.	BLOOD.	TRIBAL ENROLLMENT. Year.	District.	No.	TRIBAL ENROLLMENT OF PARENTS. Name of Father.	Year.	District.	Name of Mother.	Year.	District.
	1 Davis Bruce		1/4	M	1/4	1896	Delaware	9	Wm. Davis	D.W. 1854	Delaware	Elizabeth Davis	1880	Delaware
	2													
	3													
	4													
	5													
	6													
	7													
	8													
	9													
	10													
	11													
	12													
	13													
	14													
	15													
	16													
	17													
	18													

Delaware

On 1896 Roll, as Bruce Davis.

May 14-02

Cher 10685

John Wheeler

Trans. from Del. 359
(Old Series)

Cher 10685

Department of the Interior,
Commission to the Five Civilized Tribes,
Bartlesville, I. T., June 7, 1902.

In the matter of the application of Robert Wheeler for the enrollment of John Wheeler as a Cherokee citizen of Delaware blood; he being sworn and examined by Commissioner C. R. Breckinridge, testified as follows:

Q Give me your full name. A Robert Wheeler.
Q How old are you? A About thirty-five.
Q What is your postoffice? A Bartlesville.
Q You have already applied for your own enrollment have you not? A Yes sir.
Q You applied by yourself? A Yes sir.
Q Do you want to apply for a brother who is in prison? A Yes sir.
Q Give me his full name. A John Wheeler.
Q Is he a Delaware? A Yes sir.
Q Is he a full blood? A His mother was a half white woman. We were always considered full bloods.
Q How old is your brother? A He is about 25 years old.
Q Where is he now? A He is in the Fort Leavenworth penitentiary.
Q When does his term of imprisonment expire? A The last letter I got he said he would get out in 1904.
Q When did he get in? A He got in for five years and has been there pretty near three years.
Q Has your brother John lived in the Cherokee Nation all his life? A Yes sir.
Q Give me the name of his father. A Jack Wheeler.
Q He is dead is he? A Yes sir.
Q Give me the name of his mother. A Mary Wheeler, she is dead.
Q Did she have any other name besides Wheeler? A Not that I know of.
Q They never called her Mary Wilson? A No sir.
Q Is Bartlesville his postoffice and Cooweescoowee District? A Yes sir, when he is at home.
Q Where was your brother in 1896, was he in prison? A No, I guess not.

John Wheeler is identified on the roll of 1880 page 203 No. 3303, John Wheeler, 6 years of age, Adopted Delaware, Cooweescoowee District.

A. He was in prison once before.

John Wheeler is not identified on the available list relating to the roll of 1896 and he is supposed to have been in prison at that time. (He cannot be found on the original census roll of 1896 in the office of the Commission.)

The applicant applies for the enrollment of his brother, John Wheeler, supposed to be a full blood Delaware. It seems that he has lived in the Cherokee Nation all his life except when in prison and he is now in prison at Fort Leavenworth. He is identified on the roll of 1880; he is not found on the roll of 1896 but this is supposed to be due to his being in prison at that time. He will now be listed for enrollment as a Cherokee of Delaware blood.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

D. L. Rothenburger

Subscribed and sworn to before me this 9th day of July, 1902, at Muskogee, I. T.

Seal

E. D. Nicks
Notary Public.

JUN 9 1902

RESIDENCE: _____

POST OFFICE: _____

(Delaware)

_____ Nation. _____ Roll.

CARD NO. _____

FIELD NO. _____

Dawes' Roll No.	NAME.	Relationship to Person first Named	AGE	SEX	BLOOD	TRIBAL ENROLLMENT. Year.	District.	No.	TRIBAL ENROLLMENT OF PARENTS. Name of Father.	Year.	District.	Name of Mother.	Year.	District.
	1													
	2													
	3													
	4													
	5													
	6													
	7													
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	16													
	17													
	18													

Cher 10686

Doode Davis

Trans. from Del. 361
(Old Series)

Cher 10686

Q

4- #K DELAWARE:

Department of the Interior,
Commission to the Five Civilized Tribes,
Vinita,I.T., June 27,1902.

In the matter of the application of Elizabeth Davis for the enrollment of her aunt, Doode Davis, and her two cousins, Georgia A. and Virginia Davis, as citizens by Delaware blood of the Cherokee Nation; said Elizabeth Davis being sworn and examined testified as follows:

BY COMMISSION:

Q What is your name? A Elizabeth Davis.
Q Howoldare you? A 39.
Q What is your post-office address? A Vinita, I. T.
Q You live in Delaware District? A Yes sir.
Q You are a recognized citizen by Delaware blood of the Cherokee Nation? A Yes sir.
Q Do you know the wife of William T. Davis, who lives at or near Ketchum, I. T.? A Yes sir.
Q What is the name of William T. Davis' present wife? A They call her Doode Davis.
Q How old is she? A I reckon she is about 31 or 2.
Q What is her post-office address? A Ketchum, I. T., is the nearest to them.
Q What diestict does she live in? A Delaware.
Q Her husband, William T. Davis, is a white man? A Yes sir.
Q But she is a recognized citizen by Delaware blood of the Cherokee Nation? A Yes sir.
Q How many children has she? A Two.
Q What is the name of the oldest one? A Georgia Ann Davis.
Q About how old is that child? A Right about nine years old, or ten.
Q What is the name of the next child? A Virginia I think; that is what I hear them say her name is; they call her Jennie.
Q About how old is Virginia? A About 5 years old, seven weeks older than my child, George, and he is five years old last March.
Q How long has Doode Davis been married to W.T.Davis? A Some ten or twelve years, I reckon.
Q Before she married Davis what was her name? A Haff; she is my aunt on my mother's side.
Q Has Doode Davis always lived in the Cherokee Nation, and in Delaware District? A Yes sir.
Q Who did she live with when she was about 7 or 8 years old? A Lived with her mother I guess;she lived there until she married Davis, Mary Haff.
Q She was a Delaware by blood? A Yes sir.
Q She is living is she? A Yes sir.
Q What is the name of Doode Haff's father? A Israel P. Haff. He has been dead a long time, died when she was little.
Q Was he a Delaware by blood? A No sir, he was a white man.

1880 authenticated roll of citizens of the Cherokee Nation examined and Doode Davis' ~~identification~~ husband identified on
page 249 No. 848, Wm. F. Davis, Delaware Dist., I.W.
page 267 No.1267, Dood Haff, Delaware District,aged 8 years, adopted Delaware.

1896 census roll of citizens of the Cherokee Nation examined for William T. Davis, Doode Davis, and Georgia A. Davis and found on
page 569 No. 129 William T. Davis, Delaware Dist,age 46,I.W.
page 620 No.8, Doode Davis, Delaware District,age 28,Delaware.
page 620, No.10 Georgia A. Davis,Delaware District,age 8,Del.

Q You know that Doode Davis and these two children are living now and living in Delaware District? A Yes sir.
Q You know that she is the mother of these two children, and W.T. Davis is the father of these two children? A Yes sir, always said to be.
Q W.T.Davis was at one time married to you? A Yes sir.
Q About when were you married to him? A 1882.
Q How long did you live with him?A I couldn't tell you. We separated several times and went back together ; we lived together about two years steady, or three.
Q While he was your husband did he quit you at one time and live awhile with another woman? A I could not say whether he lived with that woman or not; he ~~didn't~~ taken some race horses and went off and whether he was living with that woman I couldn't say; I just heard it.

Doode Davis and her two children, Georgia A. and Virginia Davis will be listed for enrollment upon a straight card as Cherokee citizens by Delaware blood.

----o----

M.D.Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M D Green

Subscribed and sworn to before me this 7th day of July, 1902.

Notary Public.

COMMISSION TO THE
FILED
JUL 2 1902

4-K Vinita 97

CHEROKEES BY BLOOD AND ADOPTION.

Date June 27 1906.

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

97 Wife's name Lizzie Davis Returned 97

District Ill Year 1880 Page ~~267~~ 1267 No. ~~1268~~ 1268

Citizen by blood Yes Yes Mother's citizenship { Israel Hoff W-D
Mary Hoff Del D

Intermarried citizen

Married under what law Date of marriage

License Certificate Father Wm T Davis W-C

Names of Children:

Virgia V Davis Dist. Ill Year 1896 Page 670 No. 10 Age 10

Virginia " Dist. Year Page No. Age 3-

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Delawares

Wife Lizzie Davis Israel Hoff

Del 1880 Cherokee Roll

Department of Interior Indian Office

Application made by Elizabeth Davis, Vinita, I.T.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
JUL 2 1902

RESIDENCE: Delaware

POST OFFICE: Kitch

CHEROKEE NATION. CHEROKEE ROLL.

CARD NO.

FIELD NO. 4 - K

Dawes' Roll No.	NAME	Relationship to Person first Named	AGE.	SEX.	BLOOD.	TRIBAL ENROLLMENT. Year.	District.	No.	TRIBAL ENROLLMENT OF PARENTS. Name of Father.	Year.	District.	Name of Mother.	Year.	District.
	1 Davis, [illegible]		22	F	1/2	[illegible]	Del	1267	Daniel P Hoff	dead	Del	Mary Hoff	dead	Del
	2 " [illegible]		[illegible]			[illegible]		[illegible]	W. Elbert T. Davis	[illegible]	Del	No 2		
	3 " [illegible]		5		1/2									
	4													
	5													
	6													
	7													
	8													
	9													
	10													
	11													
	12													
	13													
	14													
	15													
	16													
	17													
	18													Sept 27, 22

Delaware

Dl 36

Notary Public.

Subscribed and sworn to before me this September [illegible], 1902.

E. C. Bennett on oath states that he attended Trifles, as stenographer to the Commissioner and produced the plat in the above entitled cause, and that the foregoing is an accurate transcript of his stenographic notes thereof.

---

property executed affidavit as to the supply of the Commission with a
Virginia Dare.

Applicant will be required to supply the Commission with a
and Virginia Dare.
for the entitlement of Doode and Dare to obtain the applications
to the Commissioner for the issuance of the patent.

J
Cher Supp'l to Del 361

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., August 29, 1902.

In the matter of the application of DOODE DAVIS, for the enrollment of herself and her children GEORGIA A., and VIRGINIA DAVIS, as Delaware citizens of the Cherokee Nation:

WILLIAM T. DAVIS, called as a witness, being duly sworn and examined by the Commission, testified as follows:

Q What is your name ? A William T. Davis.
Q What is your age ? A Fifty two years.
Q What is your post office address ? A Ketchem, I. T.
Q Have you just made application to be enrolled as an intermarried citizen of the Cherokee Nation ? A Yes sir.
Q Do you wish to make application to have your wife and children enrolled as Delaware citizens of the Cherokee Nation now ?
A Yes sir.
Q What is the name of your wife for whom you desire to make application for enrollment as a Cherokee citizen ? A Doode Davis.
Q Are you and she living together at this time ? A Yes sir.
Q How old is she ? A Well, she's close to thirty two.
Q Have you any children ? A Two.
Q Give me the names of your children by your wife Doode Davis ?
A Georgia Ann.
Q How old is she ? A Nine years old.
Q What is the name of the next child ? A Virginia.
Q How old is she ? A She will be six years old the 6th day of February.
Q Is that all the children you have by your wife Doode Davis ?
A Yes sir.
Q Have you any other children by a former wife ?
A Bruce Davis.

The Commission: You will be permitted to make separate application for his enrollment.

A I think his application was made with his mother anyway.
Q What was your present wife's name in 1880 ? A Doode Haff.
Q You claim that she is a Delaware Indian ? A Yes sir.
Q When were you married to her ? A I can't remember, I have got the date copied here from the record.
Q Can you state the year of your marriage ?
A I can in just a minute possibly. It was thirteen years ago.
Q Have your wife and your two children lived in the Cherokee Nation continuously since 1880 ? A Yes sir.
Q They were living here on June 28, 1898 ? A Yes sir.
Q They have never lived out of the Nation ? A No sir.

--The 1880 authenticated roll of citizens of the Cherokee Nation examined and applicant Doode Davis is identified thereon at page 267, # 1267, Delaware District as Deed Haff, adopted Delaware;
--The 1896 census roll of citizens of the Cherokee Nation examined, and the applicants identified thereon as follows:
-Doode Davis, page 620, # 8, Delaware District, as an adopted Delaware;
-Georgia A. Davis, page 620, # 10, Delaware District, as an adopted Delaware;

Del 361 ---2

The Commission: This testimony will be filed as supplemental to the testimony heretofore taken in the matter of the application for the enrollment of Decie Davis and her two children Georgia A., and Virginia Davis.

Applicant will be required to supply the Commission with a properly executed affidavit as to the birth of Virginia Davis.

E. C. Bagwell, on oath states that, as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings had in the above entitled cause, and that the foregoing is an accurate transcript of his stenographic notes thereof.

E C Bagwell.

Subscribed and sworn to before me this September 5, 1902.

B C Jones
Notary Public.

20 Dd 361

IN RE

Application for Enrollment of

INFANT CHILD

as a citizen of the

[redacted] *Nation.*

Approved Sept 9 1907

Commissioner.

Dd 361

IN RE

Application for Enrollment of

INFANT CHILD

as a citizen of the

Nation.

Approved Sept 9 1907

Commissioner.

BIRTH AFFIDAVIT. 1 1 #

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In Re Application for Enrollment, as a citizen of the _____ Nation,

of _____, born on the _____ day of _____, 190__

Name of Father: _____, a citizen of the _____ Nation.

Name of Mother: _____, a citizen of the _____ Nation.

Post-Office: _____

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY.)
District.)

I, _____, on oath state that I am 33 years of age and a citizen, by _____, of the _____ Nation; that I am the lawful wife of _____, who is a citizen, by _____, of the _____ Nation, that a _____ child was born to me on the 5th day of Feby 1897 ~~xxx~~ : that said child has been named _____, and is now living.

Dood Davis

WITNESSES TO MARK

( )

Subscribed and sworn to before me this 30 day of June 1903

My Com Exp 4-22-1903 Geo. E. McCulloch
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,)
INDIAN TERRITORY)
Northern District.)

I Mrs Blancha Davis, a midwife, on oath state that I attended on Dood Davis, wife of William T. Davis, on the 5th day of February 1897 ~~xxx~~ : that there was born to her on said date a female child; that said child is now living and is said to have been named Virginia Davis

Mrs Blancha Davis

WITNESSES TO MARK

( )

Subscribed and sworn to before me this 10th day of September 1903

Notary Public

Cher 10687

George M. Washington

Trans. from Del. 362
(Old Series)

#8067

G.

Del.

Department of the Interior.
Commission to the Five Civilized Tribes.
Needmore, I. T., May 9, 1902.

In the matter of the application of GEORGE M. WASHINGTON for the enrollment of himself as a citizen of the Cherokee Nation by Delaware blood.

GEORGE M. WASHINGTON, being first duly sworn, and being examined testified as follows:

BY COMMISSION: What is your full name? A George M. Washington.
Q How old are you? A Twenty-one years old.
Q What is your post office address? A Fairland.
Q What district do you live in? A Delaware.
Q Are you a citizen by blood of the Cherokee Nation? A Yes sir.
Q Do you want to enroll anyone besides yourself? A No sir.
Q What is the name of your father? A John Washington.
Q Is he living? A No sir, he is dead.
Q How long has he been dead? A I don't know just exactly how long he has been dead, about two years, I think.
Q Was he a Cherokee by blood or a Delaware? A Delaware.
Q Was he a full blood Delaware Indian? A No sir, I don't know just what he was.
Q What is the name of your mother? A Harriet Washington.
Q Is she living? A Yes sir.
Q Was she a Delaware? A No sir.
Q White woman? A Yes sir.
Q Was she married to your father before 1880? A Yes sir.
Q Did your father and mother always live in Delaware District, so far as you know? A Yes sir.
Q Have you always been recognized as a citizen by blood of the Cherokee nation? A Yes sir.
Q Have you always lived in the Cherokee Nation? A Yes sir.
Q Never been out of it to reside? A You mean any time? No sir.
Q Have you ever been out of the Cherokee Nation at all? A No sir.
Q Are you living here at the present time? A Yes sir.
Q Living in Fairland? A Yes sir.
Q What degree of Delaware blood do you claim? A I don't know exactly, about one-sixteenth, I think.

1880 authenticated roll of citizens of the Cherokee Nation examined, and applicant's parents identified as follows:

No. 2882, John Washington, Adopted Delaware, age 26, Delaware District.

No. 2883, Harriet Washington, Adopted White, age 21, Delaware District.

Q Have you a brother older than yourself? A Yes sir.
Q What is his name? A John Richard.

1896 census roll of citizens of the Cherokee Nation examined, and applicant identified as follows:

Page 625, #91, George M. Washington, Delaware District, age 15.

George M. Washington will be listed for enrollment as a citizen of the Cherokee Nation by Delaware blood.

1.

Wm. Hutchinson, being first duly sworn, states that he stenographically reported to the Commission to the Five Civilized Tribes, he correctly reported the testimony and proceedings in the case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

Wm Hutchinson

Subscribed and sworn to before me this 9th day of May, 1902.

M D Green
Notary Public.

#8067

[illegible] OF THE [illegible]
COMMISSION [illegible] THE FIVE [illegible] TUNNELS,
[illegible]ITTED
JUL [illegible]

Statement of Applicant Taken Under Oath.

H-138

CHEROKEES BY BLOOD AND ADOPTION.

Date May 9 1900.

Name George M Washington Farland 29

District Delaware Year 1846 Page 625 No. 91

Citizen by blood yes 1/16 Mother's citizenship white

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

[illegible] OF THE INTERIOR
[illegible]MISSION TO THE FIVE CIVILIZED TRIBES
FILED
MAY 16 1902

ACTING SECRETARY

RESIDENCE: Delaware District

POST OFFICE: [illegible]

Party No. 4

CHEROKEE NATION. CHEROKEE ROLL.

CARD NO. [illegible]

FIELD NO. 4-138

Dawes' Roll No.	NAME.	Relationship to Person first Named	AGE.	SEX.	BLOOD.	TRIBAL ENROLLMENT. Year.	District.	No.	TRIBAL ENROLLMENT OF PARENTS. Name of Father	Year.	District.	Name of Mother.	Year.	District.
	1 [illegible]		21	F	¼	1896	Delaware	91	[illegible]	Dead	Delaware	Mrs. [illegible] Washington	1880	Delaware S.W.
	2													
	3													
	4													
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Delaware

MC pg 9- 0 [illegible]

JOR
Delaware 362.

DEPARTMENT OF THE INTERIOR,
Commission to the Five Civilized Tribes,
Muskogee, I. T., Dec. 1, 1903.

In the matter of the application of GEORGE M. WASHINGTON, for the enrollment of himself as a Delaware citizen of the Cherokee Nation.

CYRUS WASHINGTON, being sworn and examined, testified as follows:

Q What is your name? A Cyrus Washington.
Q How old are you? A About 45.
Q What is your postoffice? A Whiteoak.
Q You are a Delaware citizen are you? A Yes sir.
Q Do you know George M. Washington? A Yes sir.
Q His postoffice is Fairland? A Yes sir.
Q He's a young fellow about 22 or 23 years old? A Yes sir.
Q He is the son of your brother? A Yes sir.
Q That's John Washington? A Yes sir.
Q He's dead? A Yes sir.
Q Where did John Washington live during his lifetime? A Right around Fairland.
Q That's in the Cherokee Nation? A Yes sir.
Q Did he come from Kansas with the Delawares in 1868? A Yes sir.
Q Has he lived in the Cherokee Nation all the time since then until he died? A Yes sir.
Q His wife was named Harriett? A Yes sir.
Q She's still living? A Yes sir.
Q Has she lived in the Cherokee Nation all the time since she married your brother? A Yes sir, but she's at Talala now; married Jack Rogers.
Q That's still in the Cherokee Nation? A Yes sir.
Q Has this young man, George, lived in the Cherokee Nation all his life? A Yes sir.
Q He's living now? A Yes sir.

R. Palmer, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he recorded the testimony and proceedings had in the above case, and the foregoing is a true and correct transcript of his stenographic notes thereof.

R Palmer.

Subscribed and sworn to before me this 10th day of December, 1903.

Samuel Fortner
Notary Public.

Cher 10688

Grace Day

Trans. from Del. 363
(Old Series)

FILED
NOV 21 2001
COMMISSION

Department of the Interior
Commission to the Five Civilized Tribes
Bartlesville, I.T., [illegible]

IN THE MATTER OF THE APPLICATION OF [illegible] FOR THE ENROLLMENT OF HER HUSBAND AND HER CHILDREN AS MEMBERS OF THE [illegible] TRIBE.

[illegible], appearing before the Commission, and being first duly sworn, testified as follows:

Q [illegible] your name? A Katy Day.
Q [illegible] age? A Thirty eight.
Q [illegible] address? A Bartlesville.
Q [illegible] Cherokee Nation? A Yes, sir.
Q [illegible] in the Cherokee Nation? A I cannot
Q [illegible] all your life? A No, sir.
Q Are you a Delaware? A Yes, sir.
Q When you came here with the Delawares? A Yes, sir, I was six years old when I came.
Q Have you been in the Cherokee Nation ever since then? A Yes, sir.
Q Never have been outside? A No, sir.
Q You are making application for enrollment as an adopted Delaware; is that correct? A Yes, sir.
Q To what district in the Cherokee Nation do you belong?
A Coowescoowee.
Q What is your father's name? A Simon Whiteturkey.
Q Is your father living? A No, sir.
Q How long has he been dead? A About thirty years ago I think.
Q Was he a Delaware Indian? A Yes, sir.
Q What is your mother's name? A I do not know.
Q Do you remember your mother? A They called her Mrs. Whiteturkey.
Q Was she known as the Widow Whiteturkey? A Yes, sir.
Q Is she a Delaware Indian? A Yes, sir.
Q Are you a full blood Delaware? A I must be; mother is a Delaware and my father.
Q Is your mother living? A She is living.
Q Are you married? A Yes, sir, my man is here.
Q What is your husband's name? A James Day.
Q How old is he? A About forty years old.
Q Is he a white man? A No, sir; Delaware.
Q [illegible] Indian? A Yes, sir.

James Day, appearing before the Commission, and being first duly sworn, testified as follows:

Q What is your name? A James Day.
Q How old are you? A About forty five or forty six.
Q Are you a Delaware Indian? A Yes, sir.
Q Have you been enrolled by this Commission yet? A No, sir.
Q Do you want to be enrolled now? A Yes, sir.
Q Do you belong to Coowescoowee District? A Yes, sir.
Q Have you always lived in the Cherokee Nation since the Delawares came here? A Practically.Always.
Q Have you ever been outside of it? A I have been outside.
Q What is your father's name? A Day; I do not know the rest.
Q Is your father living? A No, sir; died a good while ago.
Q Was he a Delaware Indian? A Yes, sir.
Q Your mother's name was what? A Sallie Day I believe.
Q Was she a Delaware Indian? A Yes, sir.
Q [illegible] living? A No, sir; she died a good while ago.
Q [illegible] ago? A She must have been dead twenty years.

[illegible] Delaware? A Yes, sir. I have not six.
[illegible] Cherokee Nation? A Cherokee Nation; Bartlesville.
[illegible] Katy Day, [illegible] Willie, [illegible]

Q Is James Day the father of all these six children? A Yes, sir.
Q Are you the mother of all six of them? A Yes, sir.
Q Are these children all living with you at your home? A Yes, sir.
Q Have they never lived outside of the Cherokee Nation? A No, sir.

(1896 roll, page 201, #3258, Katie Whiteturkey, Coo. D'st)
(1896 roll, page 92, #809, James Day, Cooweescoowee District)
(1896 roll, page 366, #214, James Day, Cooweescoowee District,)
(1896 roll, page 365, #215, Katy W. Day, Cooweescoowee D'st)
(1896 roll, page 365, #216, Clidrence Day, Cooweescoowee D'st)
(1896 roll, page 365, #217, Harrison M. Day, Cooweescoowee D'st)
(1896 roll, page 365, #219, Nora Day, Cooweescoowee D'st)

Q You say you had a child named Ida? A Yes, sir, she died about [illegible] ago.
Q Who is Grace Day? A She is my child; she is at home.
Q Was she living in 1896, four years ago? - when she was five years old? A She was a baby then; the one that died was five years old.
Q Who is Grace? A I have a girl at home named Grace.
Q Your oldest child is named Clarence? A Yes, sir.
Q And the next one is Harrison? A Yes, sir.
Q And the next one is Grace? A Yes, sir.
Q She is older than Ida? A Yes, sir.
Q When did Ida die? A A little over two years ago.
Q Was it been four years ago? A I expect it has; I do not remember.
Q Do youremember when the census was taken in 1896? A Yes, sir.
Q Did Ida die before that? A No, sir; she was put on the roll then.
Q Why was not Grace put on the roll; how did they happen to leave her off; where was she? A It ought to be on there.
Q Was she living with some one else? A No, sir; she was at home; she is the oldest girl I have got.

The applicant, Katy Day, applies for the enrollment of herself, her husband and her six minor children, as citizens of the Cherokee Nation by Delaware blood. The name of the applicant appears upon the 1880 authenticated roll of citizens of the Cherokee Nation, as Katy Whiteturkey; and the name of her husband appears upon the 1880 authenticated roll as James Day, adopted Delaware; their names also appears upon the 1896 census roll as James and Katy Day, together with the names of their three minor children, Clarence, Harrison and Nora Day. Listed with them on the 1896 roll is the name of Ida Day, whom, the applicants testify, died two years ago, and the name of their third child, Grace Day, is not found thereon. The applicant and her husband, together with her three children, Clarence, Harrison and Nora, will be listed for enrollment by this Commission as citizens of the Cherokee Nation by Delaware blood, sufficient evidence having been adduced as to the continuous residence in the Cherokee Nation for the time prescribed by law.

Their two minor children, Loyd and Mary, having been born subsequent to the preparation of any of the tribal rolls by the authorities of the Cherokee Nation, will be listed for enrollment upon the presentation of proper affidavits of their births.

The third child, Grace Day, for whom application is made, and who from the testimony of the applicant would now be nine years of age is not found upon any of the rolls of Cherokee citizens, in the possession of this Commission. It is the testimony of both the mother and father of this child that she is a Delaware. Pending the exhibition of sufficient evidence of her having been recognized by the authorities of the Cherokee Nation, as a citizen of the Cherokee Nation, her name will be placed upon a doubtful card.

The undersigned, being sworn, states that as stenographer to the

[illegible] to the Five Civilized Tribes is correctly [illegible] and proceedings in this case, and that the [illegible] complete transcript of his stenographic notes.

(Signed) R. L. Owens.

[illegible] and sworn to before me this 18th day of October, 1901.

(Signed) T. B. Needles,

Commissioner.

Arthur G. Cromlinger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he made the foregoing copy, and that the same is a true and complete copy of the original transcript.

Arthur G. Cromlinger

Subscribed and sworn to before me this 18th day of November, 1901.

W. D. Green

Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 12 1900

ACTING CHAIRMAN.

Enrollment of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 18 1900 1900.

Name Bartlesville I.T.

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law "Doubtful" Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship Cherokee { James Day Katie

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

1 Grace Day	Dist.	Year 1896	Page	No.	Age 9
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
7	Dist.	Year	Page	No.	Age

Not on 1896 roll as above named

Rejected

11 & 20

Dear Mr. [illegible]

Upon examination of the Delaware Day Rolls in the possession of this Commission, we find the name of Teresa Day is found on the Delaware Annuity Roll of 1859, and on the Delaware Annuity Roll of 1867, and on the Delaware Census Roll of 1880, and on the Delaware Census Roll of 1885, and on the Delaware Census Roll of 1890, and on the Delaware Census Roll of 1896, and on the Delaware Census Roll of 1898, and on the Delaware Census Roll of 1900, and on the Delaware Census Roll of 1902, and on the Delaware Census Roll of 1906, and on the Delaware Census Roll of 1910, and on the Delaware Census Roll of 1924, and on the Delaware Census Roll of 1928, and on the Delaware Census Roll of 1932, and on the Delaware Census Roll of 1934, and on the Delaware Census Roll of 1936, and on the Delaware Census Roll of 1938, and on the Delaware Census Roll of 1940, and on the Delaware Census Roll of

Cherokee-Delaware # 11

Department of the Interior,

Commission to the Five Civilized Tribes.

Muskogee, I. T. July 22, 1902.

In the matter of the application for the enrollment of Grace Day as a citizen of the Cherokee Nation of Delaware blood.

Upon an examination of the Delaware Pay Rolls in the possession of this Commission the name of Teresa Day is found on the Delaware Annuity Pay Roll of December 1891, and on the Delaware Annuity Pay Roll of August 1895, her age appearing on the first mentioned roll as one year, and on the second roll as two. Teresa Day is mentioned on said roll as the daughter of James Day and Katie W. Day, and her name appears with those of her brothers and sisters in the order of their ages. The name of Dolly Day appears with the names of the others of her family on the Delaware Pay Roll of 1896, she at that time being four years of age.

Taken in consideration with the testimony in this case it is considered that Grace Day was known as Teresa Day and Dolly Day, and that she is identified on the above mentioned rolls by those names.

COMMISSIONER.

Cherokee-Delaware D 11

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Grace Day as a citizen of the Cherokee Nation of Delaware blood.

D E C I S I O N.

--oOo--

The record in this case shows that on October 12, 1900, Katie Day appeared before the Commission at Bartlesville, Indian Territory, and made application for the enrollment, among others, of her minor child, Grace Day, as a citizen of the Cherokee Nation of Delaware blood. The other parties to the application are differently classified and are not embraced in this decision. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on July 22, 1902.

The evidence shows that Grace Day is the child of Katie Day, a Delaware Indian, an adopted citizen of the Cherokee Nation, and James Day, a Delaware Indian, an adopted citizen of the Cherokee Nation. Katie Day and James Day are both identified on the Cherokee authenticated tribal roll of 1880. The name of Grace Day cannot be found on the Cherokee Census roll of 1896, but she is identified on the Delaware Annuity Pay rolls of 1891 and 1893, as Teressa Day, and on the Delaware Pay Roll of 1896 as Dolly Day.

It further appears from the evidence that Grace Day has lived in the Cherokee Nation ever since her birth.

It is, therefore, the opinion of this Commission that Grace Day should be enrolled as a citizen of the Cherokee Nation of Delaware blood in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

T. R. Breckinridge

Commissioner.

Dated at Muskogee, Indian Territory,

this OCT 27 1902

COPY.

Delaware D - 12.

Muskogee, Indian Territory, October 30, 1902.

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated October 27, 1902, granting the application of Katie Day for the enrollment of her minor child, Grace Day, as a citizen of the Cherokee Nation of Delaware blood.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

C. R. Breckinridge

Commissioner in Charge.
Acting Chairman.

Enclosure C. No. 10.

COPY.

Delaware S - 11.

Muskogee, Indian Territory, October 26, 1902.

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated October 27, 1902, granting the application of Katie Day for the enrollment of her minor child, Grace Day, as a citizen of the Cherokee Nation of Delaware blood.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

C. R. Breckinridge

Commissioner to the Citizens

Acting Chairman.

Enclosure C. No. 10.

Delaware D 11.

COPY.

Muskogee, Indian Territory, November 20, 1902.

Katie Day,

Bartlesville, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated October 27, 1902, granting your application for the enrollment of your minor child, Grace Day, as a citizen of the Cherokee Nation of Delaware blood.

Respectfully,

James Dixby.

Acting Chairman.

Register.

Enclosure H. No. 3.

Cher 10689

Amelia Blair

Trans. from Del. 364
(Old Series)

Cher 10689

CONFIDENTIAL

Doc 013

-8-

the Commissioner.

Subscribed and sworn to before me
this 6th day of October, 1988.

_____

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.
NOWATA, I.T., OCTOBER [illegible], 1896.

IN THE MATTER OF THE APPLICATION [illegible] for enrollment as a citizen of the Cherokee Nation, and [illegible] sworn and examined by Commissioner, C. R. Breckinridge, testified as follows, to-wit:

Q What is your full name? A Amelia Phipps.
Q How old are you? A Twenty two.
Q What is your Postoffice? A Bennett.
Q In what district do you live; Goweescoowee? A [illegible]
Q Who is it you want to have put on the roll[illegible]
A Yes sir.
Q Only yourself? A Yes sir; just myself.
Q Are you a Cherokee by blood? A [illegible]
Q How long have you lived in the Cher[illegible]
A Yes sir, except four years I went to [illegible]
Q You were born here, were you? A Yes [illegible]
Q What is your father's name? A [illegible]
Q Is your father dead or living? A [illegible]
Q Give me the name of your mother? A [illegible]
Q Is she living? A No sir.
Q She is dead? A yes sir.
Q Was your father a Cherokee or a white man? A White man.
Q Your mother was a Delaware, was she? A Yes sir.
Q When did your mother die? A Seven years ago the 20th day of Febuary.
Q You have never married? A Yes sir.
Q Whom did you marry? A Phipps. I married a man by the same name,; a cousin.
Q What is the name of your husband? A Louis Phipps.
Q When did you marry him? A In 1895.
Q Is he a Cherokee or white man? A White man.
Q What time in 1895? A November 6th.
Q Did he marry you according to Cherokee law? A No sir.
Q Did your father come here with the Delawares? A [illegible]
Q Were you in Canadian when you were a child, or Coowe[illegible]
A Coweescoowee.
Q You are living in Canadian District now? A [illegible]
Q Did your mother separate from your [illegible]
Q When you were a child? A Yes sir, [illegible]
Q Did she marry Hall before 1880? A [illegible] before she married Hall.
Q What was your mother's name have been in [illegible] A [illegible] her maiden name was Day.
Q Whom were you living with in 1880? A I was living with my father: He took me away from mother when I was four years old.
Q Whom did you live with before that? A My mother.
Q And she was married to a man then named Hall? A No sir; a man named White.
Q Where were you in 1894? A In Iowa.
[illegible] Q. How long did you stay in Iowa? A Four years.
Q Just there at school? A Yes sir.
Q You did not draw strip money then? A No sir.
Q When did you come back? A I came back in 1895.
(1896 Delaware Pay Roll, No. 549, Amelia Phipps; eighteen years of age)

The applicant states that she was born in the Cherokee Nation, and that she has lived here all her life, except four years when she was off at school; She is twenty two years of age. [illegible] identified on the roll of 1880, or the roll [illegible] father or mother be identified upon [illegible] her father should be on both rolls, [illegible] 1880.

The undersigned, being duly [illegible]
Commission to the Five Civilized Tribes, [illegible]
testimony and proceedings [illegible]
true and complete transcript [illegible]

Subscribed and sworn to before
me this 17th day of October, 1900.

[illegible]

COMMISSIONER.

DEPARTMENT OF THE [illegible]
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

OCT 17 1900

Cherokee

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 17 1900 1900.

Name Bennett, J.

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name Cynthia Phipps

Year 1896 Page — No. 239

Citizen by blood Mother's citizenship Miriam Phipps w. d.

Intermarried citizen Lillie Hall d. d.

Married under what law Date of marriage 1895

License Certificate

Names of Children:

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Found only on Ch. Delaware Ex. Roll

DEL013

DEPARTMENT
MISSION

SUPPLEMENTARY-TESTIMONY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., DECEMBER 17th, 1900.

IN THE MATTER OF THE APPLICATION OF [redacted] Amelia Phipps; [redacted]
Delaware Card "D" #251
William Adams, being sworn and examined by Commissioner, C. M. Breckinridge, testified as follows:

Q What is your full name? A William Adams.
Q How old are you? A Sixty five.
Q What is your Postoffice? A [redacted]
Q Do you live in Goweesemoowee District?
Q Mr. Adams, do you know the applicant?
Q What is her name; her present name?
Q What is the name of her father?
Q Did you know her father? A Yes
Q Have you known the applicant all
Q Do you remember the name of her mother
Phipps? A Lillie Day.
Q Was she ever a Hall? A Yes sir; I think she was after
married Phipps.
Q Where was this applicant [redacted] Amelia Phipps born?
A In this Country.
Q Are you a Delaware? A Yes sir.
Q Did her father and mother come here with the Delawares? A My mother did.
Q Did you come with the Delawares? A Yes sir.
Q Along in 1868? A Yes sir.
Q You have been acquainted with her mother and father all the time?
A Yes sir.
Q And you know this child was born in the Cherokee Nation? A
A I knew her mother from her childhood: Her father came among us in this Country: Her mother was a Delaware.
Q How comes it that this woman is not on the roll of
A I do not know.
Q How comes it that her mother is not on the roll of
do not know why: She was a Delaware.
Q Do you know that her mother lived in
the time she came with the Delawares
A Yes sir.
Q And you are satisfied that this
Nation, and has lived here all her life,
A Yes sir.

By Mr. J. L. Baugh, Cherokee Representative:
Q Where was she living in 1880; twenty years ago?
around here.

Andrew H. Norwood, being sworn and examined by Commissioner, C. M. Breckinridge, testified as follows:
Q What is your full name? A Andrew H. Norwood.
Q How old are you? A Forty nine.
Q What is your Postoffice? A Dewey.
Q How long have you lived in the Cherokee Nation? A Thirty
Q Do you know the applicant here, Amelia Phipps? A Yes
know her.
Q How long have you known her? A I have known her ten
teen years, but I have known her father or the man that
her for twenty years or more.
Q He is dead now, is he not? A I do not know
know him, he was living in Goweesemoowee District.
Q Did you
A
Q She was a full

She was considered a [illegible]

Q [illegible] A [illegible]

Q And she lived here [illegible]

[illegible]

this spring up here on [illegible]

Q Was there any question as to [illegible]

her mother? A No sir, they [illegible]

Q That part of it was [illegible]

By Mr. J. L. Baugh, Cherokee Representative:

Q When he was put out of the [illegible] him? A I do not know. He took [illegible]

Willie and some of them went and [illegible] was any question about her.

By the Commission:

It appears from the testimony taken, which is of a [illegible] character, that the applicant is undoubtedly the daughter of [illegible] Delaware woman, who came with the Delawares along in 1867, and [illegible] that she (the applicant) was born in the Cherokee Nation, [illegible] that the omissions from the roll of 1880 must have been [illegible] due to neglect and oversight. She is considered to have established her nativity and citizenship in a satisfactory manner.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes.

Subscribed and sworn to before me this [illegible] day of October, 1900.

COMMISSIONER

Marriage License

Mr. Morgan Blair

TO

Miss Amelia Shipp

NOTE—This License with Certificate duly executed and officially signed, must be returned to the office from whence it was issued within sixty days from the date of License, under penalty of forfeiture of the Bond. No minister of the Gospel is authorized to solemnize the rites of Matrimony until he shall have his License or Credentials recorded in some county in the State. He should then fill out the above blank certificate.

Filed for record this 22nd *day*

of Nov. 1900

J. K. Reed *Clerk*

By Jno. C. Gardner *D. C.*

ACTING CHAIRMAN

APR 29 1901

FILED

COMMISSION TO THE FIVE CIVILIZED TRIBES.

DEPARTMENT OF THE INTERIOR

Marriage License

Mr. Morgan Blair

TO

Miss Amelia Shiffler

NOTE—This License with Certificate duly executed and officially signed, must be returned to the office from whence it was issued within sixty days from the date of License, under penalty of forfeiture of the Bond. No minister of the Gospel is authorized to solemnize the rites of Matrimony until he shall have his License or Credentials recorded in some county in the State. He should then fill out the above blank certificate.

Filed for record this 22nd *day*

of Nov. 1900

J. K. Reed *Clerk.*

By Jno C Gardner *D. C.*

ACTING CHAIRMAN

APR 30 1901

FILED

COMMISSION TO THE FIVE CIVILIZED TRIBES,

DEPARTMENT OF THE INTERIOR

CERTIFICATE OF RECORD

STATE OF ARKANSAS,
COUNTY OF SEBASTIAN,
FORT SMITH DISTRICT.

I, T. N. REED, Clerk of the County Court of said County, certify that the above License for and Certificate of the Marriage of Mr. Morgan Blair and Miss Amelia Phipps were on the 23 day of Nov, 1900, filed in my office, and the same are now duly recorded on page 272 of Book "G" of Marriage Records.

Witness my hand and the seal of said County, this 23rd day of Nov, 1900

T. N. Reed, Clerk.

By Jno B Gardner D. C.

Marriage License

State of Arkansas,
County of Sebastian,
Fort Smith District.

To any Person Authorized by Law to Solemnize Marriage---Greeting:

You are hereby commanded to solemnize the rite and publish the bans of Matrimony between Mr. Morgan Blair of Jaw in the ~~County of~~ Cherokee Nation ~~State of~~ Ind Ter aged 28 years, and Miss Amelia Chiffis of Jaw in the ~~County of~~ Cherokee Nation ~~State of~~ Ind Ter aged 22 years, according to Law, and do you officially sign and return this License to the parties herein named.

Witness my hand and official seal this 23rd day of November, 1900

J. N. Reed
COUNTY CLERK.

Jno. A. Gardner
DEPUTY CLERK.

CERTIFICATE OF MARRIAGE

STATE OF ARKANSAS,
County of Sebastian

I, Dan Edmundson, do hereby certify that on the 23rd day of November 1900, I did, duly and according to Law, as commanded in the foregoing License, solemnize the rite and publish the bans of Matrimony between the parties therein named.

[redacted]

Witness my hand this 23rd day of Nov 1900

Dan Edmundson

[redacted] are recorded in Recorder's Office Sebastian County, Ark.

C.W.R. 13

IN RE

Application for Enrollment of

INFANT CHILD

James Lemuir Blair

as a citizen of

Delaware Nation

Approved, June 26 1901

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
JUN 26 1901

ACTING

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Delaware Nation,
of James Lewis Blair, born on the 11th day of April 1901.
(Here insert name of child)
Name of Father: Morgan Blair, a citizen of the Del[illegible] Nation.
Name of Mother: Amelia Blair, a citizen of th[illegible]tion.
Post-office [illegible].

AFFIDAVIT OF [illegible]

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern District.

I, Amelia Blair, on oath state that I am [illegible] years of age and a citizen, by Blood, of the Delaware Nation; that I am the lawful wife of Morgan Blair, who is a citizen, by Marriage, of the Delaware Nation, that a Male (male or female) child was born to me on the 11th day of April 1901; that said child has been named James Lewis Blair, and is now living.

Amelia Bl[illegible]
[illegible]

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 2[illegible] day of [illegible] 1901.

[illegible]

AFFIDAVIT OF ATTENDING PHYSICIAN.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern District.

I, Martha L. Coody, a Midwife, on oath state that I attended on Mrs. Amelia Blair, wife of Morgan [illegible], on the 11th day of April, 1901; that there was [illegible] said date a Male (male or female) child; that said child is now living [illegible] named James Lewis Blair.

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 20th day of April 1901.

J. B. Morgan
NOTARY PUBLIC.

[illegible]

Del 13

---oooOOOooo---

I, I. O. Bowen, do hereby certify that the foregoing is a true and complete transcript of my stenographic record of the proceedings had before the Commissioner to the Five Civilized Tribes in the case of [illegible] vs. [illegible], Docket No. [illegible], at Muskogee, Oklahoma, on the 13th day of March, 1905.

I further certify that I am not employed by nor related to any of the parties to said cause, nor am I interested in the event thereof.

Witness my hand this 20th day of March, 1905.

[illegible]

Commissioner to the Five Civilized Tribes.

My commission expires on the 4th day of March, 1907.

---oooOOOooo---

Mr. Heatherly: Gentlemen, I have prepared a motion to dismiss the case because it does not accord with the terms of the Act of Congress approved March 3, 1905, and the rules of practice prescribed by the Commissioner to the Five Civilized Tribes, and move the Court to enter an order dismissing the case.

Mr. Heatherly: Gentlemen, I have prepared a motion to dismiss the case because it does not accord with the terms of the Act of Congress approved March 3, 1905, and the rules of practice prescribed by the Commissioner to the Five Civilized Tribes, and move the Court to enter an order dismissing the case.

The application was duly filed by [illegible] on the 13th day of March, 1905, for the enrollment of [illegible] as citizens of the Cherokee Nation by blood, and the matter was set for hearing before the Commission to the Five Civilized Tribes at its office in the City of Muskogee, Indian Territory, on the 20th day of March, 1905, at the hour of 9 o'clock A. M. of said day, at which time and place the applicant appeared in person and by attorney. When on motion for final decision for the reason that the applicant failed to appear and prosecute his application, the Commissioner entered an order dismissing the case, to which action of the Commissioner the applicant excepted and prayed an appeal to the Court of Appeals, which was duly allowed, and the Commissioner to the Five Civilized Tribes was directed to certify the record in the case to the Court of Appeals.

Supl.-Del.B.#15.

Department of the Interior
Commission to the Five Civi
Muskogee, I. T., Mar

SUPPLEMENTAL in the matter of
ET AL., as citizens of the Cherokee

The applicant was notified by registered letter
1902, that her application for the enrollment of
as citizens of the Cherokee Nation would be taken up
consideration by the Commission at its offices in
Indian Territory, on the 22d day of March, 1902, and
said day she could appear before the Commissioneither in
or by attorney when an opportunitywould be given her to
duce any additional testimony affecting her case. The
cant has this day, to-wit: the 22d day of March, 1902,
called and failing to respond either in person or by atto
the case is deemed completed and will be reported to the
mission for final decision based upon the evidence .

Mr. Hastings, Cherokee Representative:
Nation desires to protest against the supple
and call attention to the same given by the Co
case because it does not accord with the facts.

---oooOOOooo---

I, J. O. Rosson, do hereby cert
stenographer to the Commission to the
correctly recorded the above proceedings and
a true and complete transcript of my steno

E.

DEPARTMENT OF THE INTERIOR.
Commission to the Five Civilized Tribes.
Muskogee, Indian Territory, July 26th, 1902.

In the matter of the application of Amelia Phipps, now [redacted] Blair, for the enrollment of herself and child [redacted] Blair as citizens of the Cherokee Nation of Delaware District.

Supplemental to Delaware D[redacted]

Appearances:

Applicant app[redacted]
Cherokee Nat[redacted]

AMELIA BLAIR, being duly sworn, [redacted]
Examination by the Commissi[redacted]

Q. What is your name? A. Amelia Blair.
Q. How old are you? A. I will be 24.
Q. What is your post office address? A. Fawn.
Q. What is the name of your father? A. Hiram Jefferson [redacted]
Q. Is he living or dead? A. Living.
Q. What is the name of your mother? A. Lillie Day.
Q. Were you ever known by any other name other than Amelia Bl[redacted]
A. They called me Amelia Phipps. That was my name before I was married.
Q. Were you ever called anything besides Amelia? A. Nonie and Mattie. My ma called me Mattie and my pa called me Nonie.
Q. What did you say your mother's name was before she married Phipps? A. Lillie Day.
Q. Your mother is dead, isn't she? A. Yes, sir.

The applicant's mother is identified on the [redacted] roll of 1880 in Cooweescoowee district, page 95, [redacted] number 944, Lilly Day.

The applicant is identi[redacted] od 1880 in Cooweescoowee distr[redacted]

Q. Have you always lived in the Ch[redacted]
Q. Never made your home outside of the[redacted]

Jesse O. Carr, being first duly sworn, on oath [redacted] stenographer to the Commission to the Five Civilized Tribes [redacted] reported the testimony and proceedings in this case and that the foregoing is a true and correct transcript of his stenographic notes thereof.

Jesse O. Carr

Subscribed and sworn to before me this 26th day of J[redacted]

Cherokee-Delaware D 18

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Amelia Blair and her minor child, James L. Blair, as citizens of the Cherokee Nation of Delaware blood.

D E C I S I O N.

--oOo--

The record in this case shows that on October 17, 1900, Amelia Phipps, now Amelia Blair, appeared before the Commission to the Five Civilized Tribes at Nowata, Indian Territory, and made application for the enrollment of herself as a citizen of the Cherokee Nation of Delaware blood. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on July 25, 1902. On November 20, 1901, Amelia Phipps married Morgan Blair, and a child, James L. Blair, has been born to said Amelia Blair and her husband, Morgan Blair. James L. Blair is now embraced in this decision.

The evidence shows that Amelia Blair is of Delaware blood, and that she is identified on the 1880 authenticated tribal roll of the Cherokee Nation, as "Nannie Day." She is also identified on the Delaware Pay roll of 1896. Her son, James L. Blair, born April 11, 1901, is too young to be on any roll but proper proof of his birth has been furnished this Commission.

The evidence further shows that Amelia Blair has lived in the Cherokee Nation all her life, except for a period of four years during which time she was away at school. It is considered from the evidence that James L. Blair has lived in the Cherokee Nation ever since his birth.

It is, therefore, the opinion of this Commission that Amelia Blair and James L. Blair should be enrolled as citizens of the Cherokee Nation of Delaware blood in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Commissioner.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this NOV 12 1902

Del. Dis

MAR 3 1902

COMMISSIONERS.
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BROOKS.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, March 3, 1902.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Mrs. Amelia Phipps,

Bennett, Indian Territory.

Madam:

You are hereby notified that the application of yourself and child

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on March 22, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application, that you may deem necessary.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to offer such testimony before they will be permitted to do so.

Yours truly,

Registrar.

COPY.

Delaware D-25

Muskogee, Indian Territory, July 19, 1902.

Amelia Blair,

[redacted] Territory.

Madam:

In the matter of your application for the enrollment of yourself and child, James L. Blair, as citizens of the Cherokee Nation of Delaware blood, you are hereby directed to appear before the Commission to the Five Civilized Tribes at its office in Muskogee, Indian Territory, within fifteen days from date hereof and submit [redacted] testimony relative to your identification on the Authenticated Roll of 1880.

Very respectfully,

T. B. Needles

Commissioner in Charge.

Register.

COPY

Muskogee, Indian Territory, November [illegible]

W. W. Hastings,

Attorney for the Cherokee Exhibit,

Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated November 14, [illegible], granting the application of Amelia Blair for the enrollment of herself and her minor child, James L. Blair, as citizens of the Cherokee Nation of Delaware blood.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

[illegible]

Tams [illegible]
Attorney [illegible]

Enclosure I. No. 6.

COPY.

Delaware D-13.

Muskogee, Indian Territory, December 8, 1902.

Amelia Blair,

Pawn, Indian Territory.

Dear Madam:

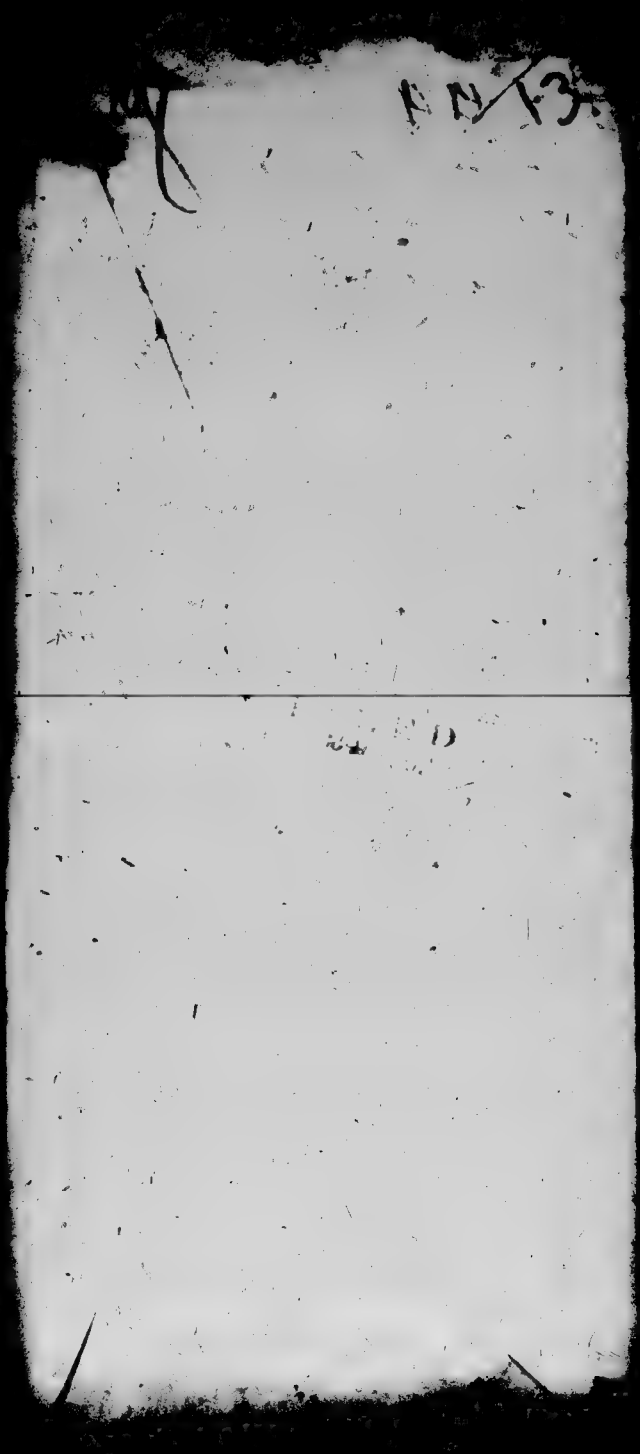
There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated November 12, 1902, granting your application for the enrollment of yourself and your minor child, James L. Blair, as citizens of the Cherokee Nation of Delaware blood.

Respectfully,

Tams Bixby,

Acting Chairman.

Enc. R-117.
Register.



Department of the Interior.

Commissioner to the Five Civilized Tribes,

MUSKOGEE, IND. TER.,

OFFICIAL BUSINESS.

Penalty for private use, $300.

Department of the Interior.
Commission to the Five Civilized Tribes.
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS.
Penalty for private use, $300.



Mrs. Amelia Phipps,

Bennett, Indian Territory.

3244

Transfer
(old Sc

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
SEP 28 1906
ACTING CHAIRMAN

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
VINITA, I.T., SEPTEMBER 26th, 1900.

IN THE MATTER OF THE APPLICATION OF Elizabeth Davis and children for enrollment as citizens of the Cherokee Nation, and she being sworn by Commissioner, C. R. Breckinridge, testified as follows:

Q What is your full name? A Elizabeth Davis.
Q What is your age? A Thirty six.
Q What is your Postoffice? A Vinita.
Q In what district do you live? A Delaware.
Q Who is it you want to have put on the rolls; yourself?
A Myself and three children.
Q Do you apply as a Cherokee by blood? A Yes sir.
Q What proportion of Cherokee blood do you claim? A I am not a Cherokee; I am a Delaware.
Q Delaware? A Yes sir.
Q How long have you lived in the Cherokee Nation? A I do not know just how long.
Q All of your life, have you? A Ever since I was five years old. I do not know exactly.
Q What is the name of your father? A John Conner.
Q Cherokee or white man? A He is a Delaware.
Q Is he dead or living? A He was living the last I heard of him.
Q Your mothers given name, please? A Mary Jane.
Q Is she a white woman? A Delaware.
Q Is she dead or living? A She is living.
Q When were you married: Have you been married more than once?
A Yes sir ; been married twice.
Q What was your name in 1880? A I do not know that.
Q Where were you married the first time? A I can not tell that; about seventeen years ago.
Q To whom were you married then? A W. T. Davis.
Q White man or Indian? A White man.
Q Dead or living? A He is living.
Q Is he the father of any of these children? A He is the father of one of them.
Q Are you divorced from him? A Yes sir.
Q Have you the decree of divorce? A No sir.
Q How long did you live with him? A About six years.
Q Then you were divorced, were you? A Yes sir.
Q Was the divorce granted to you or to him? A To him.
Q When were you married the second time? A I have it down there on that paper (Indicating)
Q Can you tell me? A No sir; I can not tell you: I can not read.
Q What is the name of the man you married the next time; you remember that, do you not? A Yes sir.
Q What is his name? A John T. Davis.
Q The first one is W. T. Davis and the next one is John T. Davis?
A Yes sir.
Q Do you know about how long since you married him? A Yes sir; been about six years.
Q Is he a white man or Cherokee? A White man.
Q Is he dead or living? A He is dead.
Q How long did you live with him? A Lived with him two years.
Q Did you live with him until he died? A Yes sir.
Q Your name in 1880 then was Conner; is that right? A I guess it is; yes sir.
Q What district were you living in then? A Delaware.
Q What district were you living in in 1896? A I do not remember that.
Q Do you know where you have been living for the last four years?
A I have lived right here.
Q What is here; Delaware District? A Yes sir.
Q Give me the names of these children please? A Cyrus.
Q How old is that child? A Seven years old this Fall.

Q What is the name of the next one? A John.
Q How old is he? A Five years old in October.
Q Next child? A George.
Q How old is he? A Three years old past.
Q You say your first husband is the father of one of these children? A Yes sir.
Q You married him seventeen years ago, and you lived with him six years: That is ten years since you quit living with him, and the child is seven years old: He is not the father of that child, according to your memorandum: We lived together, and parted several times.
Q You parted several times? A Yes sir.
Q Before you got your divorce? A Yes sir.
Q When did you say your last husband died? A Four years ago this last August.
Q These are all your children, are they? A Yes sir.
Q Have you any certificates of marriage? A No sir; my last one got burned up.
Q You have neither of them? A No sir.
(1896 Roll, Page 620, #11, Elizabeth Davis, Delaware District)
(1896 Roll, Page 620, #12, Cyrus Davis, Delaware District)
(1896 Roll, Page 620, #13, John Davis, Delaware District)
(D)
Q Is there a "D" in your ~~name~~ child's name? A Yes sir.
Q These children are all living now, are they? A Yes sir.

The applicant applies for the enrollment of herself and three children: She states that she is an adopted Delaware, and has lived in the Cherokee Nation ever since she was four or five years ~~old~~ of age: She is now thirty six years of age: She can not be identified on the roll of 1880: She is identified on the roll of 1896, as an adopted Delaware, under the name she gives as her married name. She presents no certificate of marriage: She will be listed now for enrollment upon a Doubtful Card, as an adopted Delaware, and she is desired to furnish the Commission satisfactory proof as to her 1880 enrollment.

Her two children, Cyrus and John D., children of different husbands, as alleged by her, but both bearing the same sur-name, are identified with her on the roll of 1896: They are living at this time, and will be listed with their mother on a Doubtful Card, as Cherokee Delawares.

When she supplies a proper and satisfactory certificate of the birth of her youngest child, George, he also will be listed with her upon a Doubtful Card as a Cherokee Delaware.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me
this 28th day of September, 1900.

COMMISSIONER.

CHEROKEES BY BLOOD

Date Sept 26, 1902

Name

District Delaware Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name Elizabeth Davis Vinita I.T.

District Delaware Year 1896 Page 620 No. 11

Citizen by blood yes Del Mother's citizenship Intermarried Cherokee del

Intermarried citizen Yes, Daniel Mary J " — " —

Married under what law Date of marriage

License Certificate

Names of Children:

1, Cyrus Davis Dist. Delaware Year 1896 Page 620 No. 12 Age 7

2, John D " Dist. W.T. Davis Year " Page 620 No. 13 Age 5

3, George " Dist. " Year — Page — No. — Age 3

Dist. " Year " Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

4 Affidavit to be supplied.

Danielsville Del. D. I. T.

S U P P L E M E N T A L T E S T I M O N Y .

Del. D.#3.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
VINITA, I.T., MAY 21st, 1901.

SUPPLEMENTAL TESTIMONY in the matter of the enrollment of Elizabeth Davis, et al., as Cherokee citizens by Delaware blood; ~~made~~ John D. Marker, being sworn and examined by Commissioner T. B. Needles, testified as follows:

Q What is your name? A John D. Marker.
Q How old are you? A 76.
Q What is your post office address? A Vinita.
Q What district do you live in? A Delaware.
Q Are you a recognized citizen of the Cherokee Nation? A I am.
Q By blood or intermarriage? A Intermarriage.
Q Do you know Elizabeth Davis? A Yes, sir.
Q What relation is she to you? A My step-daughter is all.
Q Did you marry her mother? A Yes, sir.
Q What was her mother's name when you married her?
A Jane Connor.
Q Well was Jane Connor an Indian by blood? A Yes, sir.
Q A Delaware? A Yes, sir.
Q Is Jane Connor living? A Yes, sir.
Q The mother of Elizaveth Davis? A Yes, sir.
Q Do you know whether the name of Elizabeth Davis is on the roll of 1880 or not? A I put it there.
Q By what name? A I don't recollect whether it was Carlton or Connor.
Q You say you don't recollect whether you put it on as Connor or Carlton? A No, sir.
Q Why should you have put it on by the name of Carlton? A He assumed that name, her father.
Q Why? A I don't know.
Q Did he ever go by the name of Carolton? A Yes, sir, his proper name was John Q. Connor, son of old John Chief Connor.
Q And you think you might have enrolled your child by the name of Carlton? A Yes, sir.
Q Has Elizabeth any children? A Yes, sir.
Q How many? A Four.
Q All living? A Yes, sir.
Q What are their names? A Bruce, Cyrus, John D. and George.
Q How old is Bruce? A About 16 I think.
Q Is he living? A Yes, sir, living with his mother.

The 1880 Authenticated Roll of citizens of the Cherokee Nation examined and the name of Elizabeth Carlton found thereon at page 239, #622, Delaware District as an adopted Delaware, 18 years of age.

Q I find upon examined of the rolls of the Cherokee Nation that one Elizabeth Carolton is enrolled on the roll of 1880; are you satisfied that that is intended for the enrollment of Eliza Davis?
A Yes, sir.
Q Is Elizabeth Carlton married? A Yes, sir.
Q What is her husband's name? A She is a widow now.
Q But she was married? A Yes, sir.
Q Whom to? A First married to William T. Davis and they separated and she married Davis, he is dead.
Q Her name has been Davis continuously since she was married the first time? A Yes, sir.

COM'R NEEDLES:--From the testimony just taken it is shown that Elizabeth Davis and children who are listed upon Delaware doubtful card #3 should be listed upon straight card, her name having now been found upon the authenticated roll of 1880 as Elizabeth Carlton.

---oo0oo0oo---

J. D. Reeves, being first duly sworn, [illegible] in the matter of the Confederated Tribes of the Five Civilized Tribes, [illegible] recorded the testimony and proceedings in said matter, and the foregoing is a true and complete transcript of the proceedings had thereof.

Subscribed and sworn to before me this 27th day of May, 1960.

Commissioner

[illegible]

Supl.-Del.D.#3.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March22$ 1902.

SUPPLEMENTAL in the matter of the enrollment of ELIZABETH DAVIS, ET AL., as citizens of the Cherokee Nation by Delaware blood:

The applicant was notified by registered letter March 5, 1902, that her application for the enrollment of herself et al. as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 22d day of March, 1902, and that she could on said day appear before the Commission either in person or by attorney when an opportunity would be given her to introduce any further testimony affecting her application. The applicant has this day, to-wit: the 22d day of March, 1902, been called and failing to reappear either in person or by attorney the case is deemed completed and will be reported to the Commission for final decision based upon the evidence now of record.

---oooOOOooo---

I, J. O. Rosson, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes Tribes that I correctly recorded the above proceedings and that the fregoing is a true and complete transcript of my stenographic notes thereof.

J. O. Rosson

DEPARTMENT OF THE INTERIOR
FILED
JUL 29 1982

Department of the Interior
Commission to the Five Civilized Tribes.
Muskogee, I.T., May 14, 1902.

In the matter of the application of [illegible] DAVIS for enrollment of himself as a citizen of the Cherokee nation by [illegible].

ELIZABETH DAVIS, being first duly sworn, and being examined, testified as follows:

BY COMMISSION: What is your name? A Elizabeth Davis.
Q How old are you? A Must be about thirty-nine years old.
Q Are you a citizen by blood of the Cherokee Nation?
A I reckon I am, I could not tell you. I was born in Kansas.
Q You are a Delaware Indian by blood, are you? A Yes sir.
Q What is your post office address? A Vinita.
Q You live in Delaware District? A Yes sir.
Q Who do you want to enroll? A Bruce Davis.
Q Is he your son? A Yes sir.
Q How old is he? A He will be seventeen years old the 11th day of August.
Q Does he live with you? A Yes sir.
Q Is his post office address the same as yours ? A Yes sir.
Q How much Delaware blood do you claim to have? Are you a quarter blood, or half breed? A I could not tell you?
Q Your mother is a full blood Delaware? A I reckon she must be, just about.
Q Have you always lived in Delaware District, Cherokee nation?
A Ever since we have been here.
Q When did you first come here? A I don't know how long that was. Ever since I was five years old.
Q You have never been out of the district since that time? A No sir.
Q With whom were you living in 1880, about twenty-two years ago?
A William Davis.
Q You would have been enrolled under the name of Davis at that time?
A I don't know.
Q Did you ever go by the name of Elizabeth Carlton?
A I always went by the name of Parker until I married, and then went by the name of Davis.
Q What is your mother's name? A Jane Marker.
Q What was her name before she was Marker? A [illegible]
Q What is the name of your father? A John [illegible]
Q Your father was sometimes called Carlton? A Yes
Q How long has your father been dead? A He is not dead, he is living. A I saw him last winter. He was at the [illegible]
Q Has he always lived in Delaware District, since he came to the Cherokee Nation? A He lives at Nowata, in Cowetoe [illegible]
Q This Bruce Davis is living at this time? A Yes sir.
Q Has he always lived in Delaware District? A Yes sir.

JANE MARKER, being first duly sworn, and being examined, testified as follows:

BY COMMISSION: What is your name? A Jane Marker.
Q How old are you? A Fifty-nine, I believe.
Q What is your post office address? A Vinita.
Q You live in Delaware District? A Yes sir.
Q Are you a citizen of the Cherokee Nation by Delaware blood?
A Yes sir.
Q [illegible]
A [illegible]

Q Do you know [illegible]
Q Do you know [illegible] have been enrolled as [illegible]
A [illegible] I don't [illegible]
Q [illegible] was the [illegible] always called him [illegible]
Connor. [illegible] called him that [illegible]
[illegible] Yes your [illegible] A Yes sir, then the [illegible]
A Married.
Q Was this Elizabeth [illegible] living with you then? A Yes sir.
Q She then went by the name of Carlton? A Yes sir.
Q Did she have any brothers and sisters? A Half brothers and half sisters.
Q No full brothers and sisters? A No sir.

1880 authenticated roll of citizens of the Cherokee Nation examined for applicant's maternal grandmother, and name identified as follows:

No. 1818, Jane Marker, [illegible] Delaware, age 35, Delaware District.

This enrollment from printed copy of 1880 roll.

No. 519, Elizabeth Carlton, [illegible] Delaware, age 18, Delaware District.

This enrollment [illegible] copy of 1880 roll.

1896 census roll of citizens of the Cherokee Nation examined, and applicant identified as follows:

Page 620, #2, Bruice Davis, Delaware District, age 11, Delaware.

Q What is the name of Bruce Davis' father? A William Davis.
Q Is he living? A Yes sir.
Q Is he a Cherokee by blood, or is he a white man? A He is a white man.

Bruce Davis will be listed for enrollment upon straight card.

Wm. Hutchinson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

Wm. Hutchinson

Subscribed and sworn to before me this 17 day of May, 1902.

M. O. Eaton
Notary Public.

Pub 3

TELEGRAM

1902

Supplemental, to Delaware D- Elizabeth Davis Card #111

Department of the Interior
Commission to the Five Civilized Tribes.
Vinita, I. T., June 2, 1902.

In the matter of the application of Elizabeth Davis for enrollment as Delaware and children as intermarried to the Cherokee Nation.

JOHN Q. CONNER, being first duly sworn and being examined testified as follows:

BY COMMISSION:

Q What is your name? A John Q. Conner.
Q What is your age? A 57.
Q What is your post-office address? A Nowata, I. T.
Q What district do you live in? A Cooweescoowee.
Q You are a recognized citizen by Delaware blood of the Cherokee Nation? A Yes sir.
Q You have been listed for enrollment by the Commission under the name of John Q. Conner? A Yes sir.
Q Do you know Elizabeth Davis, whose post-office is Vinita, I.T., and who has been listed for enrollment by the Commission as a Delaware by blood, on a doubtful card? A Yes sir.
Q She is your daughter is she not? A Yes sir.
Q What is the name of her mother? A Jane Marker.
Q She is also a Delaware by blood? A Yes sir.
Q With whom was this Elizabeth Davis living about the time the 1880 roll was made? A She lived with Marker I think.
Q She was known under the name of Conner when she was a girl? A Yes sir, oh yes sir.
Q Did you ever go by any name other than Conner, and did your daughter ever go by any name other than Conner? A Way their years ago people sometimes called me Carlton; I never would answer to that name; they sometimes put me on the rolls under that name, and my daughter was sometimes called by that name.
Q Your daughter then was sometimes called Elizabeth Carlton? A Yes sir, I suppose so, her maiden name. When I was a little fellow I went to school at the Delaware Mission School, and I was kind of stubborn, and wouldn't tell my name, and somebody spoke up and said he aint got no name, and they give me the name Michael Carlton Conner, and after I was grown they sometimes called me Carlton.

This testimony will be filed with the papers in Elizabeth Davis, Cherokee-Delaware D-

----o----

M.D.Green, being first duly sworn, states that he is clerk to the Commission to the Five Civilized Tribes, and that the foregoing is the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M.D. Green

Subscribed and sworn to before me this 21 day of July 1902.

In re

Application for Enrollment of

INFANT CHILD

George Davis

as a citizen of the

Choctaw Nation.

Approved JUN 29 1902 190_

[illegible] Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
JUN 29 1902

ACTING CHAIRMAN

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In Re Application for Enrollment as a citizen of the Cherokee Nation, of George Davis (Give full name of child.), born on the 23 day of March, 1897.

Name of Father: John T. Davis, deceased, a citizen of the Cherokee Nation.

Name of Mother: Elizabeth Davis, a citizen of the Cherokee Nation.

Post-Office: Vinita, I T

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory, Northern District.

I, Elizabeth Davis, on oath state that I am 39 years of age and a citizen, by Delaware Blood, of the Cherokee Nation; that I was the lawful wife of John T. Davis deceased, who was a citizen, by marriage, of the Cherokee Nation, that a male (Male or female.) child was born to me on the 23 day of March 1897, that said child has been named George Davis, and is now living.

her
Elizabeth x Davis
mark

Witnesses to mark: John G Bonner

(Must be Two Witnesses.) [illegible]

Subscribed and sworn to before me this 27 day of June, 1902

M. [illegible]
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, Indian Territory, Northern District.

I, Jane Marker, a Midwife, on oath state that I attended on Mrs. Elizabeth Davis, wife of John T Davis, on the 23 day of March, 1897, that there was born to her on said date a male (Male or female.) child; that said child is now living and is said to have been named George Davis.

her
Jane x Marker
mark

Witnesses to mark: John. G Bonner

(Must be Two Witnesses.) Emmett Foss

Subscribed and sworn to before me this 27 day of June, 1902

M. [illegible]

(seal)

Docket for Sept. Court 1902 [illegible]

[illegible] case, W.T.Davis vs. Lizzie Davis | The case went by default. The [illegible] awarding the custody of the children to the deft. by consent of both parties.

Executive Department,
Cherokee Nation. Tahlequah I. T.

I hereby certify that the above and foregoing is a true and correct copy from the Circuit Court, Civil case Docket of Delaware District Cherokee Nation as appears on page 341, in so far as the same pertains to the parties herein named, and that said record is in this office and in my legal care.

Given under my hand and seal of office on this the 24., day of September 1902.

(Seal) J. T.Parks, Executive Secretary.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., September 13, 1902.

I, the undersigned, Chief Clerk of the Cherokee Enrollment Division of the Commission to the Five Civilized Tribes and custodian of the records of said Division, do hereby certify that the above and foregoing is a true and correct copy of the original on file in the office of the said Division.

[signature] Chief Clerk Cherokee Division.

Sworn to and subscribed before me this 13th day of September, 1902.

[signature] Notary Public.

Cherokee-Delaware D 3

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Elizabeth Davis and her three minor children, Cyrus, John D., and George Davis as citizens of the Cherokee Nation of Delaware blood.

D E C I S I O N.

--oOo--

The record in this case shows that on September 26, 1900, Elizabeth Davis appeared before the Commission at Vinita, Indian Territory and made application for the enrollment of herself and her three minor children, Cyrus, John D., and George Davis, as citizens of the Cherokee Nation of Delaware blood. Further proceedings in the matter of said application were had at Vinita, Indian Territory, on May 21, 1901, and on June 27, 1902. The testimony taken in the matter of the application for the enrollment of Bruce Davis, as a citizen of the Cherokee Nation of Delaware blood, Cherokee-Delaware Case No.357, on May 14, 1902, is made part of the record in this case.

The evidence in this case shows that Elizabeth Davis is a Delaware Indian, who is identified on the Cherokee authenticated tribal roll of 1880 as Elizabeth Carlton. She and her children, Cyrus and John D. Davis, are identified on the Cherokee Census roll of 1896. George Davis, born March 23, 1897, is too young to be on any roll and proper proof of his birth has been furnished this Commission.

The evidence further shows that Elizabeth Davis has lived in the Cherokee Nation ever since the year 1868, and it is considered from the evidence that her children, Cyrus, John D. and George Davis, have lived in the Cherokee Nation ever since their birth.

It is, therefore, the opinion of this Commission that Elizabeth Davis, Cyrus Davis, John D. Davis and George Davis should be enrolled as citizens of the Cherokee Nation of Delaware blood in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this NOV 12 1902

18

Delaware # 365.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Tahlequah, I.T., January 7, 1904.

In the matter of the application of Elizabeth Davis for the enrollment of herself and children, Cyrus, John D. and George Davis as Delaware citizens of the Cherokee Nation.

SUPPLEMENTAL STATEMENT.

Upon an examination of the Register of Delaware Indians, made in 1867, of the names of persons who elected to remove to and become citizens of the Cherokee Nation in accordance with the terms of the Treaty between the Delaware and Cherokee tribes of Indians, entered into April 8, 1867, it is found that the applicant is duly identified upon said Register as follows:

Elizabeth Davis, as Elizabeth Carleton, No. 942.

It is ordered that copies of this statement be filed with and made a part of the record in this case.

C. R. Breckinridge
Commissioner.

MH

Delaware D-5

Muskogee, Indian Territory, March 15, 1902.

E. B. Lawson, Esq.,
Attorney at Law,
Nowata, Indian Territory,

Dear Sir:-

As requested in your letter of March 12, there is enclosed you herewith copy of testimony taken in the matter of the application for enrollment as a Delaware citizen of the Cherokee Nation, of Elizabeth Davis et al.

Your name has been entered as attorney for the applicant in this case.

Yours truly,

Commissioner in Charge.

Enc. D-4.

Copy.

Enclosure H. No. 8.

Muskogee, Indian Territory, November 19, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated November 15, 1902, granting the application of Elizabeth Davis for the enrollment of herself and her three minor children, Cyrus, John D. and George Davis, as citizens of the Cherokee Nation of Delaware blood.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

Tams Bixby

Acting Chairman.

Enclosure H. No. 8

Okla.

Muskogee, Indian Territory, [illegible]

Elizabeth Davis,

Vinita, Indian Territory.

Dear Madam:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 21, 1898, granting your application for the enrollment of yourself and your three minor children, Cyrus, John D. and [illegible] Davis, as citizens of the Cherokee Nation of Delaware Blood.

Respectfully,

[illegible]

Commissioner.

Enc. 5-114.
Register.

Muskogee, Indian Territory, [illegible]

E. B. Bowen,
Attorney for Elizabeth Tyra, et al,
Muskogee, Indian Territory.

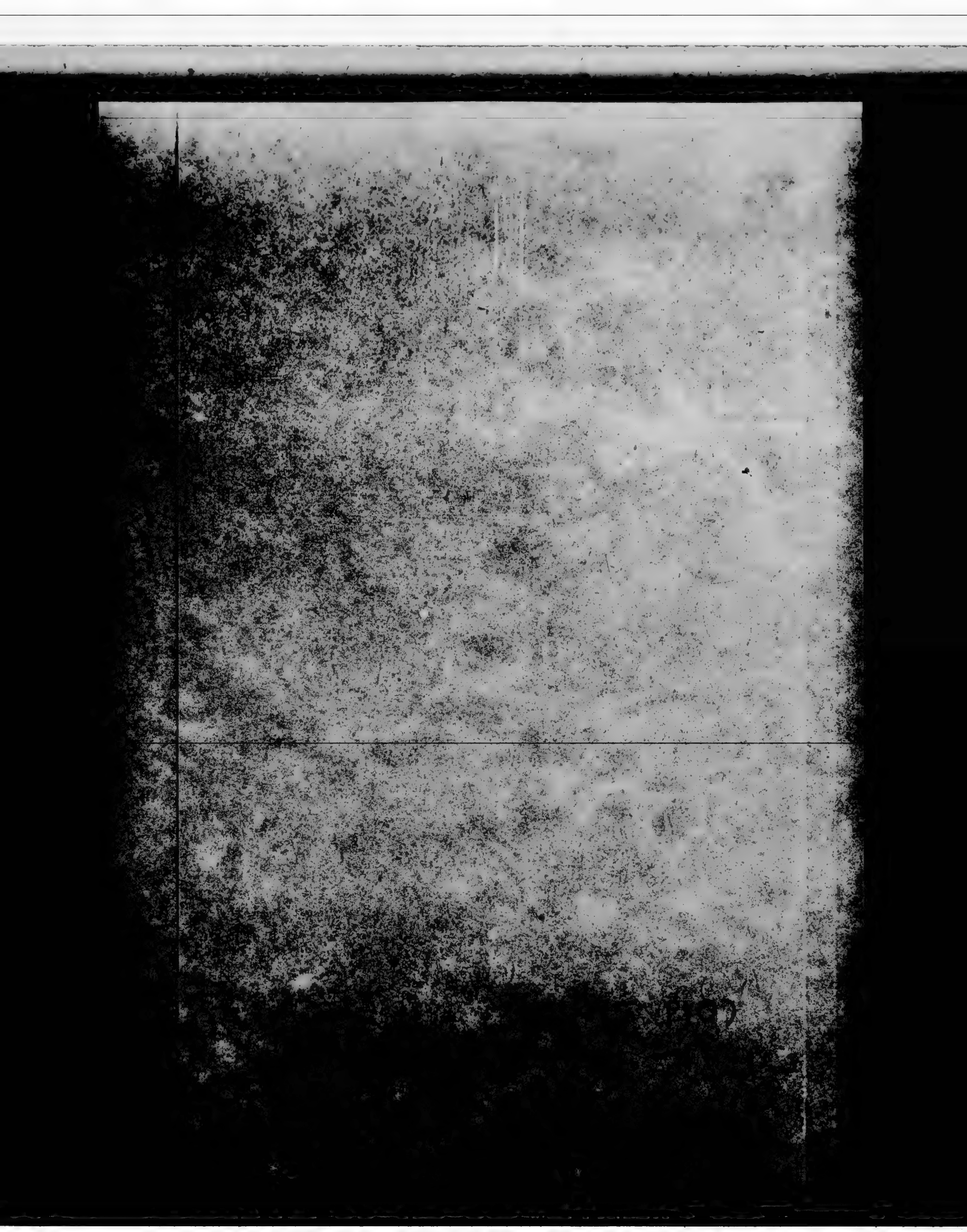
Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated September 12, 1902, granting the application of Elizabeth Davis for the enrollment of herself and her three minor children, Cyrus, [illegible] and George Davis, as citizens of the Cherokee Nation [illegible].

Respectfully,

Tams Bixby,
Acting Chairman.

Enc. E.I.D.
Register.



Del. Ex 4

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
OCT 8 1900

- 8 -

Department of the Interior,
Commission to the Five Civilized Tribes,
Bartlesville, I.T., October 8, 1900.

In the matter of the application of Mary Wilson for the enrollment of herself and children as Delawares; being sworn and examined by Commissioner Breckinridge, through J. B. Parker, a duly sworn interpreter, she testified as follows:

A Give me your name? A Mary Wilson.
Q How old are you? A 38.
Q What is your post office? A Caney, Kansas.
Q What district do you live in? A I suppose in Coowescoowee.
Q Who do you want to have put on the roll? A Myself and children.
Q How many children? A Five.
Q Are you a full blood Delaware? A Yes, sir.
Q How long have you lived in the Cherokee Nation? A 38 years.
Q All of your life? A Yes, sir.
Q What was the name of your father? A I don't know the name of my father.
Q What was the name of your mother? A Talagunah
Q How long have you been married? A About 20 years.
Q Is your husband dead? A Yes, sir.
Q What was his name? A Ice Wilson.
Q How long has he been dead? A Three years.
Q Now give me the names of your children? A The first child's name is Lizzie Lenowisha.
Q How old is that child? A 17.
Q Give me the name of the next child? A Joseph Lenowisha, 12 years old.
Q The next child? A Minnie Wilson, 8 years old.
Q The next child? A Charles, 5 years old.
Q What is the name of the next child? A Lilly, 3 years old.
Q All living now are they? A Yes, sir.
Q Did you ever live with a man named Lenowisha? A Yes, sir.
Q Did you have any children by your first husband? A Yes, sir, the two oldest ones.
(Mary Wilson on 1896 roll, page 387, No. 662, Coowescoowee district. Ice Wilson on 1880 roll, page 203, No. 3507, Coowescoowee district; on 1896 roll, page 387, No. 661, Coowescoowee district. Minnie Wilson on 1896 roll, page 387, No. 664, Coowescoowee district. Charles Wilson on 1896 roll, page 387, No. 667, Charley Wilson, Coowescoowee district.)
Q Is Joseph living? A Yes, sir.
Q Are Lizzie and Joseph both by your first husband, Lenowisha?
A Yes, sir.
Q Is Wis-kep-ake your name? A Yes, sir.
(Mary Wilson on 1880 roll, page 210, No. 3488, Wis-kep-ake, Coowescoowee district, adopted Delaware.)
Q Where are these two children, Lizzie and Joseph? A They are out at school.
Mr. W.W.Hastings, representative of Cherokee Nation? Are they your own children? A Yes, sir, my own children.
Commissioner Breckinridge: Are they full full blood Delawares?
A Yes, sir.
Q Why are these children not on some roll? A I don't know, I supposed they were on the roll.
Mr. Hastings: What name did they go by in 1896, four years ago?
A That same name you have got there.
Commissioner Breckinridge: Did you draw strip money for them?
A Lizzie Drew.
Q Why didn t Joseph Drew? A I don't know, just didn'tdrew.
(Lizzie Wilson on 1896 roll, page 387, No. 664, Lizzie Wilson, Coowescoowee district.)

[illegible] application [illegible] of [illegible] [illegible] [illegible]

13 Del. D4

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 8 1900

Acting Chairman

Joseph Linnenkohl, Jr.

Citizen by blood Yes Mother's citizenship

Intermarried citizen No

Married under what law Date of marriage

License Certificate

Wife's name Martha Mary Wilson - del. 1

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No.

Dist. Year Page No.

Dist. Year Page No.

Dist. Year Page No.

Dist. Year Page No.

Dist. Year

Rd. R. 1

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
OCT 9 1906

COMMISSIONER TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I. T.

[illegible] testimony in the [illegible]
[illegible] Wilson for the enrollment of [illegible]
the Cherokee Nation.

1896 enrollment, page 360, #819, Josie Powell, [illegible]

(On the Record with the enrollment of Josie Powell [illegible] the following notes) Step-children of Joe Wilson.

1896 enrollment, page 360, #818, Minnie Powell, Coweseenowee.
(With the same note as with Josie Powell.)

JOHN R. WILLIS, being sworn and examined by [illegible] C. R. Breckinridge, testified as follows:

Q Give your name? A John R. Willis.
Q What is your post office? A Kenwa.
Q How did these children here come to be on the roll of 1896 as Powell? A I suppose their father used to call himself Powell.
Q Why so? A He said they give him that name in the Army.
Q You knew him back here as Lenowisha? A Yes, sir, and the give him the name in the Army as Powell.
Q And you think that is how they come on the roll as Powell? A Yes, sir.

Com'r Breckinridge:--This completes the record necessary for the admission to enrollment of Joseph Lenowisha, and it shows that the Minnie Wilson who was supposed to be Lizzie Lenowisha is another individual, and that the name of Powell on the roll of 1896 is the person we now enroll as Lizzie Lenowisha.

---oOo000oOo---

I, [illegible] Reason, being first duly sworn, state that I am a stenographer to the Commission to the Five Civilized Tribes, and that I recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of my stenographic notes thereof.

[illegible]

Subscribed and sworn to before me this 9th day of October, [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

Del. D-4.

Department of the Interior,
Commission to the Five Civilized Tribes,
Bartlesville, I. T., June 7, 1902.

In the matter of the application for enrollment of Joseph Lenowisha as a Cherokee-Delaware.

Mary Wilson, being sworn and examined by Commissioner C. R. Breckinridge, testified as follows through interpreter John H. Secondine:

Q Give me your full name. A Mary Wilson.
Q How old are you? A About forty.
Q Are you the mother of the children Minnie, Charles and Lillie Wilson? A Yes sir.

This applicant is on Delaware straight card 78 with her children and she has children born prior to her present marriage, one of whom Lizzie Lenowisha is on the card with her mother, No. 78, and the other child, Joseph Lenowisha, is found by the index to be on Delaware Doubtful card No. 4.

Q You have a child named Joseph Lenowisha have you? A Yes sir.
Q And a child named Lizzie Lenowisha? A Yes sir.
Q Are they full brother and sister? A Yes sir.
Q Do you know why Joseph was put on a doubtful card, what was told you at the time? A The question was whether he should be called Wilson or Lenowisha.
Q You don't know any other trouble at that time? A No sir.
Q Are these two children, Joseph and Lizzie, the children of the same [illegible]? A Yes.
Q And was his name Lenowisha? A That is his Delaware name.
Q What is his English name? A Howell.
Q What was his full name? A That is all I know.
Q Was he a full blood Delaware? A Yes.

Copies of this statement will be filed with Delaware Doubtful case No. 4 and with Delaware straight case No. 78, and this testimony will indicate that Joseph and Lizzie Lenowisha are full brother and sister and that both of them should be entered upon the rolls with the surname of Howell.

Q Do you generally call them Howell? A Yes.

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

[signature]

Subscribed and sworn to before me this 9th day of July, 1902, at Muskogee, I. T.

(Seal)

[signature]
Notary Public.

COMMISS

Delaware

SUPPLEMENTAL STATEMENT.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., November 15, 1902.

In the matter of the application of Joseph Powell for enrollment as a citizen of the Cherokee Nation of Delaware blood.

-----00000-----

Upon an examination of the 1896 Delaware payroll in possession of this Commission, the applicant, Joseph Powell, is identified thereon at page 33, #857. He is identified in the family of Ice and Mary Wilson.

It is directed that this statement be filed with and made a part of the record in the case of Joseph Powell.

C. R. Breckinridge
Commissioner.

Cherokee-Delaware D # 4.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES. 1111. 602

In the matter of the application for the enrollment of Joseph Powell as a citizen of the Cherokee Nation of Delaware blood.

D E C I S I O N.

--oOo--

The record in this case shows that on October 8, 1900, Mary Wilson appeared before the Commission at Bartlesville, Indian Territory, and made application for the enrollment, among others, of Joseph Lenowisha, her minor child by a former marriage, as a citizen of the Cherokee Nation of Delaware blood. Further proceedings in the matter of said application were had at Bartlesville, Indian Territory, on June 7, 1902. The other parties to the application are differently classified and are not embraced in this decision. Joseph Lenowisha is usually called Joseph Powell and will be enrolled by that name.

The evidence shows that Joseph Powell is the son of Mary Wilson, a Delaware by blood, an adopted citizen of the Cherokee Nation, who is identified on the Cherokee authenticated tribal roll of 1880, as Wis-kep-ake, and Lenowisha, sometimes called Powell. The said Joseph Powell is identified on the Delaware Pay Roll of 1896, and on the Cherokee Census roll of 1896.

The evidence further shows that Mary Wilson, the mother of Joseph Powell, has lived in the Cherokee Nation all her life and it is considered from the evidence that Joseph Powell, twelve years of age at the date of this application, has lived in the Cherokee Nation ever since his birth.

It is, therefore, the opinion of this Commission that Joseph Powell should be enrolled as a citizen of the Cherokee Nation of Delaware blood in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this NOV 20 1902

[redacted]

Muskogee, Indian Territory, [illegible]

Mary Wilson,

Caney, Kansas.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated November 14, 1904, granting your application for the enrollment of [illegible] a citizen of the Cherokee Nation of Delaware blood.

Respectfully,

James Bates

Acting Commissioner.

Register.

Enclosure Ni No. 168.

Trans. from Dutch
(Old Series)

(1) (1)

CHB

DEPARTMENT OF THE INTERIOR,

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of

JOHN A. LEE

as a citizen of the Cherokee Nation of Delaware blood.

CHEROKEE 10692

Department of the Interior,
Commission to the Five Civilized Tribes,
Bartlesville,I.T.,October 10, 1900.

In the matter of the application of Lizzie Beaver for the enrollment of herself and children as Delawares; she appearing before the Commission, and being sworn and examined, testified as follows: Through J. B. Parker, a duly sworn interpreter:

Q What is your name? A Lizzie Beaver.
Q What is your age? A About 4[illegible], don't know exactly.
Q What is your postoffice address? A Bartlesville.
Q Do you live in the Cherokee Nation? A Yes, sir.
Q How long have you lived here? A 52 years.
Q Have you lived here continuously for 52 years? A Yes, sir.
Q Have you been outside the Cherokee Nation in the past three years? A No, sir.
Q Are you making application for enrollment as a citizen of the Cherokee Nation by Delaware blood? A Yes, sir.
Q To what district in the Cherokee Nation do you belong? A I don't know, we live six miles from here (Cooweescoowee.)
Q What is your father's name? A I don't know, I never did see my father.
Q What is your mother's name? A Nehelachenah.
Q Your mother was a Delaware Indian? A Yes, sir.
Q She living? A No, sir, died long ago.
Q You making application to enroll anyone besides yourself? A Yes, I have got the names of my children here; the oldest boy, I don't know his exact age, Johnnie.
Q You have got his name down as Johnnie Lee; his name is not Beaver? A No, that is Tom Lee's son, he was my first husband.
Q You have been married twice, have you, and had one child by your first husband, Lee? A Yes, sir.
Q What is his name? A John A. Lee, 17 years old.
Q Who was the father of John A. Lee? A Thomas Lee.
Q Was he a Delaware citizen? A Yes, sir.
Q Is he dead? A Yes, sir.
Q Now the names of these other children, their names are Beaver? A Yes, sir.
Q Nellie Beaver, 15 years old; Ollie Beaver, 12 years old, Dalton Beaver, 7 years old, that right? A Yes, sir.
Q Who was the father of these three children? A John Beaver.
Q He a white man or an Indian? A He was a Delaware.
Q Is he living? A He died five years ago.
Q Have you any husband living now? A No, sir.
Q These children all live with you at your home? A Yes, sir.
(Lizzie Beaver on 1880 roll, page 130, No. 1657, Lizzie Lee, Cooweescoowee District; on 1896 roll, page 360, No. 84, Cooweescoowee District. Nellie Beaver on 1896 roll, page 360, No. 85, Cooweescoowee District. Ollie Beaver on 1896 roll, page 360, No. 86, Ollie Beaver, Cooweescoowee District. Dalton Beaver on 1896 roll, page 360, No. 87, Cooweescoowee District.)
Q Was your first child, John A. Lee, ever known by any other name? A No, sir.
Q He living at home with you? A Yes, sir.

John R. Willis, being sworn and examined, testified as follows:
Q What is your name? A John R. Willis.
Q What is your age? A 50.
Q Are you a citizen of the Cherokee Nation? A Yes, sir.
Q Do you know Lizzie Beaver, the applicant? A Yes, sir.
Q Do you know her child, John A. Lee, this boy? A Yes, sir.
Q Do you know that this boy is her child? A Yes, sir.
Q What is this boy's father's name? A Thomas Lee.
Q Has he always lived in the Cherokee Nation? A Yes, sir, died

here in 1884.
Q Has the boy always lived here? A Yes, sir.
Q Has he always lived with his mother? A Yes, sir.
Q Did he ever go by any other name than John A. Lee? A Albert J. Lee, that was his right name; his father called him Albert when he was small.
Q Was he ever known by any other name then Lee? A No, sir, not that I know of.
Q Are you any relation to him? A Yes, sir, his father was my first cousin.
Q You have known him all your life? A Yes, sir.
Q Known him ever since he was born? A Yes, sir, knew him when he was two weeks old.

J. B. Parker, being sworn and examined, testified as follows:
Q What is your name? A J. B. Parker.
Q What is your age? A 52.
Q Are you a citizen of the Cherokee Nation? A Yes, sir.
Q Do you know the applicant, Lizzie Beaver? A Yes, sir.
Q Do you know her child, John A. Lee, who is now present? A Yes,
Q How long have you known him? A I can't tell that, but they lived down below here and I live up here about ten miles, I saw them occasionally ever since he was a small child.
Q Do you know that this is the son of Tom Lee and the applicant, Lizzie Beaver? A Yes, sir.
Q Has he always lived with her? A Yes, sir.

Lizzie Beaver, recalled:
Q This boy has always lived with you, has he? A Yes, sir, he stays right with me.

The name of the applicant, Lizzie Beaver, is found on the 1880 authenticated roll as Lizzie Lee, and on the 1896 census roll as Lizzie Beaver. The names of her three minor children, Nellie, Ollie, and Dalton Beaver, are found on the 1896 census roll of the Cherokee Nation, and the applicant and her three minor children above mentioned will be listed for enrollment by this Commission as citizens of the Cherokee Nation by Delaware blood.

The name of her first child, John A. Lee, is not found upon any of the rolls of the Cherokee Nation in the possession of the Commission, and his name will be placed upon a doubtful card for future consideration.

Bruce C. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

(Signed) Bruce C. Jones.

Sworn to and subscribed before me this the 10th of October, 1900.

(Signed) C. R. Breckinridge,

Commissioner.

Arthur C. Croninger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he made the foregoing copy, and that the same is a true and complete copy of the original transcript.

Arthur C. Croninger

Subscribed and sworn to before me this 18th day of November, 1901.

Notary Public.

EXAMINED AND APPROVED

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 10 1900

CHEROKEES BY BLOOD AND INTERMARRIED

Date OCT 01 1909 1909

Name Bartlett, Sr

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Wife's name Nancy Ann Bartlett

District ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

John A Lee Dist. — Year — Page — No. 5 Age 17

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

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..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

not to be found in mills

Del. No. 1

Upon an examination of the Case Cause for the Court

Delaware 2nd

SUPPLEMENTAL STATEMENT.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., November 15, 1902.

In the matter of the application of John A. Lee for enrollment as a citizen of the Cherokee Nation of Delaware blood.

-----ooooo-----

Upon an examination of the 1890 Cherokee roll, the applicant is identified thereon at page 15, #329, Coowescoowee District, as Johnny Beaver Jr.; on the Delaware payroll of 1896 at page 3, #77, as Johnny Lee; on the 1891 Delaware annuity roll, page 355, #117, as Albert J. Lee; on the 1893 Delaware annuity roll, page 330, #118, as Albert J. Lee.

It is directed that this statement be filed with and made a part of the record in the case of John A. Lee.

C. R. Breathitt
Commissioner.

Cherokee-Delaware D 7.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of John A. Lee as a citizen of the Cherokee Nation of Delaware blood.

D E C I S I O N.

--oOo--

The record in this case shows that on October 10, 1900, Lizzie Beaver appeared before the Commission at Bartlesville, Indian Territory, and made application for the enrollment, among others, of John A. Lee, a child by a former husband, as a citizen of the Cherokee Nation of Delaware blood. The other parties to the application are differently classified and are not embraced in this decision.

The evidence in this case shows that John A. Lee is the son of Lizzie Beaver, formerly Lizzie Lee, a Delaware Indian, an adopted citizen of the Cherokee Nation, who is identified on the Cherokee authenticated tribal roll of 1880, and Thomas Lee, now deceased, a Delaware Indian, an adopted citizen of the Cherokee Nation who is identified on the Cherokee authenticated tribal roll of 1880. John A. Lee cannot be identified on the Cherokee Census roll of 1896, but, upon examination of the Cherokee tribal rolls, he is identified on the Cherokee Census roll of 1890 as Johnny Beaver Jr. Upon an examination of the Delaware Pay rolls in the possession of this Commission his name is found on the Delaware Pay roll of 1896, and on various Delaware Annuity rolls, as Albert J. Lee.

The evidence further shows that John A. Lee has lived in the Cherokee Nation all his life.

It is, therefore, the opinion of this Commission that John A. Lee should be enrolled as a citizen of the Cherokee Nation of Delaware blood in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this NOV 20 1902

IN RE
THE DEATH OF

John A. Lee
a citizen of the

Cherokee Nation.

April 1903 190

T. B. Needham
Commissioner.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of John A Lee (Here insert name of deceased),

a citizen of the Cherokee Nation, who formerly resided near

Bartlesville (Here insert name of postoffice.), Ind. Ter., and died on the —

February, 1901.

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, } (INDIAN TERRITORY.)
Northern District. }

I, Mary Scarcopie, on oath state that I am 56 years of age and a citizen, by Adoption, of the Cherokee Nation; that my post office address is Bartlesville (Here insert name of post office.), Ind. Ter.; that I am a 2nd Cousin (State relationship as the father, an uncle, a cousin, etc.) of John A. Lee (Here insert name of deceased.), who was a citizen, by Ed Wood, of the Cherokee Nation; and that said John A Lee (Here insert name of deceased.) died on the — day of February, 1901.

Mary Scarcopie

WITNESSES TO MARK:

(Must be Two Witnesses.) { —

Subscribed and sworn to before me this 26 day of November 1901

J. A. Rasson
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, } (INDIAN TERRITORY.)
Northern District. }

I, John R. Kelley, on oath state that I am 53 years of age, and a citizen, by Adoption, of the Cherokee Nation; that my post office address is Nowata (Here insert name of post office.), Ind. Ter.; that I was personally acquainted with John A Lee (Here insert name of deceased.), who was a citizen, by Ed Wood, of the Cherokee Nation; and that said John A Lee (Here insert name of deceased.) died on the — day of February, 1901.

John R Kelley

WITNESSES TO MARK:

(Must be Two Witnesses.) { —

Subscribed and sworn to before me this 26th day of November 1901

J. A. Rasson
Notary Public.

CHB

Cherokee 10698

DEPARTMENT OF THE INTERIOR,

COMMISSIONER TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of John A. Lee as a citizen of the Cherokee Nation of Delaware blood.

D E C I S I O N.

THE RECORDS OF THIS OFFICE SHOW: That at Bartlesville, Indian Territory, on October 10, 1900, Lizzie Bean appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of, among others, John A. Lee , as a citizen of the Cherokee Nation of Delaware blood. The records further show that on November 20, 1902, the Commission to the Five Civilized Tribes rendered its decision herein granting said applicant the right to enrollment as a citizen of the Cherokee Nation of Delaware blood, and that, thereafter, on September 8, 1903, there was filed with the Commission to the Five Civilized Tribes an affidavit showing the death of John A. Lee on the ___ day of February, 1901.

Section Twenty-five of the Act of Congress approved July 1, 1902 (32 Stat., 716), provides:

> "The roll of citizens of the Cherokee Nation shall be made as of September first, nineteen hundred and two, and the names of all persons then living and entitled to enrollment on that date shall be placed on said roll by the Commission to the Five Civilized Tribes."

IT IS, THEREFORE, ORDERED AND ADJUDGED: That the decision of the Commission to the Five Civilized Tribes rendered November 20, 1902, in so far as it affects the applicant, John A. Lee, be rescinded, set aside, and held for naught, and it is further ordered that, under the provisions of the Act of Congress above noted, the application for the enrollment of John A. Lee as a citizen of the Cherokee Nation of Delaware blood be, and the same is, hereby dismissed.

Commissioner

Dated at Muskogee, Indian Territory,

this JAN 12 1906

[illegible]

[illegible], Yukon Territory, October 8th, [illegible]

Mr. W. W. Hastings,
Attorney for Cheechoo Hillam,
Whitehorse, Yukon Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission in the Yukon Territorial Court, dated November 20, 1918, granting the application of Hiram Hamlyn for the enfranchisement of John A. Low as a citizen of the Aberdeen Nation of Interior Sioux.

You are advised that you will be allowed thirty days from date hereof in which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the petitioner. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

[illegible]
[illegible]

Enc. E-61.



[illegible] 30068.

COPY.

Muskogee, Indian Territory, January 14, 1908.

Lizzie Beaver,

Bartlesville, Indian Territory.

Dear Madam:

There is inclosed herewith a copy of the decision of the Commissioner to the Five Civilized Tribes, dated January 13, 1908, dismissing your application for the enrollment of your son, John A. Lee, as a citizen of the Cherokee Nation of Delaware blood, he having died prior to September 1, 1902.

Respectfully,

Tams Bixby.
Commissioner.

Encl. 8-28

(4 6 7)

Bartlesville, I.T,

Feb. 7th-'06.

Commissioner 5 Civ. Tribes,

Muskogee, I. T.

Dear Sir:

Your letter of Jan. 12th-'06 addressed to Lizzie Beaver read. by me, and in regard to the dismissal or refusal of the enrollment of John A. Lee as a citizen of the Cherokee Nation, I wish to state to you that Lizzie Beaver died in Feb. 1903, and I would like to know whether she has read. an allotment as yet. If not I will see to it and in the case of John A. Lee He died also in Feb. 1903. I can bring evidence to prove the same. I want to know who made affidavits to him dieing in 1901. Can the case be reopened? If so, I want to know.

Respt.

Eliza Beaver.

[illegible] 27
[illegible]

Muskogee, Indian Territory, February [illegible], 1906.

W. W. Hastings,
Attorney for Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

There is inclosed herewith for your information a copy of a letter received from Eliza Beaver, dated February 7, 1906, in which it is stated that Lizzie Beaver and John A. Lee died in February, 1903.

The records of this office show that Lizzie Beaver applied to the Commission to the Five Civilized Tribes for enrollment as a Delaware citizen of the Cherokee Nation, and that on June 7, 1901, there was filed with the Commission an affidavit signed by Willie Longbone, a nephew of Lizzie Beaver, in which it is stated that said Lizzie Beaver died in February, 1901.

The records of this office further show that application was made to the Commission for the enrollment of John A. Lee as a citizen of the Cherokee Nation of Delaware blood; that on November 20, 1902, the Commission rendered

its decision granting said application, that on November 25, 1903, there was filed with the Commission an affidavit signed by Mary B. Harjo, a second cousin, and John R. Riley, an acquaintance, of said John A. Lee, showing his death on February, 1901, and that on January 13, 1906, the Commissioner to the Five Civilized Tribes rendered a decision dismissing the application for his enrollment as a citizen of the Cherokee Nation, a copy of which has heretofore been furnished you.

You are advised that Eliza Beaver has this day been notified that she will be permitted to appear before the offices of the Commissioner to the Five Civilized Tribes in Muskogee, Indian Territory, on Thursday, March 8, 1906, at nine o'clock A.M., and introduce such testimony as she desires tending to show the correct date of death of these parties. The Cherokee Nation will also be permitted to appear on that date and introduce such testimony as it desires in the matter.

Respectfully,

Acting Commissioner.

Incl. B 23

LMS

Muskogee, Indian Territory, February 28, 1906.

Eliza Beaver,

Bartlesville, Indian Territory.

Dear Madam:

This office is in receipt of your letter of February 7, referring to this office's letter of January 12, 1906, inclosing a copy of the decision of the Commissioner to the Five Civilized Tribes dated January 12, 1906, dismissing your application for the enrollment of your son, John A. Lee, as a citizen of the Cherokee Nation, of Delaware blood. You state that he died in February, 1903, and not in 1902, and also that Lizzie Beaver died in February 1903, and ask to be advised if you can bring evidence to prove the same. You also ask to be advised whether Lizzie Beaver had received an allotment of land.

In reply you are advised that on November 29, 1901, there was filed with the Commission to the Five Civilized Tribes a duly executed affidavit as to the death, in February of 1901, of your child, John A. Lee, and the application for his enrollment was therefore dismissed.

advised that the records of this office show that on June 7, 1902, there was filed with the Commission an affidavit as to the death, in February of 1901, of Lizzie Beaver, who was an applicant before the Commission for enrollment as a Delaware citizen of the Cherokee Nation.

No application for the selection of an allotment of land in the Cherokee Nation has been made for Lizzie Beaver.

If you claim that the date of the death of John A. Lee and Lizzie Beaver, as shown by the records of this office is in error, you will be given an opportunity to appear, with witnesses, before the officers of the Commissioner to the Five Civilized Tribes in Muskogee, Indian Territory, on Thursday, March 8, 1906, at nine o'clock A. M., for the purpose of showing the correct date of their death. The Cherokee Nation will also be permitted to appear on that date and introduce such testimony as it desires in the matter.

Respectfully,

Acting Commissioner.

EMB

Delaware 57
Cherokee 10092

Muskogee, Indian Territory, February 27, 1906.

Eliza Beaver,

Bartlesville, Indian Territory.

Dear Madam:

You are hereby advised that you will be permitted to appear before the offices of the Commissioner to the Five Civilized Tribes, on Thursday, March 29, 1906, at nine o'clock A. M., instead of Thursday, March 8, 1906, and introduce testimony as to the date of the death of Lizzie Beaver and John A. Lee.

Respectfully,

GHL

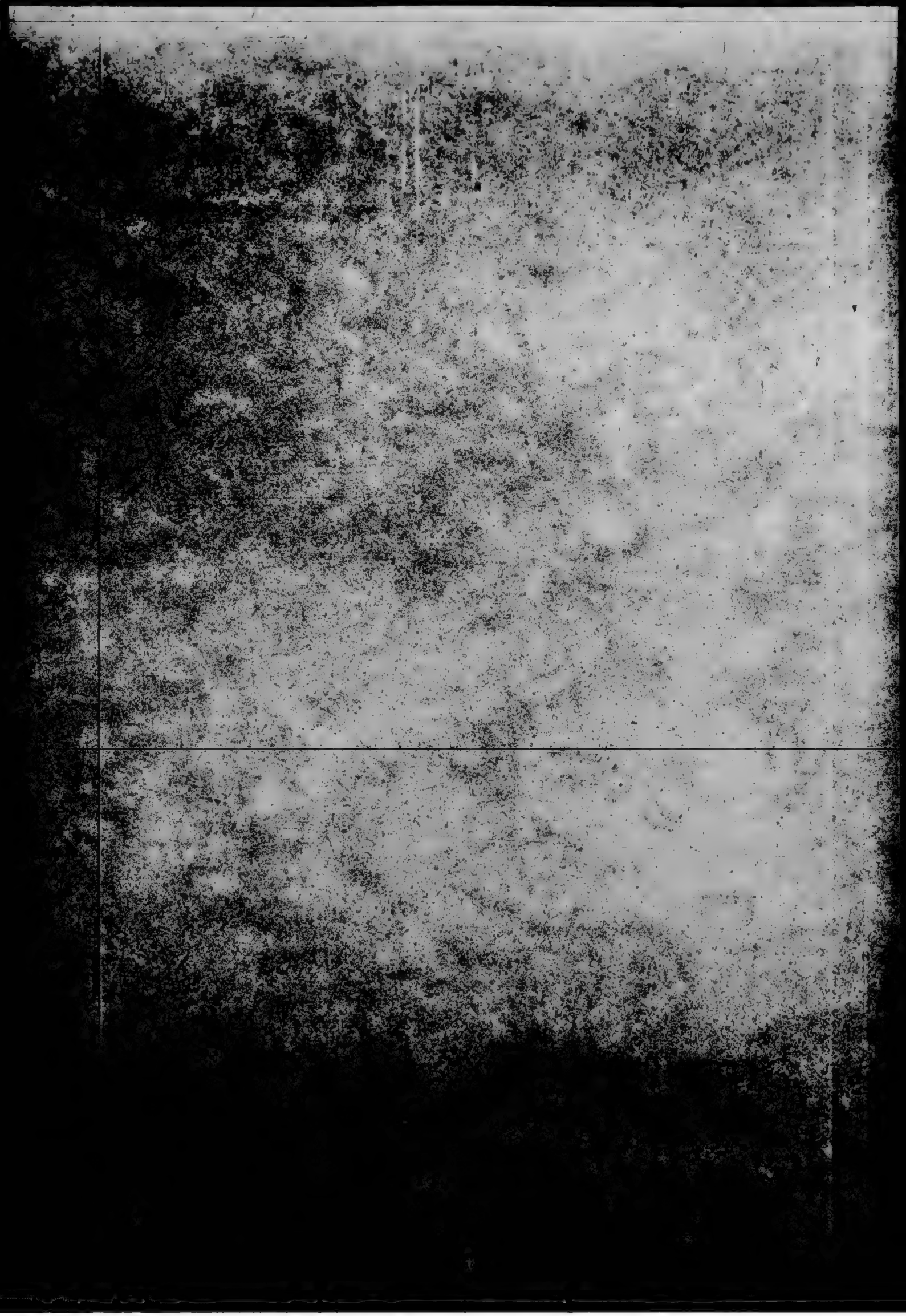
Acting Commissioner.

Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

OFFICIAL BUSINESS

Penalty for private use, $300.

R to W
Cherokee



DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
OCT 10 1900

a Dec 28

Department of the Interior.
Commission to the Five Civilized Tribes.
Bartlesville, I. T., October 10, 1900.

In the matter of the application of Edward Young for the enrollment of himself, wife and child as Cherokee citizens; he being sworn by Commissioner Breckinridge, testified as follows: Examination by the Commission.

Q What is your name? A Edward Young.
Q What is your age? A 32.
Q What is your postoffice? A Lawton.
Q Are you a resident of the Cherokee Nation? A Yes sir.
Q How long have you resided here? A All my life.
Q Born in the Cherokee Nation? A Yes sir.
Q Resided here all your life? A Yes sir.
Q Have you been out of the Cherokee Nation during the past three years? A No sir.
Q Are you a native Cherokee or a Delaware? A Delaware.
Q What district in the Cherokee Nation do you belong? A Cooweescoowee.
Q What is your father's name? A John Young.
Q Is he living? A Yes sir.
Q Is he a Delaware Indian? A Yes sir.
Q What is your mother's name? A Ellen Young.
Q Mother living? A Yes sir.
Q Is she a Delaware Indian? A Yes sir.
Q How much Indian blood have you? A Full blood.
Q Are you making application for anybody besides yourself? A Wife and child.
Q What is your wife's name? A Anna Young.
Q How old is she? A 20.
Q What was her maiden name? A Robeson.
Q Is she a Delaware Indian? A No sir.
Q What is she? A She's English.
Q White woman? A Yes sir.
Q When did you marry her? A 19th of April?
Q What year? A This year.
Q Where? A Preacher Goodwins house.
Q By whom? A Preacher Goodwin.
Q Were you married in accordance with the laws of the Cherokee Nation? A Yes sir.
Q Have you your marriage license and certificate? A Yes sir.
Q Have you the license? A No sir.
Q Where did you obtain the license? A At Independence, Kans.
Q Issued to you by the Clerk of the Court of the County in which Independence, Kans., is in? A Yes, Montgomery County.
Q Never obtained a license from the authorities of the Cherokee Nation? A No sir.
Q What is your wife's father's name? A Joseph Robeson.
Q Is he living? A Yes sir.
Q What is your wife's mother's name? A Mary Robeson.
Q Is she living? A Yes sir.
Q Their both white people? A Yes sir.
Q Your wife never made any claim to Indian citizenship by blood? A No sir.
Q What is the name of your child? A Mary Ellen Young.
Q How old is Mary Ellen Young? A She was born the 17th of August, this present year, two months old.
Q Are you the father of this child? A Yes sir.
Q Anna Young the mother? A Yes sir.
Q Have you any evidence of the birth of this child? A No sir.
Q Where is the mother? A She's at home.
1880 roll; page 215, #3821, Edmund Young, Cooweescoowee. (Del.)
1896 roll; page 332, #780, Edward Young,
Q You have not got a certified copy of the records in which this marriage is recorded? A No sir.

E. Y.

By the Commissioner:-

The name of the applicant appears upon the final authenticated roll of the Cherokee Nation as [illegible] upon the [illegible] Seventh Call of the Commissioner to the Five Civilized Tribes, and having given sufficient testimony in the Indian Territory as provided by law, [illegible] enrollment by this Commission as a citizen of the [illegible] Nation by Delaware blood. The enrollment of your wife will be rejected for the reason that she was married to you subsequent to Sept. 25, 1902, denying the rights to intermarried citizens to participate in the property rights of the Cherokee Nation. The application made by you on behalf of your minor child, Mary Ellen Bowen, will be considered by the Commission some time in the future, and the name of your child will now be placed upon a doubtful card for that purpose; his child having been born four months after your marriage to your present wife.

E. C. Rothenberger, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings in the above case, and that the foregoing is a true and complete translation of his stenographic notes in said case.

E. C. Rothenberger

Subscribed and sworn to before me this 10th day of October, 1900.

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
OCT 18 1900

ACTING CHAIRMAN.

CHEROKEES BY BLOOD

Name Lawton D. I.

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Wife's name Mary A. Hall

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen ..... Edward Young

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

Mary E. Young	Dist. —	Year —	Page —	No. —	Age 2 mo
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Rec'd 98

R 250
Rel 2

6 Dec. 28.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 15 1900

ACTING CHAIRMAN.

WHAT THEREFORE GOD HATH JOINED TOGETHER, LET NOT MAN PUT ASUNDER. MATT. 19.6.

THIS IS TO CERTIFY

It is not good that the man should be alone. Gen. 2.18.

I will make him an help meet for him. Gen. 2.18.

THAT

and

WERE

BY

ME

UNITED IN

MARRIAGE

By I commend you to God, and to the word of his Grace Acts 20.32

(GOD)


THIS IS TO CERTIFY
It is not good that the man should be alone. Gen. 2. 18.
I will make him an help meet for him. Gen. 2. 18.
THAT
WERE
BY
ME
UNITED IN
MARRIAGE
I commend you to God, and to the word of his Grace. Acts 20. 32.
HOLY BIBLE

IN RE

Application for Enrollment of

INFANT CHILD

Mary E. Young

as a citizen of

Cherokee Nation

Approved, May 18, 1901

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAY 18 1901

Acting Chairman.

BIRTH AFFIDAVIT.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Mary E. Young, (Here insert name of child) born on the 17 day of August, 1900.

Name of Father: Edward D Young, a citizen of the Cherokee Nation.

Name of Mother Annie Young, a citizen of the Cherokee Nation.

Post-office, Lawton

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, } INDIAN TERRITORY,
Northern District. }

I, Annie Young, on oath state that I am 22 years of age and a citizen, by marriage, of the Cherokee Nation; that I am the lawful wife of Edward D Young, who is a citizen, by adoption, (Delaware) of the Cherokee Nation, that a Female (male or female) child was born to me on the 17th day of August 1900, that said child has been named Mary E. Young, and is now living.

Annie Young.

WITNESSES TO MARK

(Must be Two Witnesses)

Subscribed and sworn to before me this 13 day of May 1901.

J. W. Gibson

my comm exp's Jan 15, 1905 NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, } INDIAN TERRITORY,
Northern District. }

I, Nancy Wilson, a midwife, on oath state that I attended on Mrs. Annie Young, wife of Edward D Young, on the 17 day of August, 1900, that there was born to her on said date a Female (male or female) child; that said child is now living and is said to have been named Mary E Young

her
Nancy X Wilson
mark

WITNESSES TO MARK:

(Must be Two Witnesses)

Ed Schatz

J. W. Gibson

Subscribed and sworn to before me this 13 day of May 1901.

J. W. Gibson

my comm exp's Jan 15, 1905 NOTARY PUBLIC.

IN RE

Application for Enrollment of

INFANT CHILD

Emma Lucile Young

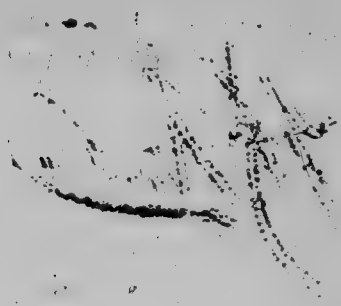
as a citizen of the

Cherokee *Nation.*

Approved [illegible] 1902

[illegible]

Commissioner.



DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
MAY 26 1902

ACTING CHAIRMAN

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In Re Application for Enrollment, as a citizen of the Cherokee Nation, of Emma Lucile Young, born on the 22nd day of March, 1902
(Here insert name of child.)
Name of Father: Edward D. Young, a citizen of the Cherokee Nation.
Name of Mother: Anna Young, a citizen of the _____ Nation.
Post-Office: Weldon

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern District.

I, Anna Young, on oath state that I am 22 years of age and a citizen, by _____, of the _____ Nation; that I am the lawful wife of Edward D. Young, who is a citizen, by Adoption, of the Cherokee Nation, that a Female child was (Male or female.)
born to me on the 22nd day of March 1902; that said child has been named Emma Lucile Young, and is now living.

Anna Young

WITNESSES TO MARK:

(Must be Two Witnesses.) _____

_____

Subscribed and sworn to before me this 6th day of May 1902

I B Woodard
Notary Public.

My Commission Expires May 16 1902.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern District.

I, Emma Upton, a _____, on oath state that I attended on Mrs. Anna Young, wife of Edward D Young, on the 22nd day of March, 1902; that there was born to her on said date a Female child; that said child is now living and is said to have been (Male or female.)
named Emma Lucile Young.

Emma Upton

WITNESSES TO MARK:

(Must be Two Witnesses.) _____

_____

Subscribed and sworn to before me this 6th day of May 1902

I B Woodard
Notary Public.

My Commission Expires May 16 1902.

Cherokee-Delaware D 8

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Mary E. Young and Emma L. Young as citizens of the Cherokee Nation of Delaware blood.

D E C I S I O N.

--oOo--

The record in this case shows that on October 10, 1900, Edward Young appeared before the Commission at Bartlesville, Indian Territory, and made application for the enrollment, among others, of his minor child, Mary E. Young, as a citizen of the Cherokee Nation of Delaware blood. The other parties to the application are differently classified and are not embraced in this decision. Another child, Emma L. Young, has been born since the date of the application, and she is now embraced in this decision.

The evidence shows that Mary E. Young and Emma L. Young are the children of Edward Young, a Delaware Indian, an adopted citizen of the Cherokee Nation, who is identified on the Cherokee authenticated tribal roll of 1880, and Anna Young, a white woman, who were lawfully married on April 19, 1900. Mary E. Young and Emma L. Young, born on August 17, 1900, and March 22, 1902, respectively, are too young to be upon any roll of the Cherokee Nation, but proper proof of their births has been furnished this Commission.

The evidence further shows that Edward Young has lived in the Cherokee Nation all his life, and it is considered from the evidence that Mary E. Young and Emma L. Young have lived in the Cherokee Nation ever since their birth.

It is, therefore, the opinion of this Commission that Mary E. Young and Emma L. Young should be enrolled as citizens of the Cherokee Nation of Delaware blood in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this NOV 20 1902

Delaware 2 S.

COPY.

Muskogee, Indian Territory, November 20, 1902.

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated November 20, 1902, granting the application of Edward Young for the enrollment of his two minor children, Mary E. and Emma L. Young, as citizens of the Cherokee Nation of Delaware blood.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

Acting Chairman.

Enclosure E. 22.

Dept.

[redacted]

Muskogee, Indian Territory, [redacted]

Edward Young,
Weldon, Indian Territory.

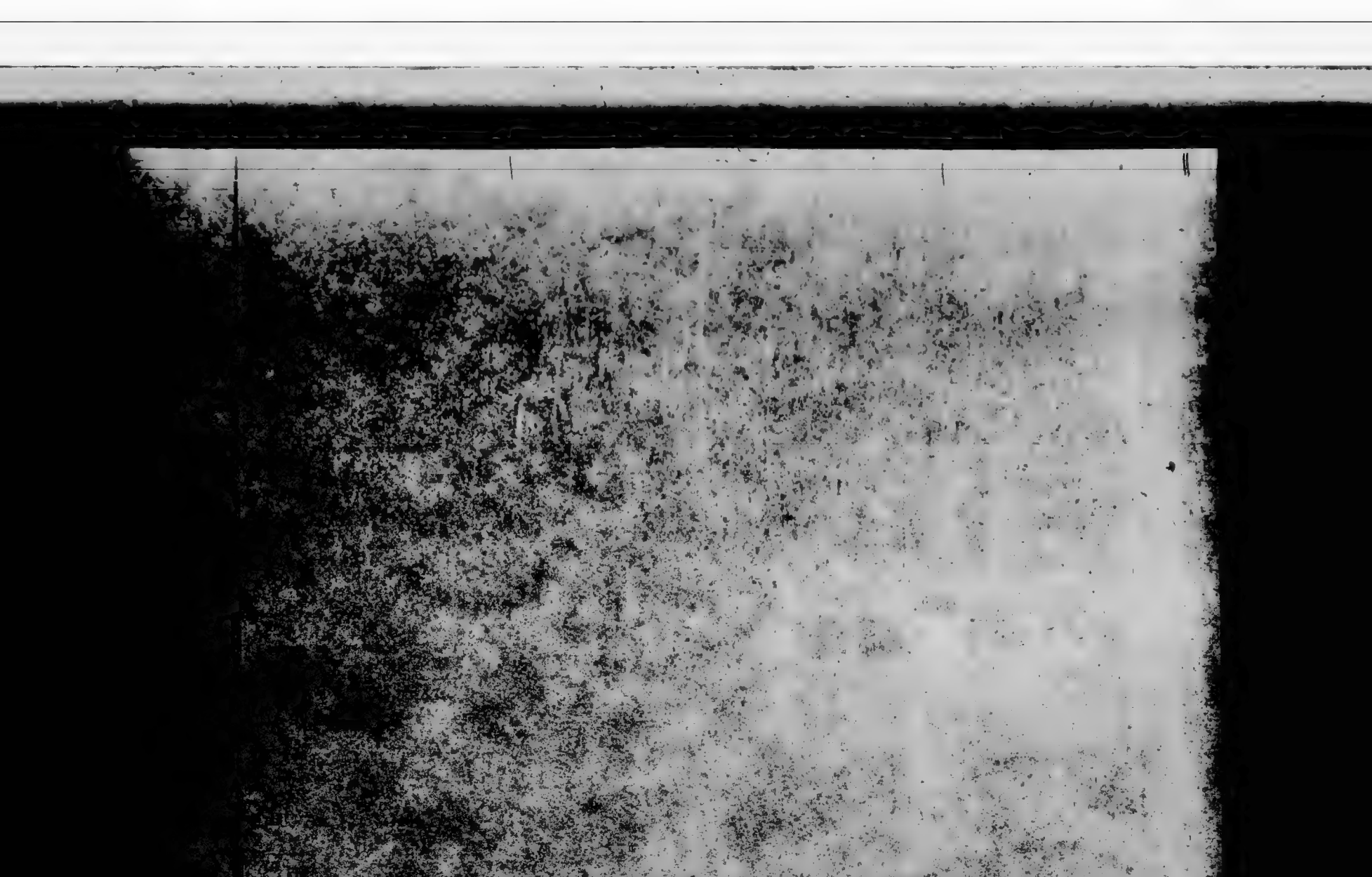
Dear Sir:

There is herewith enclosed a copy of the [redacted] Commission to the Five Civilized Tribes, dated [redacted] granting your application for the enrollment of your two minor children, Mary E. and Emma L. Young, as citizens of the Cherokee Nation of Delaware blood.

Respectfully,

Acting [redacted]

Register.
Enclosure K. No. 141.



-S-

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
NOWATA, I. T., OCTOBER 18th, 1900.

IN THE MATTER OF THE APPLICATION OF Almira Cox Webber for the enrollment of herself and children as citizens of the Cherokee Nation, and she being sworn and examined by Commissioner, T. B. Needles, testified as follows:

Q What is your name? A Almira Cox Webber.
Q What is your age? A Twenty three.
Q What is your Postoffice? A Hayden.
Q What district do you live in? A Coowescoowee.
Q Are you a recognized citizen of the Cherokee Nation? A Yes sir.
Q By blood? A Yes sir.
Q What degree of blood? A Delaware.
Q Are you a full blood? A No sir.
Q About a half blood? A Yes sir.
Q Whom di you want to enroll? A Myself and two children.
Q What are the names of your children? A Albert Eugene.
Q How old is he? A Five.
Q Next one? A Alonzo.
Q How old is Alonzo? A One year old.
Q What is the name of ~~them~~ your father? A Alonzo Manley.
Q What is the name of your mother? A Polly Manley.
Q Are they living? A No sir.
Q Both dead? A Yes sir.
Q Are you married? A Yes sir.
Q What is the name of your husband? A Sam Webber.
Q Is he a white man? A No sir; freedman.
Q When were you married to him? A In 1893.
Q What was your name before you were married to him? A Manley.
Q How long have your father and mother been dead? A I do not know how long my mother has been dead: My father has been dead a year.
Q Is your name on the roll of 1880? A I do not know: It is on the payment roll.
Q Is it on the roll of 1896? A I do not know: It ought to be.
Q Where were you born? A Here.
Q In the Cherokee Nation? A Yes sir.
Q Have you lived here ever since? A Yes sir.
Q Was your father an Indian? A No sir; he was a freedman.
Q Was your mother an Indian? A Yes sir.
Q Her maiden name was ? A Journeycake: Her name before she married my father was Cox.
Q What is your mother's name? A Polly.
Q Were you ever at the orphan asylum? A No sir.
Q Your name was Cox before you married Webber, was it?
A No sir; Manley.
Q Was your father's name Manley? A Yes sir.
Q Have you any proof of birth as to these children? A Yes sir.
Q How long have you lived in the Cherokee Nation? A All my life.
Q Did you draw money? A Yes sir.
Q How many times? A I have drawed money myself three times.
Q Did you draw money with the freedmen or Delawares?
A Drawed with the Delawares.
Q Is your father living? A No sir.
Q Is your mother living? A No sir.
Q Both dead? A Yes sir.

Henry Armstrong, being sworn and examined by Commissioner, T. B. Needles, testified as follows:
Q What is your name? A Henry Armstrong.
Q What is your age? A Fifty eight.
Q What is your Postoffice? A Coodeys Bluff.
Q Do you know the applicant here? A I know her mother.
Q What is her mother's name? Polly Dick on the first registry; daughter of Isaac and Polly Journeycake.
Q Was she a Delaware? A Yes sir.

Q Full blood? A About a half breed.
Q Is she living? A No sir.
Q Do you know whether this applicant Almira Webber is the daughter of Polly Cox? A She was living with a man Alonzo Collins.
Q Do you know the mother of the applicant here? A Yes sir.
Q Who was she? A Her name was Polly Cox.
Q Do you know this applicant to be the child of Polly Cox? A I seen her carrying it; that is all I know: I suppose it is her child.
Q How long have you known her? A I can not say exactly.
Q All her life? A Yes sir.
Q Was Polly Cox former name Polly Dick? A Yes sir.
Q Do you know whether the name of Polly Dick is on the roll of 1880, or not? A I do not know.
Q Do you know this woman to be a Cherokee citizen? A Yes sir; I should think so.
Q By Delaware blood? A Yes sir; she has one half Delaware blood in her.
Q Did you know this applicant's father? A Yes sir.
Q What nationality was he? A I call him colored.
Q He was a colored man? A About one half.
Q And you knew the applicant's mother? A Yes sir; I used to go to school with her.
Q She was a re sident of the Cherokee Nation? A Yes sir.
Q A Delaware citizen by blood? A Yes sir.
Q Do you know how old her mother would be if she were living now?
A She would be about fifty four.

Applicant recalled:
Q Did they ever call you Mandy? A No sir; I have a sister named Mandy.

By Mr. Cale Starr, Cherokee Rep:
Q Is Amanda elder than you? A No sir; she is younger than me.

By the Commission:
Q Was your name always called Almira? A Yes sir; they called me Allie for short.
Q You had a sister named Amanda? A Yes sir., and one named Rena.
Q Is she older or younger than you? A Older than me.
Q Is she living? A Yes sir.
(1880 Roll, Page 78, #492, Polly Cullin, Coo. District - applicant's mother)

The name of the applicant, Almira Cox Webber is not found upon any of the rolls: She makes satisfactory proof of birth as to her two children, Albert K. and Alonzo: The name of her mother, Polly Cullin is found upon the authenticated roll of 1880. The testimony shows that the applicant is the daughter of the said Polly Cullin, but her name does not appear upon the authenticated roll of 1880, or upon any other roll now in the possession of this Commission: It is averred that her name is on the roll of 1896: Satisfactory proof not having been made as to her citizenship, final decision as to the enrollment of the said applicant and her children will be suspended, and their names will be placed on a doubtful card.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 16th day of October, 1[illegible]

B. Dale 2-44

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
OCT 18 1900

ACTING CHAIRMAN

CHEROKEES BY BLOOD

Date OCT 18 1900

Name Hayden D.T.

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship Delaware

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Wife's name Almira C. Webber

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen No

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

4 Albert E. Webber	Dist.	Year	Page	No.	Age 5
5 Alonza	Dist.	Year	Page	No.	Age 1
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

2 and 3 Birth affidavits supplied

IN RE

Application for Enrollment of

INFANT CHILD

Albert Eugene Webber

a citizen of the

Cherokee Nation.

Approved, OCT 18 1900 190

Commissioner

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 18 1900

Acting Chairman.

Chr. 10694

Dd D 14

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation.

of Albert Eugene Webber, born on the 2nd day of Feby, 1895
(Here insert name of child.)

Name of Father: Sam Webber, a citizen of the Cherokee Nation.

Name of Mother: Elmira Cox Webber, a citizen of the Cherokee Nation.

Post-office, Hayden Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY
Northern District.

I, Elmira Cox Webber, on oath state that I am 28 years of age and a citizen, by blood, of the Cherokee Nation; that I am the lawful wife of Sam Webber, who is a ~~citizen by~~ Cherokee Freedman ~~Nation~~; that a male (male or female) child was born to me on the 2nd day of Feby, 1895; that said child has been named Albert Eugene Webber, and is now living.

Elmira Cox Webber

WITNESSES TO MARK: (Must be Two Witnesses.)

Subscribed and sworn to before me this 17th day of Oct, 1900

My Com exp 10/15/1904

Eugene Lamon
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY.
Northern District.

I, Ann Wright, a midwife, on oath state that I attended on Mrs. Elmira Cox Webber wife of Sam Webber, on the 2nd day of Feby, 1895; that there was born to her on said date a male (male or female) child; that said child is now living and is said to have been named Albert Eugene Webber

her
Ann X Wright
mark

WITNESSES TO MARK: (Must be Two)
E B Lamon
M M Coffinberry

Subscribed and sworn to before me this 17th day of Oct, 1900

My Com exp 10/15/1904

Eugene Lamon
NOTARY PUBLIC.

D

20

IN RE

Application for Enrollment of

INFANT CHILD

Alonzo Mather

as a citizen of the

Cherokee Nation.

Approved OCT 18 1900 190

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 18 1900

Acting Chairman.

Del D 14

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Alonzo Webber (Here insert name of child.), born on the 9th day of Aug., 1899

Name of Father: Sam Webber, a citizen of the Cherokee Nation,

Name of Mother: Almira Cox Webber, a citizen of the Cherokee Nation.

Post-office, Hayden I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY. Northern District.

I, Almira Cox Webber, on oath state that I am 23 years of age and a citizen, by blood, of the Cherokee Nation; that I am the lawful wife of Sam Webber, who is ~~a citizen, by~~ Cherokee Freedman Nation; that a male (male or female) child was born to me on the 9th day of August 1899; that said child has been named Alonzo Webber, and is now living.

WITNESSES TO MARK:

(Must be Two Witnesses.)

Almira Cox Webber

Subscribed and sworn to before me this 17th *day of* Oct 190 0.

my com exp 10/15/1900 Eugene Lamar NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY. Northern District.

I, Catherine Hester, a mid-wife, on oath state that I attended on Mrs. Almira Cox Webber, wife of Sam Webber on the 9th day of August, 1899; that there was born to her on said date a male (male or female) child; that said child is now living and is said to have been named Alonzo Webber

WITNESSES TO MARK:

(Must be Two Witnesses.)

Catherine Hester

Subscribed and sworn to before me this 17th *day of* Oct 190 0.

My com exp 10/15/1904 Eugene Lamar NOTARY PUBLIC.

Del. D-14

8

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 9 1900

Acting Chairman

Received of the Commission to the Five Civilized [illegible] one copy of the testimony in the matter of the application for enrollment as citizens of the Cherokee Nation of [illegible] et al.

A. W. Peck
Attorney for Applicants.

Claremore, Indian Territory,
October 24th, 1900.

Delaware Card #D-14.

Commissioner.

1081, June 10 this 23rd day of March personally appeared before me Bruce C. Holmes, United States Commissioner for the Northern District of Texas, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

****

Bruce C. Holmes, United States Commissioner

Filed June 10, 1081 at 8:25 A.M.

Wilma C. Hopper - Deputy.

2 - Todd Brown, Esq.

Mr. Bruce C. Holmes
United States Commissioner
Wichita Falls, Texas

Dear Sir:

I am enclosing herewith my check for $10.00 to cover the fee for taking the deposition of Mrs. Ruth Brown Todd, a witness in the above entitled and numbered cause, which deposition was taken before you on March 23, 1081.

Yours very truly,

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., June 24, 1901.

In the matter of the application of Almira C. Webber for enrollment as a Delaware by blood.

Appearances:
W. A. Chase, attorney for applicant;
W. W. Hastings, of counsel for Cherokee Nation.

Almira C. Webber, being duly sworn and examined by Commissioner Needles, testified as follows:
Q What is your name? A Almira C. Webber.
Q How old are you? A 24.
Q What is your post office address? A Hayden.
Q What district do you live in? A Goweesecowee.
Q You apply to be enrolled as a Cherokee Freedman? A No, sir, as a Delaware.
Q What is your father's name? A Alonzo Cullen.
Q What is your mother's name? A Polly Cullen.
Q Are you married? A Yes, sir.
Q What is your husband's name? A Sam Webber.
Q What citizenship is he? A A freedman.
Q Is your name on the roll of 1880? A No, sir.
Q Your father's or mother's name on the roll of 1880? A My mother is and my sisters.

William Adams, being duly sworn and examined by Commissioner Needles, testified as follows:
Q What is your name? A William Adams.
Q What is your age? A 65.
Q What is your post office address? A Allwee.
Q What nationality are you? A Delaware.
Mr. Chase: How long have you known the applicant, Almira C. Webber? A From infancy.
Q Who was her mother? A Polly Dick.
Q Where was Almira C. Webber born? A Cherokee Nation, Indian Territory here.
Q Where did you first know her mother? A Kansas.
Q Was she one of the treaty Delawares? A Yes, sir.
Q Where has Almira C. Webber lived since her birth? A Lightening Creek.
Q In the Cherokee Nation? A In the Cherokee Nation.
Q You have known her all this time, have you? A Yes, sir.
Q Who was her father? A Alonzo Manley.
Q What nationality was he? A Supposed to be - ; that I can't well answer.
Q Supposed to be colored, wasn't he? A Well, not all, part.

Almira C. Webber, recalled, testified:
Mr. Hastings: Did you have a brother? A Yes, sir.
Q What was his name? A Joe Cullen.
Q Did you have another brother? A Yes, sir.
Q What was his name? A Alonzo.
Q Did you have one named Richard? A No, sir, not that I know of.
Q How old are you? A I am 24; my mother was named Dick.
Q Did your mother marry a man named Big Dick? A (No response)
Mr. Chase: Did you ever go by the name of Manly? A Not that I know of.
Q How do you spell your name? A A-l-m-i-r-a.

Mr. Hastings: Where were you born? A Down here on Lightening close to Allowe.
Q And your mother's name at that time was what? A Cullens I reckon
Q What did she go by when you were first old enough to remember?
A Cullens.
Q Cullens yet? A Yes, sir, when she died she went by the name of Cullens; she married twice before she married papa, she married Cox and she married Dick, my father was her last husband.
Q Cullens was her last husband? A Yes, sir.
Q What was this woman's name when the Delawares came down here in '67 or '8? A Her name was Journeycake.

William Adams, recalled, testified:
Mr. Hastings: Did this girl's mother come as you came down?
A Yes, sir, all came pretty much the same time.

Almira C. Webber, recalled, testified:
Mr. Chase: Your mother's first husband was named Dick, was he?
A Yes, sir.
Q And her second husband was named Cox? A Yes, sir.
Q And her third husband was named Cullens? A Yes, sir.
Q Cullens was your father? A Yes, sir.

William Adams, recalled, testified:
Mr. Hastings: Do you know another girl among the Delawares by the name of Emily Dick, or Almira Dick? A Lurena Dick.
Q Do you know one named Emily or Almira, any other than this one?
A That you can't prove well by me, these young people, what names they give, I am not posted on that.
Q You don't know then? A I don't know, but I know the family, I have known her from infancy.

Caroline Sanders, being duly sworn and examined by Commissioner Needles, testified as follows:
Q What is your name? A Caroline Sanders.
Q What is your age? A About 47 or 48.
Q What is your nationality? A I am an adopted freedman.
Q What is your post office? A Hayden.
Mr. Chase: How long have you lived in the Cherokee Nation? A I have lived here about 27 years.
Q How long have you known Almira C. Webber? A I have known her ever since her birth.
Q Are you acquainted with her mother? A Yes, sir.
Q Who was her mother? A Her mother was Polly Cullens.
Q What was her former name, do you know? A Polly.
Q Before she married Cullens? A No, sir, I never knew her until then.
Q Were you ever called to attend to Polly Cullens as a midwife?
A Yes, sir.
Q I will ask you if that was when Almira C. Webber was born?
A Yes, sir.
Q Do you know where Almira C. Webber has lived ever since her birth?
A Lived in Goowesscoowee district, in the Nation.
Q You have known her since that time? A Yes, sir.

Almira C. Webber, recalled, testified:
Mr. Hastings: Are you older or younger than Alonzo? A I am older.

[illegible] G. Weber - 5.

Q How much [illegible] three years older [illegible]

[illegible]

Bruce L. Jones, being duly sworn, says that he [illegible] the foregoing transcription of the five Stenotype rolls, he correctly reported the proceedings and testimony in the above cause, and the foregoing is a true and complete transcript of his stenographic notes thereof.

Bruce L. Jones

Sworn to and subscribed before me this the 28th of June, 1921.

[illegible]

Commissioner.

Department of the Interior,

U. S. INDIAN SERVICE,

Union Agency,
Muscogee, I. T. July 31, 1896.

Almira Cox Webber,
Chelsea, I. T.

Madam:-

This Office is in receipt of Treasury Warrant #7492- drawn in your favor for $200.37. Please advise me where you wish the same sent to you. It is not definately known which of the two places is your permanent Post Office, Hayden or Chelsea, Indian Territory.

Very respectfully,

D. M. Wisdom.
U. S. Indian Agent.

J. F. W.



Treasury Department

AUDITOR FOR THE INTERIOR DEPT.

Washington, D. C. NOV 17

A.R. Form No. 41.

Settlement No. 19634.

Mariam Cox Nether,

Hayden,

Indian Territory.

Madam:

Your claim for $ 9 14.28 against the Indian Department

was allowed by this office NOV 17 1898, 189. When a warrant

issues for the above-named amount, the Treasurer will mail it to you.

Respectfully yours,

W. T. Livingston

Auditor.

1900

H. L. 14.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
AUG 19 1901

ACTING CHAIRMAN.

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, August 14th, 1901.

Received of the Commission to the Five Civilized Tribes, one copy of the supplementary testimony of June 24th, 1901, in the matter of the application of Almira C. Webber et al for enrollment as citizens of the Cherokee Nation.

W. A. Choate

Attorney for Applicants.

Delaware #D14.

COMMISS

FILED

APR 16 1992

ACTING CHAIRMAN

Del. B. 14.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., April 5, 1902.

In the matter of the application of Almira C. Webber for the enrollment of herself and children as Cherokee-Delawares.

Applicants represented by W. A. Chase, Nowata, I.T.
Cherokee Nation represented by W. W. Hastings.

SUPPLEMENTAL IN DELAWARE D-14.

The applicant and her attorney, W. A. Chase, were notified by registered letter March 3, 1902, that the application of Almira C. Webber for the enrollment of herself and two children as Cherokee-Delawares would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 22nd day of March, 1902. Receipt was acknowledged of the Commission's letter and on said date, to wit the 22nd day of March, 1902, the applicant appeared by her attorney and by agreement the case was continued until the 5th day of April, 1902.

J. E. CAMPBELL, being first duly sworn, testified as follows:

MR. CHASE: What is your name? A J. E. Campbell.
Q Where do you live, Mr. Campbell? A Alluwe, I.T., Cherokee Nation.
Q How old are you, Mr. Campbell? A 55.
Q What is your citizenship? A I am a citizen of the Cherokee Nation.
Q By blood or adoption? A By adoption.
Q Are you acquainted with Almira C. Webber, the wife of Sam Webber? A Yes, sir.
Q Do you know who her mother was? A I do.
Q Who was her mother? A Her mother was known as Mary or Polly Cox, and afterwards as Mary or Polly Manly. She was originally as I understand Mary Dick.
Q Came to the country as Mary Dick, the wife of Jim Dick? A Yes, sir.

MR. HASTINGS: Well, did you know that? A Well, I knew it in a general way. Dick was dead when I came to the country and I just knew it as a matter of information.

MR. CHASE: Did she have other children besides Mrs. Webber?
A Yes, sir.
Q What were their names? A Emma Dick, and this girl that married Sam Webber, and a girl that married William Madden.
Q Mandy married Madden? A I think so.
Q Now where have these children lived, Mr. Campbell? A They have lived in the Cherokee Nation near Alluwe.
Q Since when? A Since they were born.
Q Since they were born? A Yes, sir.
Q Born up there in that neighborhood? A Yes, sir.
Q Lived there continuously since that time? A Yes, sir.
Q Do you know whether or not they have been recognized as citizens of the Cherokee Nation? A Why they have been, yes, sir.

Mr. Hastings waives examination.

MR. CHASE: Applicant rests with the exception that he asks further time in which to examine the rolls, and with that exception the case may be closed.

COMMISSION: Do you want to file a brief in this case? A Yes, sir.

The attorney for the applicant will be granted twenty days in

[redacted]

Arthur G. [redacted], being first duly sworn, deposes that he [redacted] by the Commission in the Five Corrupt Politics Investigation in full the testimony and proceedings in the above [redacted], and that the foregoing is a true and complete transcript of the stenographic notes thereof.

Arthur G. [redacted]

Subscribed and sworn to before me this 10th day of April, 1928.

[redacted]
Notary Public.

N.O.B. ...

Washington, ... 18...

I, A.B. ..., Acting Commissioner of Indian Affairs, do hereby certify that the papers hereto attached, are true and literal copies ...

... in the Office.

In testimony whereof, I have hereunto subscribed my name, and caused the seal of the Office to be affixed, on the day and year first above written.

...

Acting Commissioner

(Last Payment, ..., 189) # ANNUITY PAY ROLL.

We, the heads of families, and individuals without families, of the Lake Dakota tribe of Indians, hereby acknowledge the receipt of [illegible] from [illegible], U.S. [illegible] Agent, in the sums severally affixed to our names, being our proportion of annuity for the [illegible]

NO. Last	NO. Present	NAMES	Age.	Sex	Per Capita	Amount Paid	Marks and Signatures	Signatures of Witnesses	Date of Receipt.	Remarks.
X	X	X	X	X	X	X	X	X	X	X
849	849	Almira Cut Nose, Mrs Monday	15	F	52 12	52 12	1893 Almira Cut Nose	Fred Morris D.W. Lieb.	Aug. 14, 1893	
X										

This margin is for binding—Do not write in it.

NO. Last	Present	NAMES	Age.	Sex	Per Capita.	Amount Paid.	Marks and Signatures.	Signatures of Witnesses.	Date of Receipt.	Remarks.
	8149	Almira Col Hebber, Mrs Monthly 15th			53712	53712	67743 Almira Col Hebber	Thos Morris D. W. Peel.	Aug. 12, 1876	

"This margin is for binding—Do not write in it.

AMOUNT CARRIED FORWARD

1 Insert the aggregate in words and figures.
2 If payments are made semiannually, insert "First and Second" or "Third and Fourth." if annually, erase the words "quarters of the."
3 Insert any additional remarks which may be necessary.
NOTE.—Particular attention is called to sections 148 to 169, Instructions to Agents, March 12, 1874, as their requirements must be strictly complied with before credit can be obtained for any payments made on this roll.
In case of death, the date should always be given in the column for remarks. Persons receipting for others, as guardians, administrators, etc., must sign their own names, as well as that of the party to whom the money was due. All signatures to receipt must be on the line directly opposite the total amount received.
Witnesses to payments or other transactions must affix their signatures opposite every mark witnessed; and certificates of interpreters and others must be worded so as to show distinctly what they are certifying to—in case of payments, by giving names, numbers, or amounts, or all of them. A certificate as to the correctness of the "foregoing" is not sufficiently explicit." Second Comptroller's Circular of January 28, 1877, par. 6.

Page 2.

ANNUITY PAY ROLL.

NO. Last.	NO. Present.	NAMES	Age.	Sex.	Per Capita.	Amount Paid.	Marks and Signatures.	Signatures of Witnesses.	Date of Receipt.	Remarks.
		Amount brought forward.....								

We, the undersigned, hereby certify that we are well acquainted with the persons whose names appear on the foregoing certificate, and we are satisfied that the persons on the said certificate numbered from 1 to 57 inclusive are the proper persons to receive receipt for the several shares in the foregoing payment made on the 10, 11 & 12th days of August 1893 by Special Agent Edmund W. Peel, to the Lo Delaware tribe of Indians, of the claimants, whose numbers on the pay roll placed opposite their names on the foregoing certificate are as above set forth 43, 44, 57, 86, 99, 113, 118, 120, 147, 153, 154, 156, 156, 157, 158, 159, 161, 190, 191, 221, 231, 247, 248, 251, 262, 265, 270, 274, 294, 316, 324 339, 340, 348, 349, 350, 351, 366, 392, 394, 405, 445, 487, 507, 537, 542, 548, 560, 566, 564, 570, 571, 589, 600, 601, 617, 622, 625, 639, 645, 678, 691. 694, 703, 731, 732, 765, 771, 776, 805, 809, 810, 825, 826, 836, 837, 844, 860, 911, 912.

We further declare our entire disinterestedness in this matter this 12th day of August 1893.

Edd D. Morris — D. W. Peel.

I, John R. Willey, Interpreter, hereby certify that I was present and witnessed the payment of the claims to the parties before set forth, numbered from 1 to 57, inclusive, & that I fully explained the nature of the foregoing certificate to all parties connected therewith & to Chas Journeycake Captain Ewelyhead & Silas D. Conner, who signs the said certificate; & I further declare my entire disinterestedness in this matter this 12th day of August 1893.

John R. Willey.
Interpreter.

X X X X X X

☞ This margin is for binding—Do not write in it.

8—3236 c.—Form 3.

ANNUITY PAY ROLL.

CERTIFICATE OF WITNESSES.

We, the undersigned, hereby certify, on honor, that we were present and witnessed the payment by Samuel H. Peel, ~~Superintendent~~ Special Disbursing ~~Indian Service~~ Agent, on the respective dates mentioned in the foregoing Pay Roll, of the several sums to the individuals opposite whose names our signatures are affixed as witnesses, and that we saw said individuals sign the same, by writing their names or making their marks, and that the pages of said Pay Roll are numbered from one (1) to Forty (40) inclusive, and contain the names of Eight Hundred & Seventy one (871) persons, numbered from one (1) to Eight Hundred & Seventy one (871) inclusive, and we further declare our entire disinterestedness in this matter.

Dated Aug 12, 1893. Charles Jonnycake

Dated Aug. 12, 1893 Captain Charley Lincoln, Silas N. Comer

Dated Aug 12, 1893. Silas N. Comer

Dated Aug 12, 1893 D. W. Peel

Dated Aug 12, 1893 Fred A. Morris.

Dated ....., 190 .....

} Witnesses.

CERTIFICATE OF INTERPRETER.

I, John R. Willis, Interpreter, hereby certify that I was present and witnessed the payment, by Samuel H. Peel. ~~Superintendent~~ Special Disbursing ~~Indian Service~~ Agent, on the respective dates mentioned in the foregoing Pay Roll, of the several sums to the individuals who have receipted for the same that I saw said individuals sign the same, by writing their names or making their marks, that I fully explained the nature of said payments to said individuals, that the pages of said Pay Roll are numbered from one (1) to Forty (40) inclusive, and contain the names of Eight Hundred & Seventy one (871) persons, numbered from one (1) to Eight Hundred & Seventy one (871) inclusive.

Dated Aug. 12, 1893 John R. Willis
Interpreter.

CERTIFICATE OF AGENT.

I, Samuel H. Peel. ~~Superintendent~~ Special Disbursing ~~Indian Service~~ Agent, hereby certify, on honor, that on the respective dates mentioned in the foregoing Pay Roll I made payment of the several sums to the individuals who have receipted for the same, that the pages of said Pay Roll are numbered from one (1) to Forty (40) inclusive, and contain the names of Eight Hundred & Seventy one (871) persons, numbered from one (1) to Eight Hundred & Seventy one (871) inclusive, and that the aggregate amount of said payments was Fourteen Thousand, Forty Nine Hundred & Thirty three 36/100 dollars ($14,949.36) in (Payment to be 19, 20, 88, 17, 94, 91, 149, 150, 327, 393, 820, 572, 765, 766, 767, 785, 789 & 870) Five hundred twenty seven checks.

We, the undersigned, hereby certify, on honor, that we were present and witnessed the payment by Samuel H. Peel, ~~United States Indian~~ Special Disbursing Agent, on the respective dates mentioned in the foregoing Pay Roll, of the several sums to the individuals opposite whose names our signatures are affixed as witnesses, and that we saw said individuals sign the same, by writing their names or making their marks, and that the pages of said Pay Roll are numbered from one (1) to Forty (40) inclusive, and contain the names of Eight Hundred & Seventy one (871) persons, numbered from one (1) to Eight Hundred & Seventy one (871) inclusive, and we further declare our entire disinterestedness in this matter.

Dated Aug 12, 1893. Charles Jonnycake
Dated Aug. 12, 1893 Captain Charley Jones his mark. John N. Comer
Dated Aug 12, 1893. Silas H. Conner
Dated Aug 12, 1893 L. W. Peel
Dated Aug 12, 1893 Fred S. Monis.
Dated ....., 190 ..... Witnesses.

CERTIFICATE OF INTERPRETER.

I, John R. Wilby, ~~United States Indian~~ Interpreter, hereby certify that I was present and witnessed the payment, by Samuel H. Peel, ~~United States Indian~~ Special Disbursing Agent, on the respective dates mentioned in the foregoing Pay Roll, of the several sums to the individuals who have receipted for the same that I saw said individuals sign the same, by writing their names or making their marks; that I fully explained the nature of said payment to said individuals; that the pages of said Pay Roll are numbered from one (1) to Forty (40) inclusive, and contain the names of Eight Hundred & Seventy one (871) persons, numbered from one (1) to Eight Hundred & Seventy one (871) inclusive.

Dated Aug. 12, 1893 John R. Wilby
Interpreter.

CERTIFICATE OF AGENT.

I, Samuel H. Peel, ~~United States Indian~~ Special Disbursing Agent, hereby certify, on honor, that on the respective dates mentioned in the foregoing Pay Roll I made payment of the several sums to the individuals who have receipted for the same; that the pages of said Pay Roll are numbered from one (1) to Forty (40) inclusive, and contain the names of Eight Hundred & Seventy one (871) persons, numbered from one (1) to Eight Hundred & Seventy one (871) inclusive, and that the aggregate amount of said payments was Four Hundred, forty nine thousand Six Hundred & thirty three 36/100 dollars ($449,633 36/100). (Payment to Nos 19, 20, 88, 89, 90, 91, 149, 150, 327, 393, 520, 592, 865, 866, 867, 868, 869 & 870 & Five hundred twenty seven 39/100 dollars undivided

amounting to Ten thousand & fifteen & 54/100 dollars ($10,015 54/100), not having been made)

Dated Aug. 12, 1893 S. H. Peel.
Agent.

Increasing of the Cholesterol in the blood leads to atherosclerosis

Atherosclerosis is a disease of the blood.

Delaware D-16

SUPPLEMENTAL STATEMENT.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T., NOVEMBER 15, 1906.

In the matter of the application for the enrollment of Almira C. Webber and her two minor children, Albert M. and Minnie Webber, as citizens of the Cherokee Nation of Delaware blood.

-----ooooo-----

Upon an examination of the Delaware payrolls in the possession of this Commission, the applicant in chief is identified on the 1891 annuity roll, page 287, #420, as Almira Cox Manly; on the 1892 annuity payroll, page 393, #423, as Almira Cox Manly, on the annuity payroll of 1893, page 616, #449, as Almira Cox Webber nee Manly. The applicant's mother is identified upon the Delaware Register, page 13, #432, as Polly Dick.

It is directed that this statement be filed with and made a part of the record in the case of Almira C. Webber.

T. B. Needles
Commissioner.

Cherokee Delaware D 14

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES. H.H.L. 10A

In the matter of the application for the enrollment of Almira C. Webber and her two minor children, Albert E., and Alonzo Webber, as citizens of the Cherokee Nation of Delaware blood.

D E C I S I O N.

--oOo--

The record in this case shows that on October 18, 1900, Almira C. Webber appeared before the Commission at Nowata, Indian Territory, and made application for the enrollment of herself and her two minor children, Albert E., and Alonzo Webber, as citizens of the Cherokee Nation of Delaware blood. Further proceedings in the matter of said application were had at Nowata, Indian Territory, on June 24, 1901, and at Muskogee, Indian Territory, on April 5, 1902.

The evidence in this case shows that Almira C. Webber is of Delaware blood, the daughter of Polly Manly, whose name appears upon the Register of Delawares who removed to the Cherokee Nation pursuant to the Cherokee-Delaware agreement of April 8, 1867, as Polly Dick, her name at the time that Register was made, and Alonzo Manly, a Freedman. Almira C. Webber cannot be identified on the Cherokee authenticated tribal roll of 1880, or on the Cherokee Census roll of 1896, but her mother and sister, Amanda, are identified on the Cherokee authenticated tribal roll of 1880, by the name of Cullin, the name sometimes given to Alonzo Manly. Upon an examination of the Delaware Pay rolls in the possession of this Commission the name of Almira C. Webber is found on the Delaware Annuity Rolls of December 1891, April 1892, August 1893 and other Delaware Annuity Rolls. The two children of Almira C. Webber, Albert E., and Alonzo Webber, were born on February 2, 1895 and August 9, 1899, respectively, and proper proof of their births has been furnished this Commission.

The evidence further shows that Almira C. Webber and her two children, Albert E., and Alonzo Webber, were born in the Cherokee Nation and have lived there all of their lives.

It is, therefore, the opinion of this Commission that Almira C. Webber, Albert E. Webber, and Alonzo Webber should be enrolled as citizens of the Cherokee Nation of Delaware blood in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this NOV 20 1902

32 # 10694

IN RE
THE DEATH OF

Alonza Webber
a citizen of the

Cherokee *Nation.*

Approved August 8 1900

Commissioner

J.R.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
Aug 8 1900

IN RE
THE DEATH OF

Alonzo Webber
a citizen of the

Cherokee Nation.

Approved August 8 1900

Commissioner

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
AUG 8 1900

Secretary.

DEPARTMENT OF THE INTERIOR

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Alonzo Webber
(Here insert name of deceased)

a citizen of the Cherokee Nation, who formerly resided at or near

Hayden, Ind. Ter., and died on the 5 day of
(Here insert name of post office)

December, 1903

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
Northern District.

I, Sam Webber, on oath state that I am 34

years of age and a citizen, by adoption, of the Cherokee Nation;

that my post office address is Hayden Ind. Ter.; that I am
(Here insert name of post office)

father of ~~Alonzo~~ Alonzo Webber
(State relationship as: the father; an uncle; a cousin, etc.) (Here insert name of deceased)

who was a citizen, by Delaware blood, of the Cherokee Nation;

and that said Alonzo Webber died on the 5 day of
(Here insert name of deceased)

December, 1903.

Sam Webber

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 3 day of August 1904

Daniel Foreman
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
District.

I, , on oath state that I am

years of age, and a citizen, by , of the Nation;

that my post office address is Ind. Ter.;
(Here insert name of post office)

that I was personally acquainted with
(Here insert name of deceased)

who was a citizen by , of the Nation;

and that said died on the day of
(Here insert name of deceased)

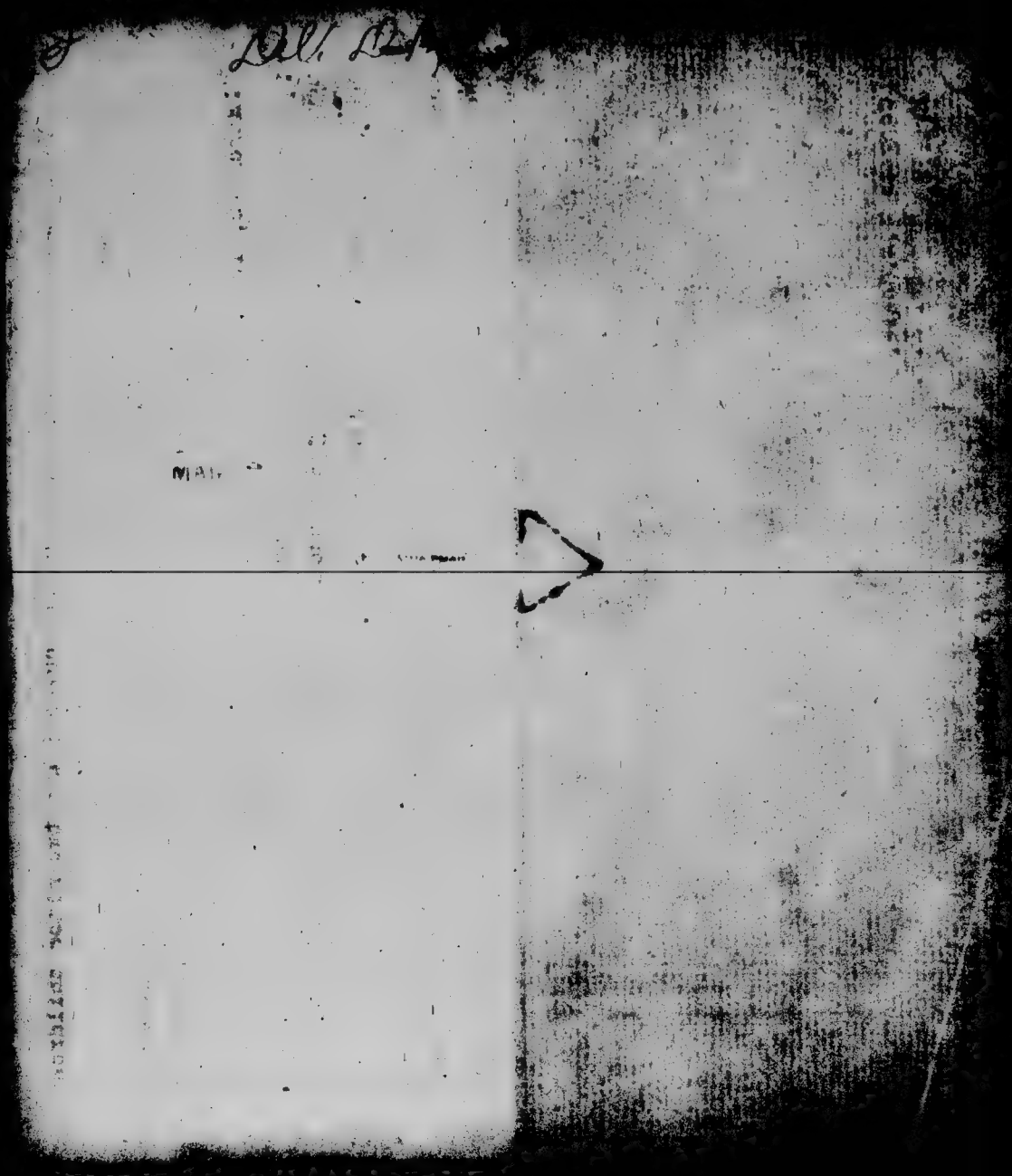
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WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this day of 190

Notary Public.



COMMISSIONERS.
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BREECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Delaware Mike

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, March 3, 1902.

Mrs. Almira Cox Webber,

Hayton, Indian Territory,

Madam:-

You are hereby notified that the application of yourself and two minor children

for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

March 22, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application, that you may deem necessary.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Copy to W.A. Shaw,
Purcell, I.T.
Machine.

Muskogee, Indian Territory, May 15, 1902.

W. A. Chase, Esq.,
Attorney at Law,
Nowata, Indian Territory.,

Dear Sir:

Receipt is hereby acknowledged of your letter of the 30th ultimo, requesting that you be given more time in which to introduce a certificate showing that Almira C. Webber, an applicant for enrollment as a citizen of the Cherokee Nation, was paid certain moneys due the Delaware Indians by the United States Indian Agent at Muskogee.

In reply you are advised that your request will be complied with, and that you will be granted thirty days from the date hereof in which to furnish the Commission with said certificate.

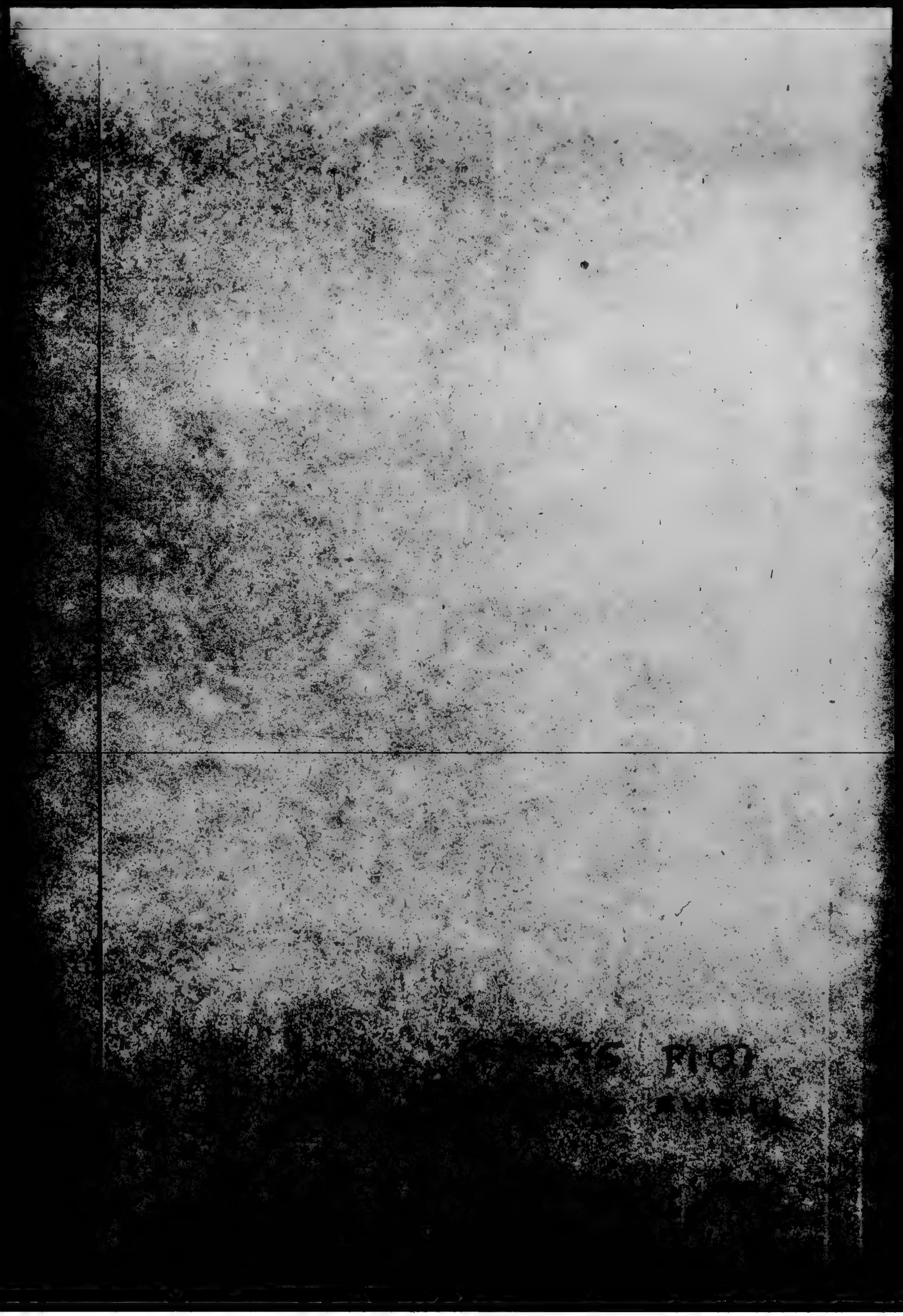
Yours truly,

Acting Chairman.

[redacted]







Dec. 10-16

COMMISSIONER.

Commission to [illegible]

In the matter of the [illegible] for Thomas for the enrollment of himself as a [illegible] of Delaware [illegible] was duly sworn and examined by Commissioner Breckinridge as follows:

Q Give me your full name? A Job Thomas.
Q How old are you? A 72.
Q What is your post-office? A Allwood.
Q You live in Coweescoowee District? A Yes sir.
Q Who is it you want to have put on the roll? A None but myself.
Q Are you a Cherokee by blood? A No sir, I am a Delaware by blood.
Q How long have you lived in the Cherokee Nation? A 26 years.
Q All your life? A Yes sir.
Q What is the name of your father? A Jim Thomas.
Q Is he dead? A Yes sir.
Q What is the name of your mother? A Mary.
Q Is she dead? A Yes sir.
Q Who were you living with 30 years ago? A John B. Nicholas, or Big Nicholas.
1880 roll examined for applicant and name not found.
~~1896 roll examined for applicant and name not found.~~
Delaware Pay Roll of 1896, page 21 #327 Job Thomas.
Q Where were you in 1896 that you are not on the 1896 census roll were you out of the Cherokee Nation? A I think I was.
Q Where were you? A I was at Wagoner.
Q What were you doing down there? A Working.
Q How long did you stay down there? A 2 years.
Q What kind of work were you doing down there? A Farming.
Q You haven't stayed all the time in the Cherokee Nation?
A No sir not in the Cherokee.
Q Where have you spent most of your time? A In the Cherokee Nation.
Q How comes you are not on that roll of 1896? A I just never was put me down I reckon.
Q How much have you been out of the Cherokee Nation in the last 10 or 15 years? A Not over two years.
Q You staid there two years? A Yes sir.
When I was gone to Wagoner, it wasn't hardly two years.
Q You were working a farm down there. A Yes sir.
Q Your mother wasn't dead twenty years ago? Was she? A Yes sir, and my father too.
Q Was your father a Delaware or a white man? A Delaware.
Q Did he come here with the Delawares 32 years ago? A Yes sir.
Q What was your mother? A She was a Delaware.
Q Did she come here with the Delawares? A Yes sir.

Com'r Breckinridge: The applicant applies as a Delaware; he claims that he has lived in the Cherokee Nation all his life, and states that his father and mother died before the roll of 1896 was made; he is not identified upon the 1880 roll of the Delawares; he is identified upon the Delaware Pay Roll of 1896; he states that at the time the roll of 1896 was made he was contracting & living in the Creek Nation, but that he has never taken out [illegible] except of that time, when he was there [illegible] for enrollment will be placed upon a [illegible] for consideration.

M.D. [illegible] being first [illegible]



DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
OCT 18 1900

ACTING CHAIRMAN.

John Thomas, Colored

Year 1870 Page 31

Citizen by blood Yes Mother's citizenship James Thomas

Intermarried citizen No Mary "

Married under what law [illegible] Date of marriage [illegible]

License [illegible] Certificate [illegible]

Wife's name [illegible]

District [illegible] Year [illegible] Page [illegible] No. [illegible]

Citizen by blood [illegible] Mother's citizenship [illegible]

Intermarried citizen [illegible]

Married under what law [illegible] Date of marriage [illegible]

License [illegible] Certificate [illegible]

Names of Children:

[illegible]	Dist. [illegible]	Year [illegible]	Page [illegible]	No. [illegible]	Age [illegible]
[illegible]	Dist. [illegible]	Year [illegible]	Page [illegible]	No. [illegible]	Age [illegible]
[illegible]	Dist. [illegible]	Year [illegible]	Page [illegible]	No. [illegible]	Age [illegible]
[illegible]	Dist. [illegible]	Year [illegible]	Page [illegible]	No. [illegible]	Age [illegible]
[illegible]	Dist. [illegible]	Year [illegible]	Page [illegible]	No. [illegible]	Age [illegible]
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[illegible]	Dist. [illegible]	Year [illegible]	Page [illegible]	No. [illegible]	Age [illegible]
[illegible]	Dist. [illegible]	Year [illegible]	Page [illegible]	No. [illegible]	Age [illegible]

Cannot be identified only on the 96 Pay R[illegible]

SUPPLEMENTAL TESTIMONY.

Delaware "D" #16.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
CHEROKEE, I.T., September 20th, 1900.

SUPPLEMENTAL TESTIMONY in the matter of the application of JOHN THOMAS for enrollment as a citizen by Delaware blood of the Cherokee nation.

JOHN N. CAMPBELL, being sworn and examined by Commissioner Brackinridge, testified as follows:

Q Give your full name there, please? A John N. Campbell.
Q Your age? A 53.
Q Your post office? A Alluwee.
Q How long have you lived in the Cherokee nation? A Since '75, 25 years.
Q You want to give some additional testimony in regard to the application of Jobe Thomas. It appears that he applied for enrollment at Nowata on the 28th of October, and he stated that he had lived in the Cherokee nation all his life, but that he was not identified on the rolls of 1880 and 1896. He was however, identified on the Pay roll of 1894. Now, what do you know about his being born in this country? A Well, sir, I know him as a child, a small child, about 25 years ago.
Q Did you know his mother? A I knew his mother and I knew his father.
Q Was his mother a Delaware? A Yes, sir, she was a full blood Delaware.
Q She was recognized as a full blood Delaware? A Yes, sir.
Q Everybody knows the boy was born in the Cherokee nation? A Yes, sir.
Q Have you known him ever since that time? A Yes, sir.
Q Knew that this has been his benified home? A Yes, sir.
Q Did his mother die when he was young? A Yes, sir.
Q And when did his father die? A About the same time.
Q Can you think of any reason why he should have been left off the roll of 1880 and the census roll of 1896? A I think of no other except that he was an orphan and was not looked after. I was appointed as his guardian and drew his money and I likely drew some of his Cherokee money.
Q Appointed his guardian by the Cherokee Court? A Yes, sir. I remained his guardian a few years until he got to be a pretty good sized boy.
Q This boy is a full blood is he? A He is considered a full blood.

WILLIAM NICHOLAS, being sworn and examined by Commissioner Brackinridge, testified as follows:

Q Give your full name there, please? A William Nicholas.
Q How old areyou? A I am 56 years old.
Q What is your post office? A Alluwee, Indian Territory.
Q Coowescoowee district? A Yes, sir.
Q How long have you lived in the Cherokee nation? A Pretty near all my life.
Q What are you Delaware? A Yes, sir.
Q Do you know one Jobe Thomas who is a Delaware? A Yes, sir.
Q What was the name of his father? A Jacob Thomas.
Q His mother, what was her name? A I think her name was Mary Thomas.
Q Can you state where was Jobe Thomas born? A There about Spoke Hollow, northeast of Alluwee.
Q Was his mother a full blood Delaware? A Yes, sir.
Q Do you know what her name was before it was Thomas? A No, sir.
Q You do not know whether that name was Delaware?
A No, sir.



COMMISSION

NOV 17

Delaware Roll.

SUPPLEMENTAL STATEMENT.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., November 15, 1902.

In the matter of the application of Jobe Thomas for enrollment as a citizen of the Cherokee Nation of Delaware blood.

-----oooOooo-----

Upon an examination of the Delaware annuity roll of 1891, the applicant is identified thereon at page 313, #684; on the Delaware annuity roll of 1892, page 427, #680; on the Delaware annuity roll of 1893 at page 602, #717.

It is directed that this statement be filed with and made a part of the record in the case of Jobe Thomas.

C. R. Breckinridge
Commissioner.

Cherokee-Delaware D 16

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Job Thomas as a citizen of the Cherokee Nation of Delaware blood.

D E C I S I O N.

--oOo--

The record in this case shows that on October 18, 1900, Job Thomas appeared before the Commission at Nowata, Indian Territory, and made application for the enrollment of himself as a citizen of the Cherokee Nation of Delaware blood. Further proceedings in the matter of said application were had at Chelsea, Indian Territory, on November 20, 1900.

The evidence shows that Job Thomas is of Delaware blood, the son of James Thomas and Mary Thomas, Delaware Indians. Upon an examination of the Delaware rolls in the possession of this Commission the name of Job Thomas is found on the Delaware Annuity rolls of December 1891, April 1892, and August 1893, and on the Delaware Pay roll of 1896.

The evidence further shows that Job Thomas has lived in the Cherokee Nation all his life, except a period of about two years, during which time he was in the Creek Nation of the Indian Territory.

It is, therefore, the opinion of this Commission that Job Thomas should be enrolled as a citizen of the Cherokee Nation of Delaware blood in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this NOV 20 1902

Delaware 2416

Muskogee, Indian Territory, October 31, 1902.

E. B. Lowrey,
Attorney for John Thomas,
Kowata, Indian Territory.

Dear Sir:-

In reply to your inquiry of October 24, you are advised that no decision has yet been rendered by the Commission in the matter of the application of John Thomas, Delaware D-16.

As requested, there is enclosed you herewith a copy of testimony taken in that case. Please sign and return to the Commission receipt for this testimony.

Respectfully,

Acting Chairman.

Enc. D-44

COPY.

Del. Dckt.

Muskogee, Indian Territory, November 22, 1902

Mr. W. W. Hastings,
Attorney for Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated November 20, 1902, granting the application of Job Thomas for the enrollment of [redacted] as a citizen of the Cherokee Nation of Delaware blood.

You are advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

Tams Bixby
Acting Chairman.

Dec. B-78.

[redacted], Indian Territory, [redacted]

Joe Thomas,

Atoka, Indian Territory.

Dear Sir:

There is inclosed herewith a copy of the decision of the Commission to the Five Civilized Tribes, dated November [redacted], granting your application for the enrollment of yourself and [redacted] son of the Choctaw Nation as Freedmen minor.

[redacted]

Respectfully,

[redacted]

Acting

Chairman.

Register.

Enclosure H. No. 156.

Copy.

Muskogee, Indian Territory, December [illegible], 1902.

E. B. Lemon,
Attorney for Job Thomas,
Nowata, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated November 6th, 1902, granting the application of Job Thomas for the enrollment of himself as a citizen of the Cherokee Nation of Delaware blood.

Respectfully,

[illegible]
Acting Commissioner.

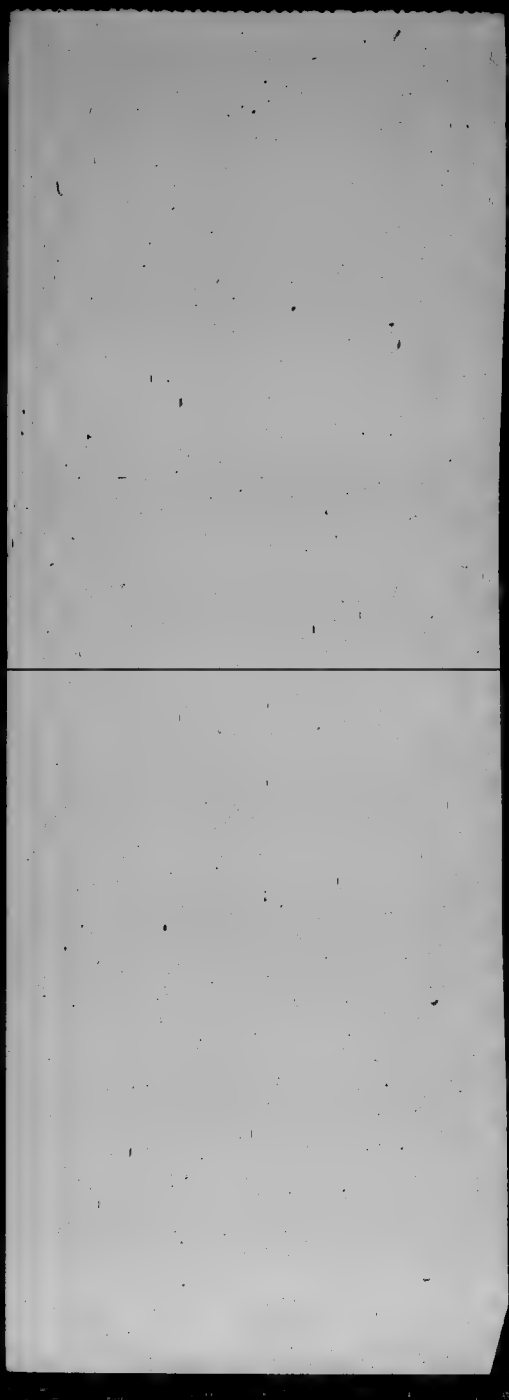
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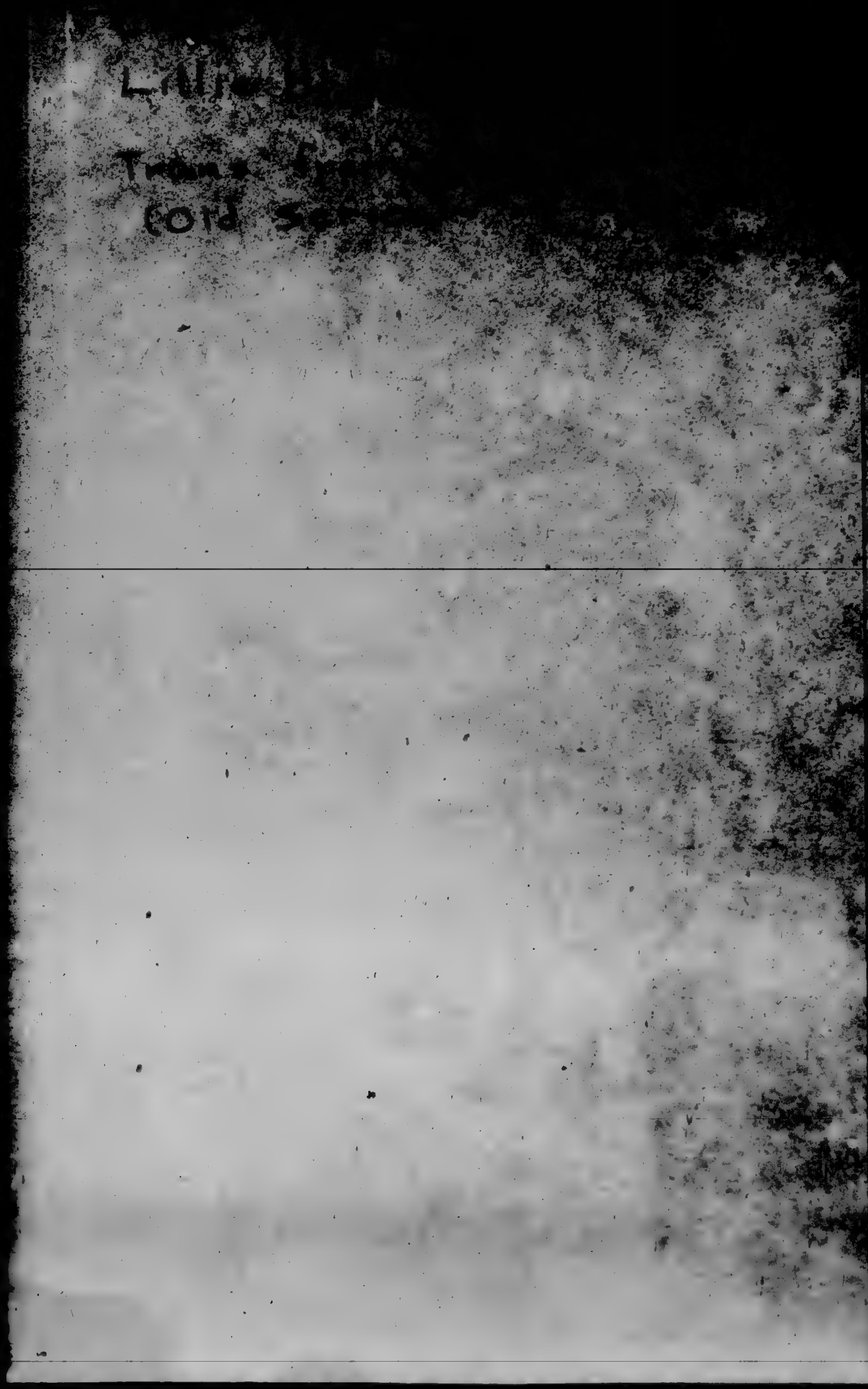
DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

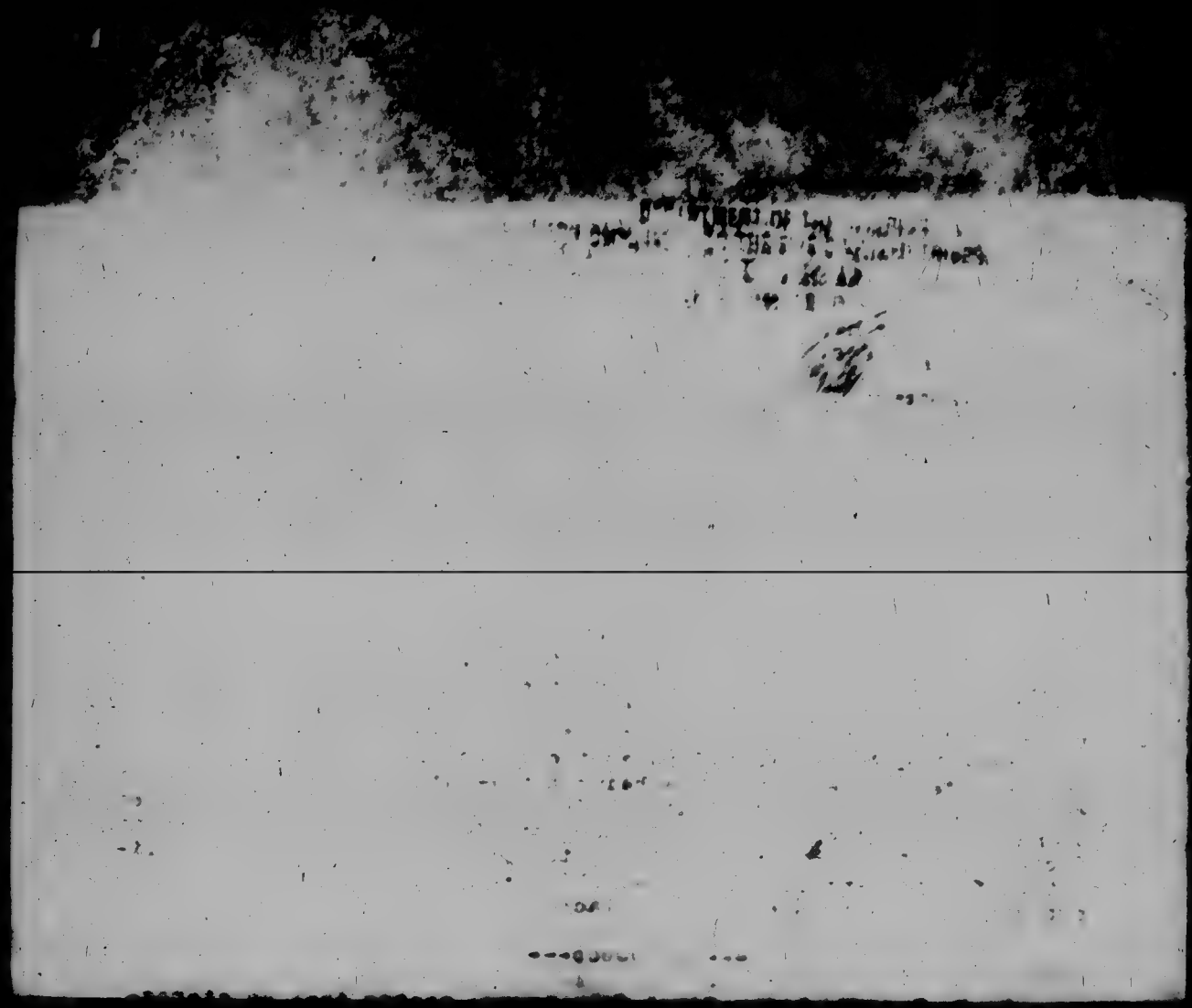
FILED

NOV 8 1902

ACTING CHAIRMAN







DELAWARE:

[illegible]

COMMISSIONER TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T., OCTOBER 15th, 1900.

In the matter of the application of John A. Pittsenbarger for the enrollment of his child, Lillie M. Pittsenbarger, as a citizen of the Cherokee Nation by Delaware blood; said Pittsenbarger having been sworn and examined by Commissioner T. B. Needles, testified as follows:

Q Give me your name? A John A. Pittsenbarger.
Q How old are you? A 29.
Q Post office address? A Vinita.
Q What district do you live in? A Coowescoowee.
Q Are you a recognized citizen? A No, sir, I apply for the enrollment of Little M. Pittsenbarger.
Q How old is she? A Nine years old.
Q What is her mother's name? A Little A. Pittsenbarger.
Q Are you wife? A She was, she is dead.
Q What was Little A.'s name before you married her? A Bullet.
Q Is she a citizen by blood? A Delaware.
Q You are her husband? A Yes, sir.
Q You are a white man? A Yes, sir.
Q Non-citizen? A I am a non-citizen.
Q The mother of this child was named Lillie Bullet? A Yes, sir.
Q What would be her age now? A Something near 28 or 29.
Q What was her father's name, Lillie Bullet's father? A Simon Bullet
Q What was her mother's name? A Nathroma.
Q Are they living? A No, sir.
Q Are their names upon the roll of 1880? A I do not know as to that. They are on the Registered Delaware roll.
Q How long have you been married? A I was married in 1891.
Q The name of your wife, your wife's father or mother does not seem to be on any roll of the Cherokee Nation? A No.
Q Did you ever apply to the Dawes Commission in 1896 for the enrollment of your wife? A No, sir.
Q Did she apply? A No, sir.
Q Did you apply to the Cherokee authorities for the admittance or re-admittance to citizenship? A No, sir, she was never denied citizenship.

1896 Delaware Pay roll, page 24, #730, Lilly A. Pittsenbarger.

Q Were you married to her mother in 1891? A Yes, sir.
Q Have you any other testimony to offer as to the citizenship of your child? A Only in affidavit form.
Q Where is the child residing? A She is now in Rich-hill, Missouri.
Q Where did she livin before you sent her up there? A Five miles South of Vinita.
Q Has she lived in the Cherokee Nation all her life? A Yes, sir.
Q You lived in the Cherokee Nation? A Yes, sir.

HENRY ARMSTRONG, being sworn and examined by Commissioner Needles, testified as follows:

Q What is your name? A Henry Armstrong.
Q What is your age? A 58.
Q What district do you live in? A Coowescoowee
Q Do you know Lillie M. Pittsenbarger? nine years old, daughter of John A. Pittsenbarger and Lillie Bullet? A I know Lilli Bullet.
Q She is living? A No, sir.
Q How long did you know her? A Ever since about 1871.
Q Did you know anything about her citizenship? A I know her mother and father.
Q Are they living? A No, sir, both dead.
Q When did they die, before 1880 or since? A Before.
Q They were Delaware Indians? A Yes, sir.
Q What blood? A Full blood.
Q

John A. Pittsenbarger--2.

Q Was the mother of [illegible] Pittsenbarger a full blood Delaware?
A You speak long of time, we are [illegible].
Q Do you know whether she was a recognized citizen of the Cherokee Nation or not? A I never heard her citizenship disputed.
Q Did you ever hear it asserted? A No, sir, she always drew money with the Delawares.

By John C. Starr, Cherokee representative:

Q Do you know whether the name of the mother of this child is on the roll of 1880 or not? A I do not know. She must be enrolled with Sophia Rogers.

Com'r Needles:--The name of Lillie M. Pittsenbarger, the nine year old child of John A. Pittsenbarger, appears upon the Delaware pay roll of 1896. Her name does not appear upon the authenticated roll of 1880. He avers that she is the daughter of one Lillie Bullet, a Delaware indian; but the name of Lillie Bullet does not appear upon the authenticated roll of 1880. He also avers that the father and mother of Lillie Bullet were Delaware Indians, but their names do not appear upon the authenticated roll of 1880, probably for the reason that they died before the roll was compiled. Said Lillie M. Pittsenbarger is identified as the child of John A. Pittsenbarger by his wife Lillie Bullet, he being a non-citizen. Because of the fact that the name of the mother of said Lillie M., does not appear upon the authenticated roll of 1880, and for the fact that no satisfactory proof has been produced as to her citizenship, the application for the enrollment of said Lillie M. Pittsenbarger will be suspended and her name will be placed upon a doubtful card.

---oooOOOooo---

J. O. Rosecm, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

[signature]

Subscribed and sworn to before me this 22d day of October, 1900.

[signature]

Commissioner.

Del. D-19

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 19 1900

CHEROKEE BY BLOOD

Dawes Commission

Name Tuwita

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date .....

License ..... Certificate .....

Wife's name Alawitah

District ..... No. .....

Citizen by blood ..... Mother's citizenship Cherokee

Intermarried citizen Jno A. Pittenbarger

Lillie A Pittenbarger

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

Lillie M Pittenbarger Dist. Delaware Year 1896 Page 24 No. 250 Age 9

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

In 1896 Delaware Pay Roll as Lilly A Pittenbarger

SUPPLEMENTAL --CHEROKEE CASE B. 10.

[illegible] OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Claremore, I.T. October [illegible], 1906.

[illegible]

In the matter of the application of [illegible] for the enrollment of said applicant as a citizen of the Cherokee Nation.

The said John A Pittsenbarger, being sworn and examined by Commissioner C. R. Breckinridge, testified as follows:

Q Give me your full name. A John A. Pittsenbarger.
Q How old are you? A Twenty-nine.
Q What is your postoffice? A Vinita.
Q Do you live in Cooweescoowee District? A Yes, sir.
Q Who is it you want to have enrolled? A Lillie M. Pittsenbarger.
Q You only apply for her? A Yes, sir.
Q Is she your child? A No, she is my daughter.
Q How old is the child? A Two years old.
Q You do not apply for yourself? A No, sir.
Q Has this child lived in the Cherokee Nation all its life? A Yes, sir.
Q Give me the name of the mother of the child. A Lillie A. Bullette was her maiden name.
Q She was your wife, was she? A Yes, sir.
Q Is she dead? A Yes, sir.
Q When did she die? A In March 1904.
Q How old was she when she died? A Twenty years old I think.
Q Give me the name of her father. A Simon Bullette.
Q Is he dead? A Yes, sir.
Q And the name of her mother. A Sagarona.
Q Is she dead? A Yes, sir.
Q Did your wife Lillie Bullette live in the Cherokee Nation all her life? A Yes, sir.
Q Have you a certificate of her marriage to you? A I have had. I started in with this case at Nowata before the honorable Mr. Breckons and he told me to bring the case here. Sagarona Bullette and Simon Bullette were put on the roll of 1880 because they were dead. I wanted to introduce his brothers showing that they were on the registered. Bullette roll but not on the roll of 1880, and for that reason. This wife of mine was not enrolled in 1880 because they were dead.
Q I thought you said your wife Lillie Bullette was a Cherokee?
A No, sir; she was a Delaware.
Q Isn't she on the roll of 1880? A No, sir.
Q Why isn't she? A For that reason, I presume, her parents being dead before 1880, and they overlooked it. That was the principle I wanted to introduce. Her mother would appear on Sagarona Bullette roll but not on the roll of 1880, and for that reason. This wife of mine was not enrolled in 1880 because they were dead.
Q Do you know them Simon Bullette died? A No, sir. Mr John and Mr. George Bullette are here and they know.

JOHN [illegible], being sworn and examined by the Commissioner, testified as follows:

Q Give me your full name. A [illegible].
Q Give me your age? A [illegible].
Q What is your post office? A [illegible], Indian Territory.

Q How long have you been in the Cherokee Nation? A Over forty years, I guess.

Q Did you know Lillie A. Bullette, the daughter of [illegible]?

A Yes, sir.

Q [illegible]

A No, she is not in this country.

Q [illegible]

A Yes, sir.

Q [illegible]

A Yes, sir.

Q I want to know [illegible] the death of her husband Bullette? A Oh, yes; I knew of.

Q [illegible]

A Yes, sir.

Q [illegible] I could [illegible] but when she did die.

Q [illegible] that child, Lillie A. Bullette? A [illegible]

Q Give me the name of her grandmother. A [illegible]

Q What was the name of her grandfather, or was he living then? A The grandfather of Lillie A Bullette.

Q Yes, sir; the husband of Mary Ellis Rogers. A He was not living. She was a very old woman. Mary Ellis Rogers may have died before 1880.

Q Do you think that Lillie A. Bullette may have been enrolled in 1880 as Lillie A. Rogers? A I think not.

Q Who would she be enrolled as 1880? A As Lillie Bullette, I expect. And I think [illegible] died before 1880 too.

Q Well, now this Lillie A. Bullette was a niece of yours, was she? A By our blood.

Q The daughter of your brother? A Yes, sir.

Q And do you know that she was born in the Cherokee Nation? A Yes, sir.

Q Do you know that her mother came with the Delaware tribe, they moved down here? A Yes, sir; she came right along with us, the same body of us.

Q Was on the roll in the possession of the Cherokee Nation [illegible] fourth of the Delaware tribe [illegible] the name of [illegible] Bullette and the name of Mary [illegible] and I think, Sam Smith Delaware [illegible]

Q And child [illegible] A She was a boy. Sampson I don't know how that happened.

Q Sarah Bullette agreed with William and Jennie A That is her family.

Q William and Jennie were children of Sarah? A Yes, sir. The husband of Sarah was Sampson at that time. She ought not to know [illegible] A Delaware by girl, they was a Sampson.

Q So it is not the name of this person Lillie Bullette [illegible] for? A No, sir. This little child's mother [illegible] on there. Lillie Bullette was not living in 1880 [illegible] was born after they came here.

Q Had her mother married Simon Bullette at that time, do you? A Yes, sir.

Q What was she doing on there as Rogers? A I couldn't tell you that.

Q You think its correct? A Yes, sir. They got [illegible] Bullette did not get the name of Bullette? A [illegible]

Q Was any authority ordered name Bullette? A No, sir; [illegible]

Q And was [illegible] a full blood Delaware? A [illegible] I guess I [illegible] there I think [illegible]

Q Do you know anything about Mary Gillis Rogers? A Yes, sir; she is the grandmother of Lillie A.

Q Now, Rogers was the maiden name of Lillie Bullette's mother, was it? A Yes, sir.

Q Was this Sephrona married to her husband Bullette when she came here from Kansas? A Yes, sir; she was married there in Kansas.

Q And you think she is enrolled here under her maiden name? A They certainly did.

Q She is enrolled with a Mary Gillis Rogers. That is the grandmother of Lillie A? A Yes, sir.

Q And the mother of Sephrona Bullette? A Yes, sir.

THE COMMISSIONER: Sephrona Bullette is identified under her maiden name as Sephrona Rogers, and with her mother Mary Gillis Rogers, on the list of Delawares in the possession of the Cherokee Representatives present, it being a list of those who came from Kansas to the Cherokee Nation in 1868 or 1869.

Q How can you account for this Lillie A. Rogers, or Lillie A. Bullette when your Members state is the daughter of Sephrona, not being on the roll of 1880? A I can't say.

Q Was her father dead in 1880? A Yes, sir.

Q Was her mother dead in 1880? A I think she was.

Q Do you think then she was just overlooked because no one looked after her particularly? A Yes, sir.

Q You know that Lillie A. Bullette was born here? A Yes, sir.

Q And lived here all her life? A Yes, sir; although she went out after Pittsenbarger married her. I don't know anything about that.

Q And then she is the daughter of this woman Sephrona? A Yes, sir.

THE COMMISSIONER: It appears from this testimony that the father and mother of Lillie A Bullette, the mother of the child [illegible] application has been made heretofore came to this country with the Delawares in 1868 or 1869, the father being identified by [illegible] on the Delaware roll and the mother of the child being [illegible] with Sephrona under the name she had before marrying her husband, which was her maiden name of Rogers. And it appears also from the testimony of the uncle of this child Lillie M. Pittsenbarger, that her mother Lillie A. Bullette could only have been omitted from the roll of 1880 by neglect, she being an orphan at that time, he stating that he knew that she was born in the Cherokee Nation of Sephrona Rogers, the wife of his brother, Simon Bullette, and that she lived in the Cherokee Nation consistently until she died. In the absence of conflicting testimony it is now directed that when this card is received in regular order, the name of Lillie M. Pittsenbarger be enrolled as a Cherokee-Delaware.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and other proceedings in this application for enrollment, and that the foregoing is a correct and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 31st day of October A. D. 1906.

Commissioner.

I, Lavella C. Roberts, a citizen of the [illegible] age being first duly sworn according [illegible] that she is personally acquainted with [illegible] also with Miss Lois with Lillie A. Pittenger[illegible] of the Cherokee Nation by Delmore Stout, [illegible] Hyde Bullett who was a registered Delaware [illegible] Bullett who was also a registered Delaware Indian, that [illegible] was born in [illegible] on the [illegible] day of April 1902 [illegible] the applications [illegible] enrollment [illegible] that she signed the name [illegible] Pittenger, [illegible] the same was done at the request of the said Hyde, [illegible] Pittenger and [illegible] further affiant saith not.

Lavella C. Roberts.

[illegible]

Subscribed and sworn to before me [illegible]

By Comm. Exp. 11/6/1902.

I, the undersigned as stenogr[illegible] the Five Civilized Tribes, do certify [illegible] correct copy of the original affidavit [illegible]

SUPPLEMENTAL STATEMENT.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., November 15, 1906.

In the matter of the application for the enrollment of Lillie H. Pittsenbarger as a citizen of the Cherokee Nation of Delaware blood.

-----oooOooo-----

Upon an examination of the tribal rolls of the Cherokee Nation in possession of this Commission, the applicant is identified on the Delaware annuity payroll, page 295, #611, as Lillie H. Pittsenbarger; on the Delaware annuity roll of 1892, page 405, #611, as Lillie H. Pittsenbarger; on the Delaware annuity roll of 1893, page 582, #537, as Lillie H. Pittsenbarger.

It is directed that this statement be filed with and made a part of the record in the case of Lillie H. Pittsenbarger.

C. R. Breckinridge
Commissioner.

D.1.D-19

Application for enrollment of

Phillis H. Pittsinger

as a citizen of

the Cherokee Nation.

Oct 27 1906

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
OCT 27 1906

Department of the Interior, Commission to the Five Civilized Tribes.

In Re, application for enrollment as a Citizen of the Cherokee Nation of Lillie H. Pittsenbarger, born on the 17th day of April 1891. Name of Father, John A. Pittsenbarger, citizen of the United States Name of Mother, Lillie A. Pittsenbarger, a Cherokee Citizen. Postoffice add. Vinita Ind. Ter.

United States of America.
Indian Territory.
Northern District.

I, Lauella C. Roberts, a citizen of the Cherokee Nation of lawful age being first duly sworn according to law deposes and says that, she is personally acquainted with John A Pittsenbarger and also with his late wife Lillie A. Pittsenbarger, who was a Citizen of the Cherokee Nation by Delaware blood, who was the Daughter of Simon Bullett who was a regestered Delaware Indian, [redacted] by his wife Saphrenia Bullette who was also a regestered Delaware Indian; That There was born to her the said Lillie A. Pittsenbarger on or about the 17th day of April 1891 a female child who is now living and is the applicant for enrollment herein and that her name is Lillie H. [redacted] Pittsenbarger; That said Lillie H. Pittsenbarger is now living and in the custody of the said Father, John A. Pittsenbarger, and further deponent saith not.

Lauella C. Roberts

Subscribed and sworn to before me this 19th day of October 1900

Ben J. Scoville
Notary Public

My Com. ex. 11/4/1903

Cherokee-Delaware D 19

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Lillie H. Pittsenbarger as a citizen of the Cherokee Nation of Delaware blood.

D E C I S I O N.

--oOo--

The record in this case shows that on October 19, 1900, John A. Pittsenbarger appeared before the Commission at Nowata, Indian Territory, and made application for the enrollment of his minor child, Lillie H. Pittsenbarger, as a citizen of the Cherokee Nation of Delaware blood. Further proceedings in the matter of said application were had on October 31, 1900, at Claremore, Indian Territory.

The evidence in this case shows that Lillie H. Pittsenbarger, nine years of age at the date of this application, is the daughter of Lillie A. Pittsenbarger, deceased, a Delaware Indian, and John A. Pittsenbarger, a white man. The name of the father of Lillie A. Pittsenbarger, Simon Bullet, and the name of her mother, as Sophronia Rogers, are found upon the Register of Delawares who removed to the Cherokee Nation pursuant to the Cherokee-Delaware agreement of 1867. The name of Lillie H. Pittsenbarger cannot be found on the Cherokee Census roll of 1896, but, upon an examination of the Delaware Pay rolls in the possession of this Commission, she is identified on the Delaware Annuity Pay rolls of December 1891, April 1892, August 1893, and on the Delaware Pay roll of 1896. On the Delaware Annuity Pay roll of December 1891, Lillie H. Pittsenbarger is identified as the daughter of "Lillie Pittsenbarger, (formerly Bullett) Died April 24, '91."

The evidence further shows that Lillie H. Pittsenbarger has lived in the Cherokee Nation all her life.

It is, therefore, the opinion of this Commission that Lillie H. Pittsenbarger should be enrolled as a citizen of the Cherokee Nation of Delaware blood in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this NOV 20 1902

[redacted]

[redacted]

[redacted]

Journal
Trans. from
(Old Series)

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FEB 23 1901

ACTING CHAIRMAN

Del. B-8.

Department of the Interior.
Commission to the Five Civilized Tribes.
Bartlesville, I. T., October 6th, 1900.

In the matter of the application of Wallace Thursday, for the enrollment of himself, wife and grand child for enrollment as citizens of the Cherokee Nation, and he being sworn and examined by Commissioner C. R. Breckinridge, testified as follows:

Q What is your full name? A Wallace Thursday.
Q How old are you? A About fifty one years old.
Q What is your Postoffice? A Bartlesville.
Q In what district do you live? A Coowescoowee.
Q Who is it you want to have put on the roll: Do you apply for yourself: Are you a Cherokee? A No sir.
Q Do you apply for your wife? A Yes sir.
Q How many children? A She has one grand child: She has no children.
Q Is your wife a Cherokee by blood? A She is a Delaware.
Q How long has she lived in the Cherokee Nation? A Thirty years I reckon; ever since the Delawares came here.
Q How old is she? A Fifty one.
Q What is her name? A Mary Thursday.
Q What was her name when you married her? A Anson.
Q How long since you married her? No response - hands paper to Commissioner.

The applicant presents a license, issued by the Clerk of Coowescoowee District, October 11th, 1887, authorizing his marriage to Mary Anderson, and the certificate shows that they were married in accordance with said license on the same date, by the Clerk of the District. This is filed herewith.

Q What are you: a colored man? A One half Creek and one half colored.

By Mr. W. W. Hastings, Cherokee Representative:
Q Are you part Creek? A Yes sir.
Q Are you a recognized citizen of the Creek Nation? A No sir; of the Cherokee Nation.

By the Commission:
Q Do you apply for yourself then? A Yes sir.
Q Have you and your wife lived together ever since you were married in 1887? A Yes sir.
Q Was her name Anderson in 1880; twenty years ago? A I can not tell you; I have had her twenty years.
Q Do you know what her name was before it was Anderson? A No sir; I can not tell you.
Q Now give me the name of this grand child? A Sam Bob.
Q How old is he? A Fifteen years old.
Q What is the name of his mother? A I do not know.
Q Is this child an orphan? A Yes sir.
Q Was his mother a daughter of your wife? A No sir; her son's boy.
Q What is the name of the father? A Wild Bill.
Q He is dead, is he? A Yes sir.
Q How long has he been dead? A About eight years ago I think.
Q Was this child's mother a Cherokee woman? A No sir.
Q What woman, was she? A Delaware.
Q Was she a full blood? A I do not know.
Q You do not know her name? A I did know it; I have forgotten it.
Q Was his father regularly married to this boy's mother? A I do not know.
Q What was she? A She was one half colored I think.
Q What else? A I do not know.
Q Give me her name? A Alena Alquah.

(1880 Roll, Page 50, #44, Mary Anderson, Coowescoowee Dist'n)
(1896 Roll, Page 166, #946, Mary Thursday, Coowescoowee Dist)

(1896 Roll, Page 421, #990, Wallace Thursday, Freedmen Roll, Cooweescoowee District)
(1896 Roll, Page 260, #180, Samuel Bob, Cooweescoowee Dist)
(1880 Roll, Page 58, #45, Willis Bob Anderson, Cooweescoowee District)

Q This grand child is living now, is he? A Yes sir.

Mr. J. B. Parker, being sworn and examined by Commissioner C. R. Breckinridge, testified as follows:
Q What is your full name? A J. B. Parker.
Q What is your age? A Fifty two.
Q How long have you lived in the Cherokee Nation?
A About thirty two years.
Q You are one of the official witnesses here for the Cherokee Nation, are you not: Interpreter? A Yes sir.
Q Did you know Wild Bill Anderson, the son of Mary Anderson?
A I know Wild Bob or Wild Bill; yes sir.
Q Her son? A Yes sir.
Q A son of this applicant's wife by a former marriage? A Yes sir.
Q He is dead now? A Yes sir.
Q Been dead about eight years? A Yes sir.
Q Was he married before he died? A I do not know.
Q Did you ever know the woman, Alena Akyuah, that was said to be his wife? A Yes sir; but I do not know it to be a fact.
Q What was she? A I do not know; She might have been part colored and part white.
Q Do you know whether she lived with him as his wife? A
A I do not know.
Q Do you know whether they lived together at all?
A No sir, I do not.

Applicant recalled:
Q What do you know about their living together as husband and wife? A They were living together.
Q They were living together to the time of her death, were they?
A Yes sir.
Q Did she die before he did? A Yes sir.
Q Do you know they lived together before this boy was born?
A I donot know: He brought her home when the kid was born, and said that was his wife.
Q Did you know Wild Bill all his life? A Yessir.
Q Did he ever claim any other woman as his wife? A No sir.
Q And he brought this woman to your house and said she was his wife? A Yes sir.
Q Did you hear of their having married? A Yes sir, but I did not ask how they lived together: Indian fashion; old fashion or how.
Q You never heard of his living with any other woman as his wife?
A No sir.
Q Any fashion? A No sir.
Q Did you ever hear of this woman living with any other man?
A I do not know anything about it. That is further than my knowledge went.

By Mr. W. W. Hastings, Cherokee Representative:
Q Did he ever have any other children by this woman[illegible]
A [illegible] He has a girl.

QBy the Commission? A Is she married? A Yes sir.
Q Did he ever have any other children by this woman he claimed?
A No sir.

By Mr. W. W. Hastings, Cherokee Representative:
Q What is the name of this other child he claimed? A Lizzie [illegible]
Q Is she married? A Yes sir.
Q To whom? A I have forgotten his name: There is another [illegible]

coat, right there against that coat. (indicating)
Q Is that the only child he had by this wife[illegible] one?
A Yes sir: they are the only two children as he had.
Q Were they both by the same mother? A Yes sir.

By the Commission:
Q Is that other child, Lizzie, older or younger that this one?
A Older.

The applicant applies for the enrollment of himself, his wife and a grand child of his wife's: His wife is identified on the rolls of 1880 and 1896, as an adopted Delaware. Her change of name is established by the marriage license and certificate filed herewith: She has lived in the Cherokee Nation thirtyn years, and will now be listed for enrollment as an adopted Delaware.

The applicant is identified with his wife on the roll of 1896, and is shown by the marriage license and certificate to have been married to her in accordance with Cherokee law, in 1887. He states that they have lived together ever since their marriage.

The applicant states that he is half Creek and half colored, and he is identified on the roll of 1896 as a "Freedman". For the further consideration of his rights, his application for his own enrollment will at present be placed upon a doubtful card, and when a final decision is reached, he will be notified at his Post-office address.

As for the grand child, this child is identified on the roll of 1896, and is living now. His father is identified on the roll of 1880: His father has been dead some eight years: His mother is dead: She can not be identified on the roll of 1880, nor can accurate information be obtained in regard to her at this time. It is desired to determine more definately the fact of the marriage of this child's father and mother: For the present, this application for the child will be placed upon a doubtful card.

The undersigned, being sworn, statesthat as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

R. R. Stevens.

Subscribed and sworn to before me this 16th day of October, 1900.

G. E. Hutchinson

Commissioner.

I, the undersigned, as stenographer to the Commission to the Five Civilized Tribes, state upon my oath that the above and foregoing is a full, true and correct copy of the original transcript in the matter of the application for the enrollment of Wallace Thursday et al.; said original transcript having been made by R. R. Stevens, as stenographer.

E. J. Rothenberger

Subscribed and sworn to before me this 21st day of February, 1901.

D. F. Hall

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 8 1900

ACTING CHAIRMAN

CHEROKEES BY BLOOD [illegible]

Date Oct 6 1880

Name [illegible] Bartlett 29

District [illegible] Year [illegible] Page [illegible] No. [illegible]

Citizen by blood [illegible] Mother's citizenship [illegible]

Intermarried citizen [illegible]

Married under what law [illegible] Date of marriage [illegible]

License [illegible] Certificate [illegible]

Wife's name [illegible]

District [illegible] Year [illegible] Page [illegible] No. [illegible]

Citizen by blood [illegible] Mother's citizenship [illegible]

Intermarried citizen [illegible]

Married under what law [illegible] Date of marriage [illegible]

License [illegible] Certificate [illegible]

Names of Children

Samuel Bob Dist. Coo Year 1880 Page 360 No. 100 Age 11

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Roll No 5

[redacted]

[redacted]

[redacted]

Del A5 20

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JAN 16 1901

ACTING CHAIRMAN

COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

R.

Muskogee, Indian Territory, January 11th, 1901.

Received of the Commission to the Five Civilized Tribes one copy of the Testimony in the matter of the application of Samuel Bob for enrollment as a citizen of the Cherokee Nation of Delaware blood.

Benjamin Martin

Del. D. #5.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JUN 24 1901

ACTING CHAIRMAN.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Nowata, Indian Territory, June 24th, 1901.

Received of the Commission to the Five Civilized Tribes, one copy of the original testimony in the matter of the enrollment of Samuel Bob as a citizen of the Cherokee Nation of Delaware blood. Said testimony dated October 18th, 1901.

E. B. Dawson

Attorney for Applicant.

Delaware #26.

[illegible]

[illegible]TRIAL: Delaware [illegible]

[illegible]

Commission [illegible]
Kowetah [illegible]

In the matter of the application [illegible]
as a Delaware citizen of the Cherokee Nation.

JOHN YOUNG, being sworn by Commissioner [illegible], testified as follows:

Appearances:
Mr. E. B. Lawson, attorney for the applicant;
Mr. W.W. Hastings, for the Cherokee Nation.

BY MR. LAWSON:

Q State your name? A John Young.
Q Where do you live? A Coowescoowee.
Q Are you a recognized citizen of the Cherokee Nation? A Yes sir.
Q Delaware? A Yes sir.
Q Do you know Samuel Bob? A Yes sir.
Q Did you know a Wallace Thursday? A Yes sir.
Q Do you know Mary Thursday? A Yes sir.
Q Is Mary Thursday and Mary Anderson one and the same person? A Same person.
Q Did you know Wild Bill during his life time? A Yes sir.
Q Who was Wild Bill, whose son was he? A Mary was his mother, Mary Thursday.
Formerly Mary Anderson? A Yes sir.
Q Do you know whose child this Samuel Bob is? A Wild Bill was his father.
Q Did you know Wild Bill's mother? A Yes sir.
Q How [illegible] long did you know Wild Bill and his wife live together? A I couldn't tell you exactly, it must be about over four years.
Q What was the name of Wild Bill's wife? A Al-en-ah-quah.
Q Did Wild Bill and Al-en-ah-quah live together as man and wife from the time they went together until her death? A Yes sir.
Q How many children was the result of their union? A Just Wild Bill and that woman?
Q Yes? A Two.
Q What were their names? A Lizzie, Lizzie Bill I suppose. There wasn't no names at that time, you know.
Q Lizzie Bill and who else? A Sam Bob.
Q The applicant here? A Yes sir.
Q Was Sam Bob born during the time that Wild Bill and Al-en-ah-quah lived together as man and wife? A Yes sir.
Q Was Wild Bill and his wife living together at the time of the death of Wild Bill's wife? A Yes sir.
Q And both these children were born then while they were living together as man and wife? A Yes sir.
Q Wild Bill a citizen of the Cherokee Nation? A Yes sir.
Q Recognized as such? A Yes sir.

BY MR. HASTINGS:

Q How long did you know Wild Bill? A Ever since, it must have been since he was eight or seven years old, in Kansas.
Q You knew him before he came down here? A Yes sir.
Q Was he part Delaware? A Yes sir, Delaware.
Q Did he come down with you? A Yes sir.
Q What was his first wife's name? A I didn't know of him being married but once.
Q How long did you know this woman that he lived with? A About something little over four years.
Q When did you first meet her, how long ago? A About [illegible]
Q Did she come down with you? A She came down in [illegible]
Q You know what her father's name was? A No sir.
Q Did you know her mother? A [illegible]
Q Did you have a disturbed re[illegible]

Samuel Bob 3

[illegible]

Q Delaware Bob has proved for Mr. Dellinger.

BY MR. HASTINGS:

Q Well now do you know whether he was a citizen or not? A [illegible]

Q How about Sam Bob's mother, do you know whether she is a citizen or not? A No, I know she is a Delaware. Sam Bob's mother, young man?

Q You came down here with [illegible]? A I don't know.

Q You don't remember the time you came down here? A No sir.

Q You don't remember? A No sir.

Q How long after you was you came down here do you [illegible]?

A Why it must have been over 17 years ago.

Q When you first came here? A Yes sir.

Q Where did she come from? A I don't know, I couldn't tell.

Q Where did you first see her? A Over on Caney.

Q How long had you been living over on that Verdigris with that tribe?

A I used to come there, but I didn't like them at all.

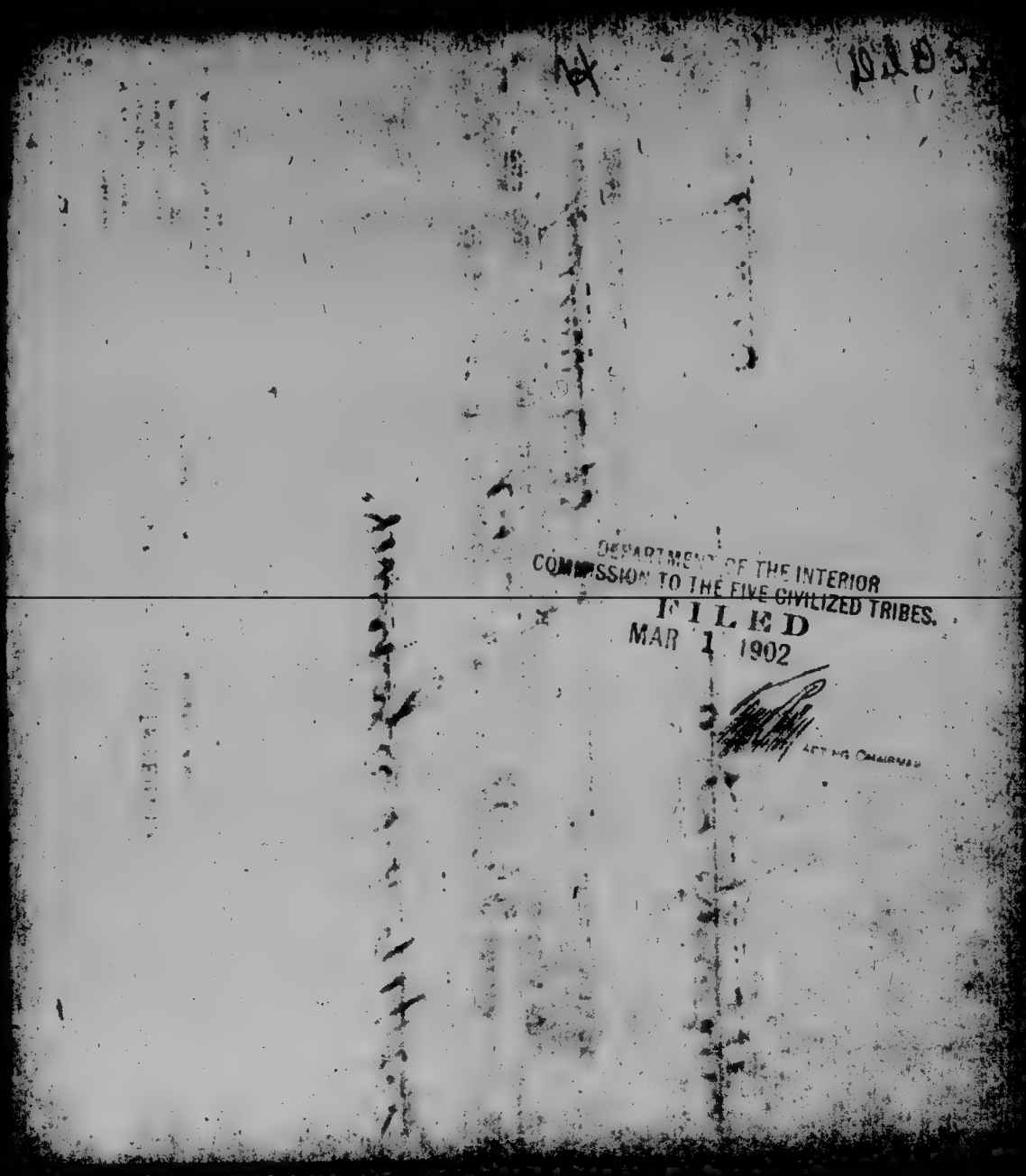
Dep'y Goodlow: From the testimony [illegible] marriage between the father and mother of the applicant was satisfactorily proved.

---oOo---

M.D.Greenhaing first duly sworn, states that as [illegible] Commission to the Five Civilized Tribes he correctly reported the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his [illegible]

Subscribed and sworn to before me this [illegible]

Commissioner.


DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAR 1 1902

COMMISSIONERS:
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BREVOORT.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee I. T. 3/6/1902

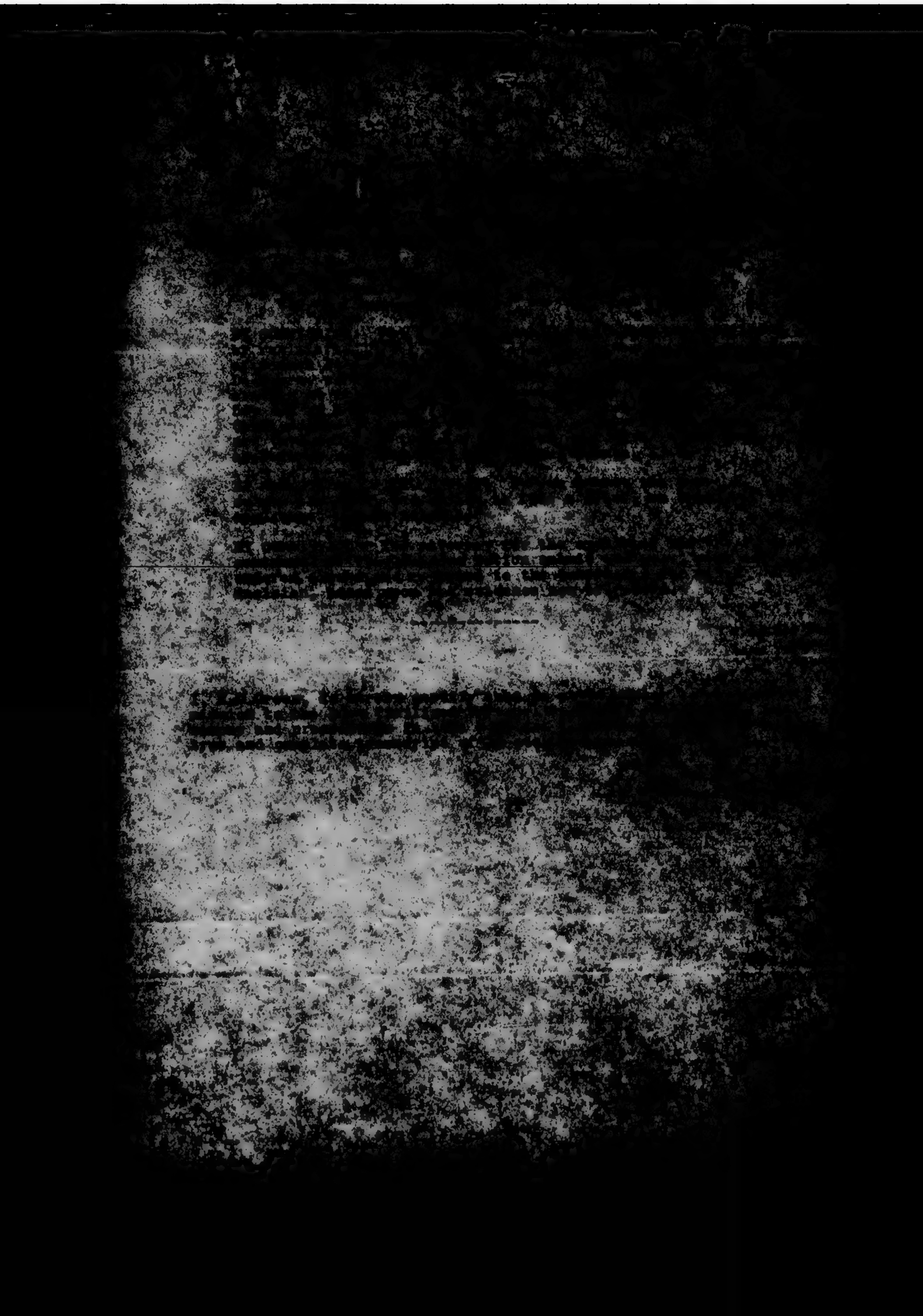
Received of the Commission to the Five Civilized Tribes
one copy of the ~~testimony in the~~ taken June 25th 1901
matter of the application of

Samuel Bob for enrollment as

~~Freedmen~~ of the Cherokee Nation.
Citizen

No. D.D.5

C. B. Lawson
Atty for Applt.



DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAR 31 1902

ACTING CHAIRMAN

Vol. 6, Page 3, #6

[illegible]

SUPPLEMENTAL TESTIMONY in the matter of the application of ANNIE MARTIN as a citizen of the Cherokee Nation by blood.

The applicant was notified by [illegible] that her application for the enrollment of herself as a citizen of the Cherokee Nation would be heard on this day [illegible] by the Commission at its office in Muskogee, Indian Territory, on the 22d day of March, 1900. This applicant this day appears in person and by her Attorney, J. T. Keith, Mr. W. W. Hastings, Cherokee Representative, present.

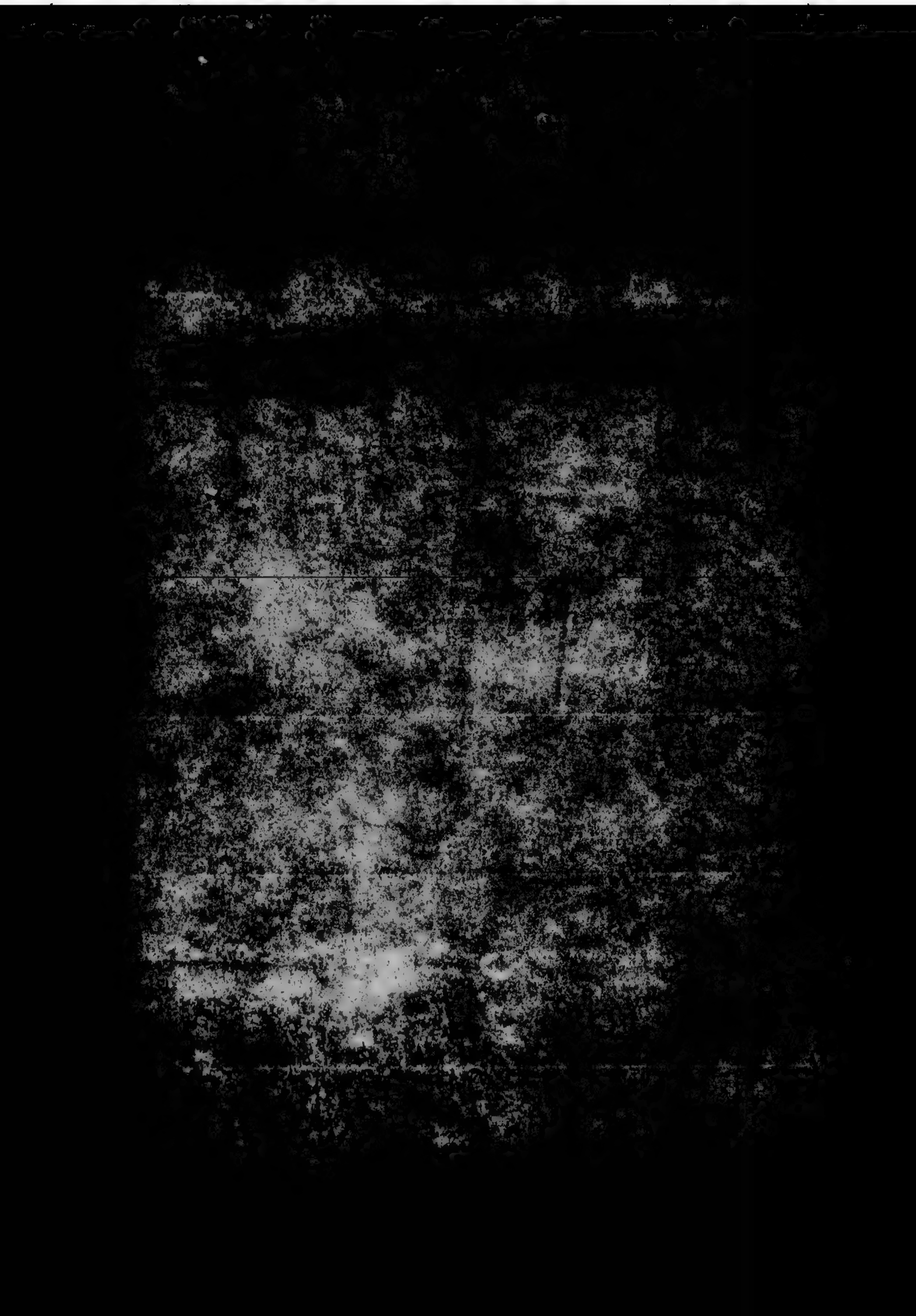
ANNIE MARTIN, the applicant, being duly sworn, testified as follows in her own behalf:

MR. KEITH:

Q What is your name? A Annie Martin.
Q How old are you? A 26.
Q What is your post office? A Bartlesville.
Q Are you a citizen of the Cherokee Nation? A Yes, sir.
Q By what blood? A Delaware.
Q Who was your father? A William Bobb
Q Is that [illegible] name he was known by? A Some called him Bob Bill.
Q Anything else? A William Bobb Anderson.
Q Are you sure of that? A Yes, sir.
Q You don't know whether your father Will Bobb is on the 1880 roll or not? A Yes, sir.
Q Are you married? A Yes, sir.
Q How long have you been married? A [illegible] years.
Q What is your name now? A Annie [illegible]

The 1880 Authentication roll of Cherokee citizens examined and the name of Bobb found [illegible] thereon.

Q How old did you say you were? A 26.
Q Have you ever lived in any other [illegible] the Cherokee Nation since you can remember? A Yes, sir.
Q The first that you remember where was you living? A I was living [illegible] old man Franchman's.
Q What was his citizenship; was he a Cherokee by blood? A No, was a Delaware.
Q Did he have any control over you? A He was my guardian.
Q What was your mother's name? A Monoqua.
Q Do you know of any other name she was known by? A No, sir.
Q Do you know whether she was a full-blood or not?
A Yes, sir.
Q Do you know how old you were when she died? A I guess I was about five years old, but I don't remember [illegible].
Q Have you ever been told that she was a full-blood Delaware?
A Never [illegible], said she drew [illegible] Delaware.
Q [illegible] mother and you've never been identified with the Delaware by.



child, and then Dixie Martin was [illegible] the third child.

Q Under what name would she [illegible]?

A? A Under the name Wild Bill [illegible]

Q Was she married to Wild Bill? [illegible]

Q How long did they live together? [illegible]

or three years, I can't tell exactly.

Q They lived together after they began [illegible] until

she died? A Yes sir, he was there [illegible]

her until she died. He would [illegible] and

then [illegible] Pendleman's [illegible]

two or three days old when she came, [illegible]

---

ing off next month, and that was a [illegible]

payment with his mother.

Q How old was Alen Wagram when she [illegible]

thing about that

Q Is Sam Bob on any of the rolls of the Choctaw Nation?

He is on the pay roll of the Choctaw [illegible] roll.

Q Is Annie V. Martin on any of the [illegible] A I guess she

is; John Tilley put her on.

Q Have she and Sam Bob always lived in this [illegible]

their birth? A Yes, always, they were born [illegible]

lived here.

-----o-----

[illegible]

[illegible]

[illegible]

Q He is recognized as a citizen of the Cherokee Nation by Delaware blood? A Yes sir.
Q Then he knew Samuel Bob and Annie M. Martin, both of whom are children of Wild Bill by Alenoquah? A Yes sir, he says the girl Annie Martin.
Q You knew the mother of these two children, too, did you? A Yes sir, he raised her too.
Q What is the name of the mother of these children, Samuel Bob and Annie Martin? A Alenoquah.
Q Was she a Delaware by blood or what was she? A She was a colored woman; there was not a bit of Indian blood about her.
Q She was never recognized as a Delaware or a Cherokee of any kind of Indian? A She never was, no.
Q You raised her ever since she was a child, and know all about her? A Yes sir.
Q Was she married to Wild Bill the father of these two children? A No, I suppose Interpreter: I asked him awhile ago, he said theywas not married by law.
Q How long did they live together as man and wife, or did they live together as man and wife at all? A Yes, they lived together as man and wife about three years.
Q But they were never married by a preacher or anybody? A No sir they was not married at all.
Q Was Alenoquah ever married before she lived with Wild Bill? A No sir. She was supposed to be married. She had a child before she got Wild Bill, but don't know who it belonged to.
Q She did live with Wild Bill and had these two children, Sam Bob and Annie Martin by Wild Bill? A No, the girl says I don't belong to Bill, just the boy.
Q Do you know who is the father of the girl? A No, nobody knows; this Annie Martin is the one she had before she got Wild Bill, and don't know whose it is, but the other one, the boy, Samuel Bob, is supposed to be the child of Jim Gibson, a Delaware Indian; Gibson would not own thechild, but the woman says it is his.
Q Did this woman ever live with Gibson as his wife? A No.
Q Gibson is a Delaware Indian? A Yes sir.

WALLACE THURSDAY, being sworn and examined, testified as follows:
BY COMMISSION:
Q What is your name? A Wallace Thursday.
Q How old are you? A About 54 years old.
Q You are a Cherokee Freedman are you? A I don't know what they call me; if they knock the boy off it will knock me off.
Q You know Samuel Bob, and you are his guardian? A Yes sir, I am his guardian.
Q Who was his mother? A Alenowequa.
Q What is the name of Samuel Bob's father? A Wild Bill or Gibson Anderson; his Delaware name was Tulpequa.
Q Of what blood was Alenowequa? A She was part colored and part Munsey; that is what my wife says; she knowed her from a child; it was her uncle's child, that's what she said.
Q Alenowequa had no Delaware blood? A She was part Munsey, I guess that's Delaware.
Q Do you know that Alenowequah was enrolled and recognized as a Delaware where she lived? A No, I don't know that.
Q When did Alenowequah die? A I don't know, must have been dead over 17 years; she died two or three months after Sam Bob was born.
Q Do you know whether or not her name appears upon the roll of 1880? A If we had the list we could find her; she was [illegible] Freedman'shake left up there by this Willis Gibson [illegible]

child, and then Lizzie Martin was the next, and then Sam Bob was the third child.
Q Under what name would she have been enrolled in 1880, if at all? A Under the name of Wild Bill, I guess that would be right.
Q Was she married to Wild Bill? A No sir, not as I heard of.
Q How long did they live together? A It must have been two or three years, I can't tell exactly.
Q They lived together after theybegan living together, until she died? A Yes sir,, he was there with her from the time he had her until she died. He would come to my house, with her, and then go back to old man Frenchman's until she had this boy; he was two or three days old when they came, because the payment was coming off next month, and that was a chance for him to go to the payment with his mother.
Q How old was Alenowoquah when she died? A I don't know anything about that
Q Is Sam Bob on any of the rolls of the Cherokee Nation? A He is on the pay roll of the Cherokees, 1894 roll.
Q Is Annie M. Martin on any of the Cherokee rolls? A I guess she is; John Willey put her on.
Q Have she and Sam Bob always lived in the Cherokee Nation since their birth? A Yes, always, they were born here and have always lived here.

-----o-----

M.D.Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M D Green

Subscribed and sworn to before me this November 3,1902.

E B Rutter

Notary Public.

Delaware D 5, Samuel Bob.

Department of the Interior,
Commission to the Five Civilized Tribes,
Dewey, I. T., October 17,1902.

SUPPLEMENTAL TESTIMONY AND PROCEEDINGS, in the matter of the application of SAMUEL BOB for enrollment as a citizen by Delaware blood of the Cherokee Nation;
WALLACE THURSDAY, being sworn and examined, testified as follows.

BY COMMISSION:
Q What is your name? A Wallace Thursday.
Q How old are you? A 54 years old.
Q What is your post-office address? A Bartlesville, I. T.
Statement by witness: Wild Bill is the father of Sam Bob and Jim Gibson is the father of Willie Gibson, who was also the child of Alenaquah; I think that is what Mr. Frenchman meant when he said Jim Gibson was the father of Sam Bob; I was talking to them Delawares awhile ago, and they said that is what it was.

--------o--------

M.D.Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M D Green

Subscribed and sworn to before me this November 4th,1902.

Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAR 3 1902

Before the Honorable Dawes Commission, sitting at Muskogee, I. T.

In the matter of the application of [redacted], for enrollment as a Citizen of the Cherokee Nation.

Brief of applicant.

This applicant would most respectfully represent that he is the Son of Willie Bob Anderson, called called Wild Bill, and that his Mothers name was Allen again.

The evidence in this case shows that applicant is the Grandson of Mary Anderson, now Mary Thursday, and that the name of Mary Thursday appears on the 1880 and the 1896 rolls; that the name of applicants Father appears on the 1880 roll and that applicants Fathers name does not appear on the 1896 roll for the reason that he was deceased before the making of the said 1896 roll.

Applicant would represent that his own name appears on the 1896 roll.

The only contention in this case is whether the Father, and Mother of applicant were ever married, and lived together as Man and Wife.

The attention of the Commission is called to the testimony of John Young and James Shaw , Delaware Indian Citizens who state positively that they knew applicants Father and Mother; that they lived together as Man and Wife to their knowledge for more than four years and were recognized as such by the people generally, and that applicant was born why his Father and Mother were living together.

Moreover the testimony shows that applicants Mother was a Delaware Indian and recognized as such .

We see no reason why the Cherokee Nation should contend or contest the enrollment of applicant, as we think the evidence shows conclusively that he is entitled to enrollment.

E. B. [redacted]
Attorney for applicant.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

NDA
68

In the matter of the application for the enrollment of Samuel Bob and Annie M. Martin as citizens of the Cherokee Nation of Delaware blood, consolidating the applications of;
Samuel Bob,- - - - - - - - - - -Cherokee-Delaware D - 5.
Annie M. Martin, - - - - - - - -Cherokee-Delaware D - 6.

D E C I S I O N.

The record in these cases shows that on October 8, 1900, Wallace Thursday appeared before the Commission at Bartlesville, Indian Territory, and made application for the enrollment, among others, of his grandchild, Samuel Bob, as a citizen of the Cherokee Nation of Delaware blood. The other parties to this application are differently classified and are not embraced in this decision. Further proceedings were had in said application at Bartlesville, Indian Territory, on October 10, 1900, at Nowata, Indian Territory, on June 25, 1901, at Muskogee, Indian Territory, on March 5, 1902, and at Dewey, Indian Territory, on October 15, and October 17, 1902; that on October 9, 1900, Annie M. Martin, alias Lizzie Martin, appeared before the Commission at Bartlesville, Indian Territory, and made application for enrollment as a citizen of the Cherokee Nation of Delaware blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, March 22, 1902, and at Dewey, Indian Territory, on October 15, 1902.

The evidence shows that Samuel Bob and Annie M. Martin, alias Lizzie Martin, are the children of William Bob Anderson, (sometimes called William Bob and generally known as Wild Bill), by his reputed wife, Al-en-ah-quah. The father of these children is identified on the Cherokee authenticated tribal roll of 1880, under the name of Willie Bob Anderson, as an adopted Delaware. The nationality of Al-en-ah-quah is not definitely known, and while there does not seem to have been any marriage ceremony between the said William Bob Anderson and the said Al-en-ah-quah, it appears that they lived together as husband and wife for several years, and that Samuel Bob and Annie M. Martin were born to them while they lived together as husband and wife. The said Samuel Bob and Annie M. Martin are identified on the Cherokee census roll of 1896.

The evidence further shows that the said Samuel Bob and Annie M. Martin have resided in the Cherokee Nation all their lives.

It is, therefore, the opinion of this Commission that the said Samuel Bob and Annie M. Martin should be enrolled as citizens of the Cherokee Nation of Delaware blood in accordance with the provisions of section twenty-one of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES

Acting Chairman

Commissioner

Commissioner

Muskogee, Indian Territory,
this DEC 10 1902

EJ Del. 105

DEPARTMENT OF
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 13 1902

ALLISON L. AYLESWORTH,
SECRETARY.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 14, 1902.

Mr. Samuel Bob,

Bartlesville, Indian Territory,

Sir:

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the fifth day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Copy to R.B.Lawson, Bowata, I.T.

Yours truly,

Delaware B-5
Register.

Acting Chairman.

Delaware B 5
Delaware B 6

Muskogee, Indian Territory, July 22, 1902.

Mr. J. T. Parks,
Executive Secretary Cherokee Nation,
Tahlequah, Indian Territory.

Sir:

Will you please examine the marriage records of Cooweescoowee District for some record of the marriage of a man known by the names of William Bob Anderson, Bob Bill, William Bob, and Wild Bill, to a woman known as Alcenahquah, or a name similar to that. They were probably married between the years 1860 and 1865. The man was a Delaware, and it is claimed that the woman was part Delaware.

Please furnish this Commission with a certified copy of whatever is found of record. If nothing is found please make a certificate to that effect.

Yours truly,

Commissioner in Charge.

Muskogee, Indian Territory, December [illegible], 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated November 29, 1902, granting the application for the enrollment of Samuel Rob and Annie M. Martin, as citizens of the Cherokee Nation of Delaware blood.

You are hereby advised that you will be allowed thirty days from date hereof in which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the [illegible]. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby,

Acting Chairman.

Enclosure H. No. 418.

Delaware D-8

Muskogee, Indian Territory, January 26, 1903.

Wallace Thursday,

Bartlesville, Indian Territory.

Dear Sir:-

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 10, 1902, granting, among others, your application for the enrollment of Samuel Bob as a citizen of the Cherokee Nation of Delaware blood.

Respectfully,

Tams Bixby,

Acting Chairman.

Enc. M-2132

Register.

Delaware D-5

Muskogee, Indian Territory, January 26, 1903.

B. B. Lawson,
Attorney for Samuel Bob,
Nowata, Indian Territory.

Dear Sir:-

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 10, 1902, granting, among others, the application of Wallace Thursday for the enrollment of Samuel Bob as a citizen of the Cherokee Nation of Delaware blood.

Respectfully,

Tams Bixby,
Acting Chairman.

Enc. M-133

Register.

Trans. [illegible]
(Old Series)

[redacted]

Affie Mary Martin - 2.

Joseph D. Jones, being duly sworn, says that he subscribed to the foregoing is the true facts and believes to be correctly answered the interrogatories and deposition in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

Sworn to and subscribed before me this the 10th of October, 1900.

Commissioner.

Del. 8-6

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
OCT 9 1900

ACTING CHAIRMAN

Statement of [illegible] Indian Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 9- 1900

Name Illegible D.T.

District Year Page No.

Citizen by blood Mother's citizenship Illegible

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name Annie M. Martin nee Bass

District Coo Year 1896 Page 361 No 106

Citizen by blood yes Mother's citizenship Delaware

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children: Illegible

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Illegible

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

MAR 31 1902

ACTING CHAIRMAN

Dupl. S. Bol. D. #6.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 22, 1902.

SUPPLEMENTAL TESTIMONY in the matter of the enrollment of ANNIE M. MARTIN as a citizen of the Cherokee Nation by Delaware blood.

The applicant was notified by registered letter March 3, 1902, that her application for the enrollment of herself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its office in Muskogee, Indian Territory, on the 22d day of March, 1902. This applicant this day appears in person and by her Agent, J. R. Sequichie. Mr. W. W. Hastings, Cherokee Representative, present.

ANNIE MARTIN, the applicant, being duly sworn, testified as follows in her own behalf:
MR. SEQUICHIE:

Q What is your name? A Annie Martin.
Q How old are you? A 22.
Q What is your post office? A Bartlesville.
Q Are you a citizen of the Cherokee Nation? A Yes, sir.
Q By what blood? A Delaware.
Q Who was your father? A William Bobb
Q Is that all the name he was known by? A Some called him Bob Will.
Q Anything else? A William Bobb Anderson.
Q Are you on any roll? A Yes, sir
Q You don't know whether your father Will Bobb is on the 1880 roll or not? A Yes, sir.
Q Are you married? A Yes, sir.
Q How long have you been married? A Three years.
Q What is your name now? A Annie Martin.

The 1880 Authenticated roll of Cherokee citizens examined and the name of Bobb does not appear thereon.

Q How old did you say you were? A 22.
Q Have you ever lived in any other Nation besides the Cherokee Nation since you can remember? A Yes, sir.
Q The first that you remember where were you living? A I was living at old man Franchman's.
Q What was his citizenship, was he a Cherokee by blood? A He was Delaware.
Q Did he have any control over you? A He was my guardian.
Q What was your mother's name? A Nancy.
Q Do you know of any other name she was known by? A No, sir.
Q Do you know whether she was a full-blood or not?
A No, sir.
Q Do you know how old you were when she died? A I guess I was about five years old, but I don't remember [illegible] though.
Q But you have been told that she was a [illegible] Delaware?
Q They told me, said the [illegible] Delaware.
Q And your mother and yourself had never been identified upon any roll? A No, sir.

Commission: The [illegible]
[illegible]

1405-6

[illegible] THE INTERIOR,
[illegible] COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
JUL 23 1902

EXECUTIVE DEPARTMENT

CHEROKEE NATION.
TAHLEQUAH, INDIAN TERRITORY.

Delaware -D- 6-

Delaware B-8

I hereby certify that I have examined the records of marriages now in this office and they do not show any evidence of the marriage of a man by the names of William Bob Anderson, Bob Bill William Bob and Wild Bill to a woman by the name of Alenahquah the marriage records of this nation being now in my legal custody.

Given from under my hand and seal of office on this the 26th., day of July 1902.

J. T. Parks

Executive Secretary?

Q Do you know whether or not her name appears upon the roll of 1880? A If we had that list we could find her; she was raised at Frenchman's; she left by the name this Willie first was her first child, and then Lizzie Martin was next, and then Mr Roe was the third child.

Q Under what mark would she have been enrolled in 1880, if at all? A Under the name of Wild Cat, I guess that would be right.

Q Was she married to Wild Cat? A No sir, that is as I heard of.

Q How long did they live together? A My best knowledge is about three years, I can't tell exactly.

Q They lived together after they began living together, until she died? A Yes sir, he was there with her from the time he had her until she died. He would come to my house, with her, and then go back to old man Frenchman's until she had this boy. He was two or three days old when they came, because this payment was coming off nextmonth, and that was a chance for him to go to the payment with his mother.

Q How old was Alenoyoquah when she died? A I don't know anything about that.

Q Is Sam Bob on any roll of the Cherokee Nation? A He is on the pay roll of the Cherokee, 1-94 roll.

Q Is Annie M. Martin on any of the Cherokee rolls? A I guess she is; John Wilfley put her on.

Q Have she and Sam Bob always lived in the Cherokee Nation since their birth? A Yes, always, they were born here and have always lived here.

1

[illegible] with Delaware D 6, Annie M. Martin.

Delaware D 5
Delaware D 6

Department of the Interior,
Commission to the Five Civilized Tribes,
Dewey, I. T., October 16,1902.

SUPPLEMENTAL TESTIMONY AND EVIDENCE in the matter of the application for the enrollment of SAMUEL BOB and ANNIE M. MARTIN, as citizens of the Cherokee Nation of Delaware Blood.
JOHN YOUNG, being sworn and examined, testified as follows:

BY COMMISSION:
Q What is your name? A John Young.
Q How old are you? A I am 37.
Q What is your post-office address? A Welden, I. T.
Q You live in Coowescoowee District? A Yes sir.
Q You are a recognized citizen of the Cherokee Nation of Delaware blood? A Yes sir.
Q Do you know Samuel Bob and Annie M. Martin, who are said to be the children of Wild Bill or Bill Anderson, or Bill Bob, a Delaware, and Alemehquah? A Yes, sir, I know them.
Q Do you know the mother of Sam Bob and Annie M. Martin? A Yes.
Q Is she living now? A No sir.
Q What was her citizenship? A She was a mulatto.
Q What is her name? A Ellenaquah.
Q She was never a recognized member of the Delaware tribe of Indians? A No sir.
Q She is part negro and part white? A Yes sir.
Q Has no Indian blood, of any kind? A No sir.
Q Do you know whether she was ever married to Wild Bill?
A They stayed together, I don't know whether they married according to law, I don't think nobody knows.
Q How long has she been dead? A Oh must be about sixteen or seventeen years ago.
Q How old is this Sam Bob? A I don't know, how old he is.
Q Do you know how old Annie Martin is? A No sir.
Q Anybody else know anything about the marriage of the parents of these children? A No sir, not as I know of; I lived pretty close to them ever since we have been in this Nation.
Q How long did they live together as man and wife? A Oh, about four years I guess.
Q Did he hold her out to the community as his lawful wife, or just live with her? A Just lived with her, that's all.

Dewey, I. T., October 16,1902.

FRENCHMAN, being sworn and examined testified as follows, through sworn interpreter, J.W.Shamrock:

J.W.SHAMROCK, being sworn and examined, testified as follows:
BY COMMISSION:
Q What is your name? A J.W.Shamrock.
Q How old are you? A 36.
Q What is your post-office address? A [illegible] I.T.
Q You are a recognized citizen by Delaware [illegible] of the Cherokee Nation? A Yes sir.

BY COMMISSION:
Q What is your name? A Frenchman.
Q Is that all the name he has, just Frenchman? A Yes. What is his full name.
Q How old is he? A He don't [illegible]

Q [illegible] A [illegible]

Q [illegible] A [illegible]

Q [illegible] A [illegible]

[illegible]

Q Is Annie E. Martin on any of the Cherokee rolls? A I guess she is. John Miller put her on.

Q Have she and her children always lived in the Cherokee Nation since birth? A Yes, always, they were born here and have always lived here.

---o---

M. Brown, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly reported the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes.

Subscribed and sworn to before me this November 8, 1904.

Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Samuel Bob and Annie M. Martin as citizens of the Cherokee Nation of Delaware blood, consolidating the applications of:
Samuel Bob, - - - - - - - - - -Cherokee-Delaware 9 - 8:
Annie M. Martin, - - - - - - - -Cherokee-Delaware 9 - 8.

DECISION.

The record in these cases shows that on October 8, 1900, Wallace Thurmday appeared before the Commission at Bartlesville, Indian Territory, and made application for the enrollment, among others, of his grandchild, Samuel Bob, as a citizen of the Cherokee Nation of Delaware blood. The other parties to this application are differently classified and are not interested in this decision. Further proceedings were had in said application at Bartlesville, Indian Territory, on October 10, 1900, at Nowata, Indian Territory, on June 25, 1901, at Muskogee, Indian Territory, on March 8, 1902, and at Dewey, Indian Territory, on October 15, and October 17, 1902; that on October 9, 1900, Annie M. Martin, alias Lizzie Martin, appeared before the Commission at Bartlesville, Indian Territory, and made application for enrollment as a citizen of the Cherokee Nation of Delaware blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, March 22, 1902, and at Dewey, Indian Territory, on October 15, 1902.

The evidence shows that Samuel Bob and Annie M. Martin, alias Lizzie Martin, are the children of William Bob Anderson, (sometimes called William Bob and generally known as Wild Bill), by his reputed wife, Al-ce-ah-quah. The father of these children is identified on the Cherokee authenticated tribal roll of 1880, under the name of Willie Bob Anderson, as an adopted Delaware. The nationality of Al-ce-ah-quah is not definitely known, and while there does not seem to have been any marriage ceremony between the said William Bob Anderson and the said Al-ce-ah-quah, it appears that they lived together as husband and wife for several years, and that Samuel Bob and Annie M. Martin were born to them while they lived together as husband and wife. The said Samuel Bob and Annie M. Martin are identified on the Cherokee census roll of 1896.

The evidence further shows that the said Samuel Bob and Annie M. Martin have resided in the Cherokee Nation all their lives.

It is, therefore, the opinion of this Commission that the said Samuel Bob and Annie M. Martin should be enrolled as citizens of the Cherokee Nation of Delaware blood in accordance with the provisions of section twenty-one of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

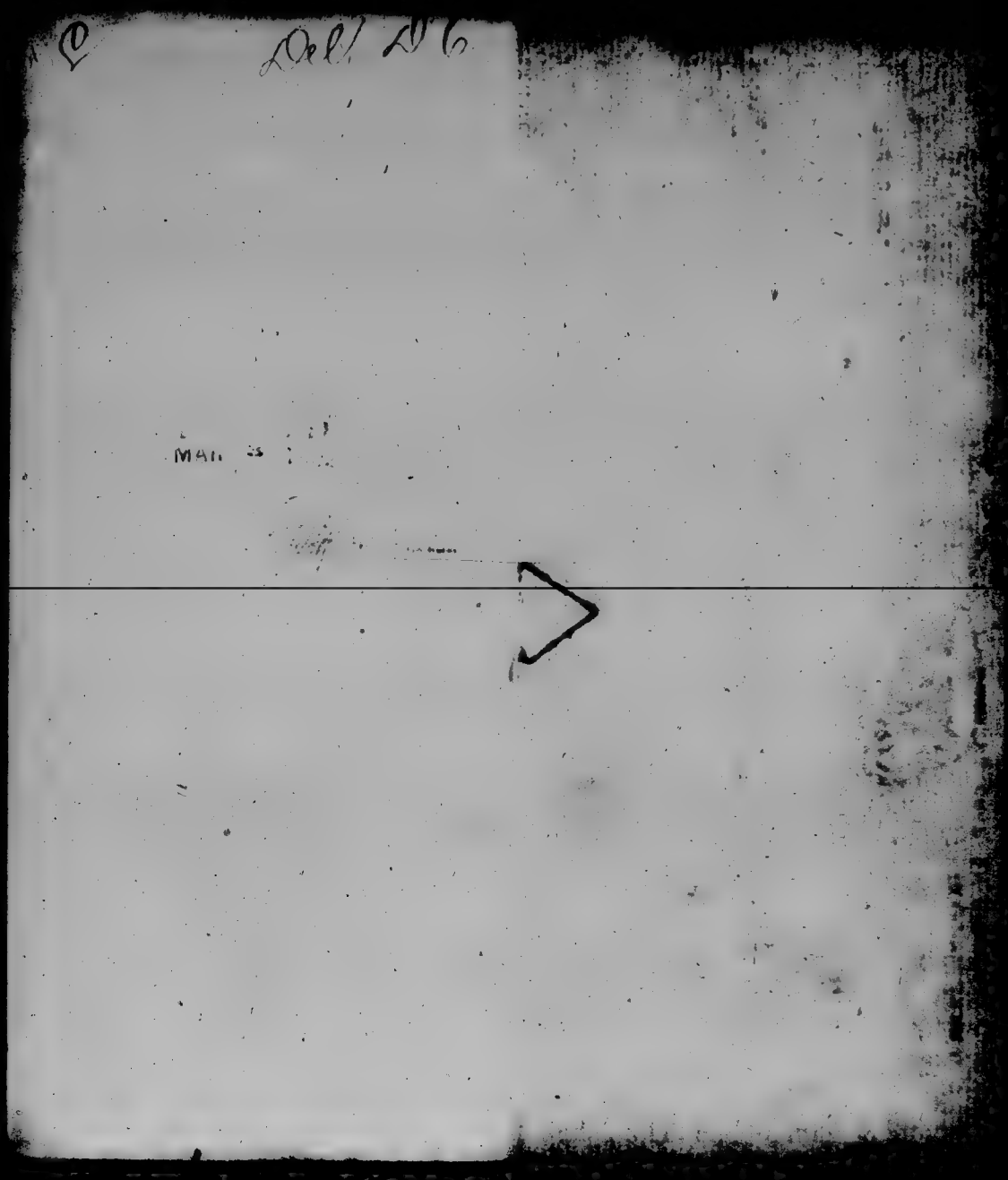
COMMISSION TO THE FIVE CIVILIZED TRIBES

ACTING CHAIRMAN

COMMISSIONER

COMMISSIONER

Muskogee, Indian Territory,
this [illegible]



COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH.
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING
Delaware 544

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, March 3, 1902.

Mrs. Lizzie Martin,

Dewey, Indian Territory,

Madam:-

You are hereby notified that the application of Annie M. Martin

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

March 22, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application, that you may deem necessary.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Register.

Delaware B 8
Delaware D 6

Muskogee, Indian Territory, July 22, 1902.

Mr. J. T. Parks,
Executive Secretary Cherokee Nation,
Tahlequah, Indian Territory.

Sir:

Will you please examine the marriage records of Cowweseewee District for some record of the marriage of a man known by the names of William Bob Anderson, Bot Bill, Willian Bob, and Wild Bill, to a woman known as Alesahquah, or a name similar to that. They were probably married between the years 1880 and 1885. The man was a Delaware, and it is claimed that the woman was part Delaware.

Please furnish this Commission with a certified copy of whatever is found of record. If nothing is found please make a certificate to that effect.

Yours truly,

Commissioner in Charge.

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 18, 1902, granting the application for the enrollment of Samuel Bob applicant, E. Martin, as citizens of the Cherokee Nation of Delaware descent.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such petition or brief as you may desire to make relative the action of the Commission in this case, a copy of which petition you will be required to serve upon the adverse party. If you fail to file petition, in the time specified, the decision will be considered final.

Respectfully,

Tams Bixby,

Acting Commissioner.

Enclosure K. No. 616.

[redacted]

COPY.

Muskogee, Indian Territory, [illegible]

J. R. Sequichie,
Agent for Annie M. Martin,
Chelsea, Indian Territory.

Dear Sir:-

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 10, 1902, granting, among others, the application of Annie M. Martin for the enrollment of herself as a citizen of the Cherokee Nation of Delaware blood.

Respectfully,

[illegible]
Acting Commissioner.

Enc. M-3163

Register.

Exercise
Treatment
Cold

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DEPARTMENT OF
SSION TO THE FIVE

FILED
OCT 15 1900

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
BARTLESVILLE, I.T., OCTOBER 11th, 1900.

IN THE MATTER OF THE APPLICATION OF William H. Shailer for the enrollment of his son as a citizen of the Cherokee Nation, and the said William H. Shailer being sworn and examined by Commissioner, C. R. Breckinridge, testified as follows:

Q What is your full name? A William H. Shailer.
Q What is your age? A Fifty two.
Q What is your Postoffice? A Dewie.
Q In what district do you live? A Cooweescoowee.
Q Who is it you want to have put on the rolls? A My son.
Q One child? A Yes sir.
Q What is his name? A Eddie Shailer.
Q Is not that a contraction of Edward? A I always called him Eddie.
Q How old is he? A Twenty one.
Q Why does he not apply for himself? A He is in jail at Muskogee.
Q Is he on the roll of 1880? A Yes sir.
Q And the roll of 1896? A Yes sir.
Q How long has he lived in the Cherokee Nation; all his life?
A Yes sir.
Q Was he ever called by any other name except Eddie?
A That is all.
(1880 Roll, Page 173, #2612, Beck Shalar, Cooweescoowee D'st)
(1896 Roll, Page 384, #613, Edward Shailer, Cooweescoowee D'st)
Q His real name is Edward, is it not? A Yes sir.
Q Were you some times called Jack Shailer? A Yes sir.
Q What caused this boy to be enrolled as "Beck"? A They made a mistake I guess.
Q Did he ever have the nick name, Beck? A I do not know.
Q How do you account for his being put on the roll of 1880 as "Beck"? A They just put it down that way.
Q You did not have a child by that name? A No sir.
Q And this child was one year of age at that time? A Yes sir.
Q This boy is living now, is he? A Yes sir.

The applicant applies for the enrollment of a son, who is said to be in jail at Muskogee; consequently, unable to apply for himself. The son is twenty one years of age: He is identified on the rolls of 1880 and 1896 as a Delaware: He has lived in the Cherokee Nation all his life: For the consultation of the records at Muskogee, the application for the enrollment of this boy will be taken into consideration, and the final decision of the Commission will be made known to the applicant at his Postoffice address.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before
me this 12th day of October, 1900.

COMMISSIONER.

B Del 25-10

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
OCT 11 1900

ACTING CHAIRMAN

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 11 1900 1900.

21 Name Edward Shailer Harvey D.

District COOWEESCOOWEE. Year 1851 Page 173 No. 2612

Citizen by blood Cal. Mother's citizenship

Intermarried citizen No

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

~~Married under what law~~ ~~Date of marriage~~

License Certificate

Names of Children:

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

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Dist. Year Page No. Age

Ch. Hd. Rock Ahlar.

Del. N.C.

Cherokee-Delaware D 10

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Edward Shailer as a citizen of the Cherokee Nation of Delaware blood.

D E C I S I O N.

--oOo--

The record in this case shows that on October 11, 1900, William H. Shailer appeared before the Commission at Bartlesville, Indian Territory, and made application for the enrollment of his son, Edward Shailer, as a citizen of the Cherokee Nation of Delaware blood.

Edward Shailer is a Delaware Indian, an adopted citizen of the Cherokee Nation, who is identified on the Cherokee authenticated tribal roll of 1880 as "Book Shelar." Edward Shailer is also identified on the Cherokee Census roll of 1896, and on the Delaware Pay roll of 1896.

The evidence shows that Edward Shailer has lived in the Cherokee Nation all his life.

It is, therefore, the opinion of this Commission that Edward Shailer should be enrolled as a citizen of the Cherkee Nation of Delaware blood in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this DEC - 1 1902

COPY.

Muskogee, Indian Territory, December 2, 1902.

W. W. Hastings,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 1, 1902, granting the application of William M. Shailer for the enrollment of his son, Edward Shailer, as a citizen of the Cherokee Nation of Delaware blood.

You are advised that you will be allowed fifteen days from date hereof in which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the [illegible]. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

James Bixby,
Acting Chairman.

Enclosure H. No. 17.

Delaware D-10

Muskogee, Indian Territory, January 26, 1903.

William H. Shailer,

Dewey, Indian Territory.

Dear Sir:-

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 1, 1902, granting your application for the enrollment of your child, Edward Shailer, as a citizen of the Cherokee Nation of Delaware blood.

Respectfully,

Tams Bixby.

Acting Chairman.

Enc. M-132

Register.

[redacted]

[redacted]ne Interior.

[redacted]

[illegible] 01 20426-1904.
[illegible] 1904.
[illegible]

DEPARTMENT OF THE INTERIOR,

WASHINGTON.

June 27, 1904.

Commission to the

Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

May 28, 1904, preferring to schedule No. 14 of citizens by blood of the Cherokee Nation approved by the Department, you report that one John Walker, whose name appears thereon opposite No. 13617, is erroneously classed as a Cherokee by blood when he is in fact a registered Delaware citizen of the Cherokee Nation; that when he made application for enrollment, November 19, 1900, he stated he was of Shawnee blood and made no mention of any claim of right as a registered Delaware; that on May 18, 1904, his father and sister appeared before your Commission and from their testimony he was identified upon register of Delawares who returned to the Cherokee Nation in accordance with the agreement between the Delawares and the Cherokee Nation of April 8, 1867, his name appearing thereon opposite No. 963, and you recommend that his enrollment upon the said schedule of Cherokee citizens be cancelled, and that he be added to the schedule of registered Delawares of the Cherokee Nation as No. 196, card No. 186.

Reporting in the matter June 17, 1904, the Chief Clerk of Indian Affairs recommended that the [illegible] on the [illegible] file with the Dawes Commission



Muskogee, Indian Territory, [illegible]

Commissioner in Charge,
Cherokee Land Office,
Tahlequah, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of [illegible]
June 22, granting the Commissioner's request of May 31, [illegible]
Cherokee, schedule No. 14, the name of John Talley appearing
opposite No. 13617 and to add to Delaware schedule on
card No. 185 the name of the said John Talley, [illegible]
identified upon the Delaware register.

You are advised that in accordance [illegible]
letter the name of the said John Talley [illegible]
ken schedule No. 14 and date of the [illegible]
this his name thereon. His [illegible]
schedule as No. 185, [illegible]
has heretofore been [illegible]
card No. 185. No. 185 has been [illegible]
name on Delaware card 185 and [illegible]
July 18, 1904, [illegible]
June 24, 1904, No. 1 this day [illegible]
Nation as No. 13617 and added [illegible]
No. 185. Copy of said [illegible]



Irena Dick

Trans. from Det. Sgt.
(Old Series)

[illegible]

[illegible]

[illegible]

Department of the Interior
Commission to the Five Civilized Tribes,
Muskogee, I. T., [illegible], 1900.

In the matter of the application of [illegible] for enrollment as a citizen of the Cherokee Nation. Testimony taken by Commissioner Tarsney.

Q What is your name? A. Irena Dick.
Q What is your age? A. [illegible]
Q What is your postoffice address? A. Vinita.
Q What is your nationality? A. Cooweescoowee.
Q Are you a recognized citizen of the Cherokee Nation? A. Yes sir.
Q Are you a Delaware by blood? A. Yes sir.
Q For whom do you apply? A. Myself.
Q What is your father's name? A. Jacob.
Q Is he dead? A. Yes sir.
Q What is your mother's name? A. Pollie Johnniecake was her maiden name.
Q Were you ever married? A. No sir.
Q You say that your mother's maiden name was Johnniecake, was her husbands name Dick? A. Yes sir.
Q He was a colored man wasn't he? A. No sir.
Q What was he? A. A Stockbridge Indian from New York and he was adopted by the Delaware tribe.
Q Was her name ever Ocklum? A. Yes sir.
Q Your name does not appear on the roll of 1880, do you know the reason why? A. No sir.
Q Did you always go by the name of Irena Dick? A. Yes sir.
1880 roll page 345, No. 304, Irena Dick Cooweescoowee.
Q Did you draw money in 1896? A. Yes sir.
DELAWARE PAYnROLL, 1896, page 7, No. 457, Irena Dick,

By Mr Dale Starr Cherokee representative.

Q Where were you 30 years ago? A. In this country all my life.
Q Who with? A. With my mother.

The name of Irena Dick appears on the census roll of 1896, and on the Delaware pay roll of 1896. She swears that she is a Delaware Indian. She avers that she is the daughter of Pollie Ocklum whose name appears on the 1880 authenticated roll and who is known some times as Pollie Johnniecake. She avers that her fathers name is Jacob Dick. Her name does not appear on the authenticated roll of 1880 and no satisfactory proof having been introduced why it does not appear with her supposed mother Pollie Ocklum and witther half-sister Manda whose name appears on that roll. Her name does not appear upon the list of registered Delawares now in the hands of the Cherokee Nation, but the name of her father Jacob Dick and of her mother Polly appear at Numbers 431 & 432. No satisfactory proof as to her citizenship having been presented the final decision as to the enrollment of Irena Dick will be suspended and she will be placed on a doubtful card.

Chas. von Weise being sworn states that as stenographer to the Commission to the Five Civilized tribes he reported in full all the proceedings had in the above entitled cause and that the foregoing is a full, true and correct transcript of his stenographic notes in said proceedings.

Chas von Weise

Subscribed and sworn to before me this the 19th of October, 1900.

Commissioner.

Dec. 1048

PARTMENT OF THE INTERIOR
SION TO THE FIVE CIVILIZED TRIBES.

FILED
OCT 18 1990

Acting CHAIRMAN

CHEROKEES BY BLOOD AND ADOPTION

Date OCT 18 1900

Name Newala Dd

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License (31) ..... Certificate .....

Wife's name Irena Dick

District COOWEESCOOWEE. Year 1896 Page 365 No. 204

Citizen by blood yes Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children Dauthful

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

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Del. D. 18.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 9 1900

ACTING CHAIRMAN

Received of the Commission to the five Civilized Tribes one copy of the testimony in the matter of the application for enrollment as a citizen of the Cherokee Nation of Irene Mae.

W. O. Chas
Attorney for Applicant.

Claremore, Indian Territory,

October 24th, 1900.

Delaware Card #D-18.

Commissioner [illegible] Tribe.
Muskogee, I. T., [illegible], 1902.

SUPPLEMENTAL TESTIMONY IN THE MATTER OF THE APPLICATION OF IRENA DICK.

DELAWARE ROLL NO. 16.

W. A. Chase attorney for the applicant present.

W. W. Hastings for the Cherokee Nation present.

SALLIE O. SMITH called and sworn by Commissioner Te B. Kendrick, testified as follows for the applicant-

By Mr. Chase:

Q What is your name? A Sallie O. Smith.
Q What is your postoffice address? A Coffeyville.
Q What is your age? A 61
Q What is your citizenship? A Delaware.
Q Are you acquainted with Irena Dick? A Yes sir.
Q How long have you known her? A Ever since her birth.
Q What relation is she to you? A She is my niece.
Q Who was her mother? A Polly Dick.
Q Is Polly Dick one of the Treaty Delawares? A Yes sir.
Q Is she a sister of yours? A Yes sir.
Q Where was Irena born? A On Spencer Creek, Cherokee Nation, June 29th 1868.
Q Who was her father? A Jacob Dick, he was one of the adopted citizens who came here with us, he was a Stockbridge Indian.
Q Where has Irena Dick lived since you know her? A All over the Cherokee Nation, a couple of years I dont know where she was, that was when she lived with her mother, she left her some place, and as soon as her mother died she lived here again.
Q When did her mother die? A In 1883.
Q And since her you have known her, well have you? A Yes sir.

By Hastings:

Q Where did her mother die? A In Oswego Kansas.
Q How long had she been there before that? A I dont know, after she married I dont know anything about her.
Q Who did she marry? A A man named Collins.
Q And then went to Oswego? A I guess so.
Q How long after that before she died? A I dont know, when she married we quit her.
Q Was it much as ten years? A No sir, it was'nt ten years. but I dont know how long for as soon she married my folks would'nt have anything to do with her and we lost track of her.
Q Well was it as much as five years? A I dont know.
Q What is your best judgment? A I dont know that is all I can tell you .
Q You dont know when she married? A No sir, I dont know just when she married.
Q Several years before she died you had lost track of her? A Yes sir, we quit her.
Q You dont know anything about her after that unril she died?
A No sir, I heard she was dead that this child was left there, and I went up to get her at Oswego, and had to get out some papers and took her away.
Q You found her at Oswego? A Yes sir.
Q How old was she then? A I dont know that was in 1883.



L. 2 15.

12050

DEPARTMENT OF THE INTERIOR.

COMMISSIONERS:
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, August 14th, 1901.

Received of the Commission to the Five Civilized Tribes, one copy of the supplementary testimony of June 24th, 1901, in the matter of the application of Irena Dick for enrollment as a citizen of the Cherokee Nation.

W. A. Clous

Delaware #D18.

Subscribed and sworn to before me this October 31st, 1907.

[illegible]

[illegible]

[illegible]

Supl.-D.D.#10.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE [illegible]
Tahlequah, I.T., [illegible]

SUPPLEMENTAL TESTIMONY in the matter of the application of IRENA DICK as a Cherokee citizen of Delaware blood; Antedating as part applicant.

APPEARANCES:
Applicant present in person.
Mr. J. D. Baugh, for Cherokee Nation:

HENRY ARMSTRONG, being duly sworn and examined by Commissioner Needles, testified as follows on part of applicant:

Q What is your name? A Henry Armstrong.
Q What is your age, Mr. Armstrong? A 59.
Q What is your post office? A Gadys Bluff.
Q Are you a citizen of the Cherokee Nation? A Yes, sir.
Q Do you know the applicant here, Irena Dick? A Yes, sir.
Q How long have you known her? A Oh, known her for 50 years.
Q Did you know her mother? A Yes, sir.
Q What was her mother's name? A Polly.
Q Polly what? A Dick.
Q Did Polly Dick ever go by any other name besides Polly Dick?
A Yes, sir.
Q What? A Polly Cox.
Q Well, did she ever go by any other name? A Yes.
Q Well, what was it? A Collins.
Q Polly Collins? A Yes, sir.
Q Did she ever go by any other name? A Not that I know of.
[illegible]
Q Did you ever know her by the name of Johnnyeake? A That was her maiden name.
Q Her maiden name was Johnnyeake? A Yes, sir.
Q Did you know a woman named Collins? Polly Collins? A No, sir.
Q You know her as Polly Collins? A Yes, sir.
Q Is she the mother of the applicant? A Yes, sir.
Q Is she a citizen of the Cherokee Nation? A Yes, sir.
Q Do you know the reason why Irena Dick's name is not on the roll of 1880? A No, sir.
Q Where was she born? A Born in the Cherokee Nation.
Q Lived here all her life has she? A Yes, sir.
Q Is she married? A No, sir.
Q Why does she go by the name of Irena Dick? A Her father's name was Dick.
Q Was her father and Polly Collins ever married? A Yes, sir; married in Kansas.
MR. BAUGH: Does Irena Dick's mother's name appear upon the roll of 1880? A I don't know about that.
Q But she came here with the Delawares? A Yes, sir.
Q Did she sign the Delaware roll? A Who is that?
Q The mother of this woman? A Yes, sir.
Q Where was she married at, you say this girl's mother? A In Kansas.
Q How long did she live in Kansas after she was married?
A Well, I couldn't tell you that, not over three or four years.
Q Both four or five years? A Yes.
Q Well, you [illegible] came here in 1880 did you not? A Yes, sir.
Q [illegible] A I don't know.
Q [illegible] A I think she [illegible]
Q [illegible] A Yes, sir, she came to [illegible]

Q Did she ever go to school anywhere out of the country?
A Yes, sir, she went to the Riverside School.
Q Did she ever go outside, go to [illegible]? A I don't know.
Q Have you known her continuously here in the country? A Yes, sir.
Q Has she been living here all the time? A Yes, sir.
Q Never was away from here? A No, sir.

MARTHA COWLEY, being duly sworn and examined by Commissioner Needles, testified as follows on part of applicant:
Q What is your name? A Martha Cowley.
Q How old are you? A 58.
Q What is your post office address? A Claremore.
Q Are you a Cherokee citizen? A No, sir, I am a Delaware.
Q Do you know the Applicant here, Irena Dick? A Yes, sir.
Q How long have you known her? A Ever since she was born.
Q What was her mother's name? A Polly Johnnycake first and afterwards she married a Dick and afterwards married a Cox, and afterwards married Collins.
Q When did she marry Collins? A I could not tell you, it was been a good many years.
Q Did you ever know a woman named Polly Manley? A No, sir.
Q Was this girl born and raised here in the Cherokee Nation?
A Yes, sir, she was born '68, 29th of June.
Q Where? A There close to that Spencer creek.
Q She was the daughter of Polly Johnnycake? A Yes, sir.
Q Who was Polly's last husband? A Collins.
Q Did she ever have a sister named Amanda? A I believe she did.
Q Is she living, A Yes, sir.

IRENA DICK, the Applicant, being sworn and examined by Commissioner Needles, testified as follows:
Q Did you have a brother? A Yes, sir, but they are not living.
Q Did you have any sisters? A Yes, sir.
Q What are their names? A I have one half sister named Elmira, Elmira Collins was her maiden name, and one Amanda.
Q Is Amanda living? A Yes, sir.
Q Half sisters of yours? A Yes.
Q Was your mother Polly the mother of you and your half sisters?
A Yes, sir.
MR. BAUHG: How old is Elmira? A Elmira is 33 years of age.
COM'R NEEDLES: Elmira is living is she? A Yes, sir, she is living.
Q What was her name before she was married? A Her right name should have been Manley but she was called by the name of Collins.
Q How did this name of Mansley get into the testimony? A I don't know, he went by the name of Manley.
Q Who went by the name of Manley? A Cullom, the father of these children.
Q Cullom was your father? A No, sir, Dick was my father.
Q He was your stepfather? A Yes, sir.
Q And he sometimes went by the name of Manley? A Yes, sir.
Q Is Elmira younger or older than Amanda? A Elmira is older; Amanda is the youngest.
MR. HASTINGS: Cherokee Representative.
Q Have you lived in the Cherokee Nation all your life? A Yes, sir, I have.
Q And this Amanda is your half sister? A Yes, sir.
Q And this Polly is the same mother of you and Amanda? A Yes, sir.
Q You and Amanda had different fathers? A Yes, sir.
Q You always went by the name of Dick? A Yes, sir.
Q How old are you now? A I am 33 years of age.

1896 Authenticated roll of Cherokee citizens, [illegible] and name of applicant's father [illegible]

[illegible]

applied for enrollment, [illegible]
1900, and was living [illegible]
card #18. She presents [illegible]
[illegible] daughter of Polly [illegible]
the authenticated roll of 1880 [illegible]
or Amanda Collins, whose name appears upon [illegible]
roll of 1880, according to the page and [illegible]
as indicated in the testimony [illegible] by the [illegible]
The testimony points to the fact that said Polly [illegible]
should have been listed for enrollment as Polly [illegible]
and she is sometimes known as Polly [illegible]
[illegible] satisfactory proof as to relationship [illegible]
testimony and the [illegible] testimony points strongly to the
fact that the said Irene Dick is the daughter of said [illegible]
Collins, whose name appear upon the authenticated roll of
1880, and half sister of Amanda, whose name also appears
upon said roll, according to the page and number as indicated
of. These facts are satisfactory to the Commission, and
said Irene Dick should be listed for enrollment as a Delaware by blood.

The testimony taken now will be made part of the record in the case at bar.

---oooOOOooo---

J. O. Rossum, being first duly sworn, states that he [illegible] reporter to the Commission to the five Civilized Tribes, [illegible] recorded the testimony and proceedings in this case, [illegible] foregoing is a true and complete transcript of his [illegible] notes thereof.

Subscribed and sworn to before me this October 13th, 1914.

Commissioner.

D1018



DRAFT

DEPARTMENT OF THE INTERIOR
UNITED STATES

---oooOooo---

ACTING CHAIRMAN



Cherokee-Delaware D - 18

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES. T.H.L. for R

In the matter of the application for the enrollment of Irena Dick as a citizen of the Cherokee Nation of Delaware blood.

D E C I S I O N.

--oOo--

The record in this case shows that on October 18, 1900, Irena Dick appeared before the Commission at Nowata, Indian Territory, and made application for the enrollment of herself as a citizen of the Cherokee Nation of Delaware blood. Further proceedings in the matter of said application were had at Nowata, Indian Territory, on June 24, 1901, and at Vinita, Indian Territory, on October 25, 1901.

The evidence shows that Irena Dick is the daughter of Jacob Dick, a Delaware Indian, whose name appears upon the Register of Delawares who removed to the Cherokee Nation pursuant to the provisions of the Cherokee-Delaware agreement of 1867, and Polly Dick, a Delaware Indian, whose name also appears upon the Register of Delawares who removed to the Cherokee Nation. Irena Dick cannot be identified on the Cherokee authenticated tribal roll of 1880, but her mother, and her half sister, Amanda Cullen, are identified on that roll. Irena Dick is identified on the Cherokee Census roll of 1890, on the Cherokee Census roll of 1896, and on the Delaware Pay roll of 1896.

The evidence further shows that Irena Dick was born in the Cherokee Nation and has lived there all her life.

It is, therefore, the opinion of this Commission that Irena Dick should be enrolled as a citizen of the Cherokee Nation of Delaware blood in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this DEC 10 1902

IN RE
THE DEATH OF
Irene Dick
A CITIZEN OF THE
Cherokee Nation

Approved June 13 1907

Commissioner

FILED

JUN 12 1907

COMMISSIONER,

In the matter of the death of Irene Dick

a citizen of the Cherokee Nation, enrolled as a

Nowata (Give town name of post office) Ind. Ter., who died on the 9 day of

November, 1906

AFFIDAVIT OF RELATIVE

Western Dist
Ind. Ter.

I, Frank L. Hill, on oath state that I am 31 years of age and a citizen, by U. S. Nation; that my postoffice address is Nowata (Give town name of postoffice) Ind. Ter.; that I was personally acquainted with Irene Dick (State relationship: as the father; or mother; or guardian, etc.) (Give full name of deceased) who was a citizen, by blood, of the Cherokee Nation and that said Irene Dick died on the 9 day of November, 1906

Witnesses to Mark: Frank L. Hill

Subscribed and sworn to before me this 12th day of June, 1907

John E. Tidmel
Notary Public.

AFFIDAVIT OF ACQUAINTANCE

Western Dist
Ind. Ter.

I, C. I. Weaver, on oath state that I am 31 years of age, and a citizen by U. S. Nation; that my postoffice address is Nowata (Give town name of postoffice), Ind. Ter.; that I was personally acquainted with Irene Dick (Give full name of deceased) who was a citizen, by blood, of the Cherokee Nation, and that said Irene Dick died on the 9 day of November, 1906

Witnesses to Mark: C. I. Weaver

Subscribed and sworn to before me this 12th day of June, 1907

John E. Tidmel
Notary Public.

Vol 1081 f 18

COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH.
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING
Delaware 3-10

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, March 3, 1902.

Miss Irene Dick,

Nowata, Indian Territory

Madam:-

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

March 22, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application., that you may deem necessary.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Register.

Copy to W.A.Chase
Nowata, I.T.

Acting Chairman.
Commissioner in Charge.

COPY.

Muskogee, Indian Territory, December 23, 1902.

W. W. Hastings,
Attorney for Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 10, 1902, granting the application of Irena Dick for the enrollment of herself as a citizen of the Cherokee Nation of Delaware blood.

You are advised that you will be allowed fifteen days from date hereof in which to file such protest as you desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Acting Chairman.

Enc. E-202.

Kolonia, Ponape Territory.

Dear Madam:-

There is herewith enclosed a copy of the decision of the Commission in the Five Civilized Tribes, dated December 18, 1936, granting your application for the enrollment of [redacted] as citizen of the Cherokee Nation of Indians.

Respectfully,

Terrell Duffy,
Acting Chairman.

Enc. M-194

Register.

Attorney for Tribal Delg.

Muskogee, Indian Territory.

Dear Sirs:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 19, 1906, granting the application of Grace Berry for enrollment of herself as a citizen of the Cherokee Nation by blood.

Respectfully,

Tams Bixby,
Acting Chairman.

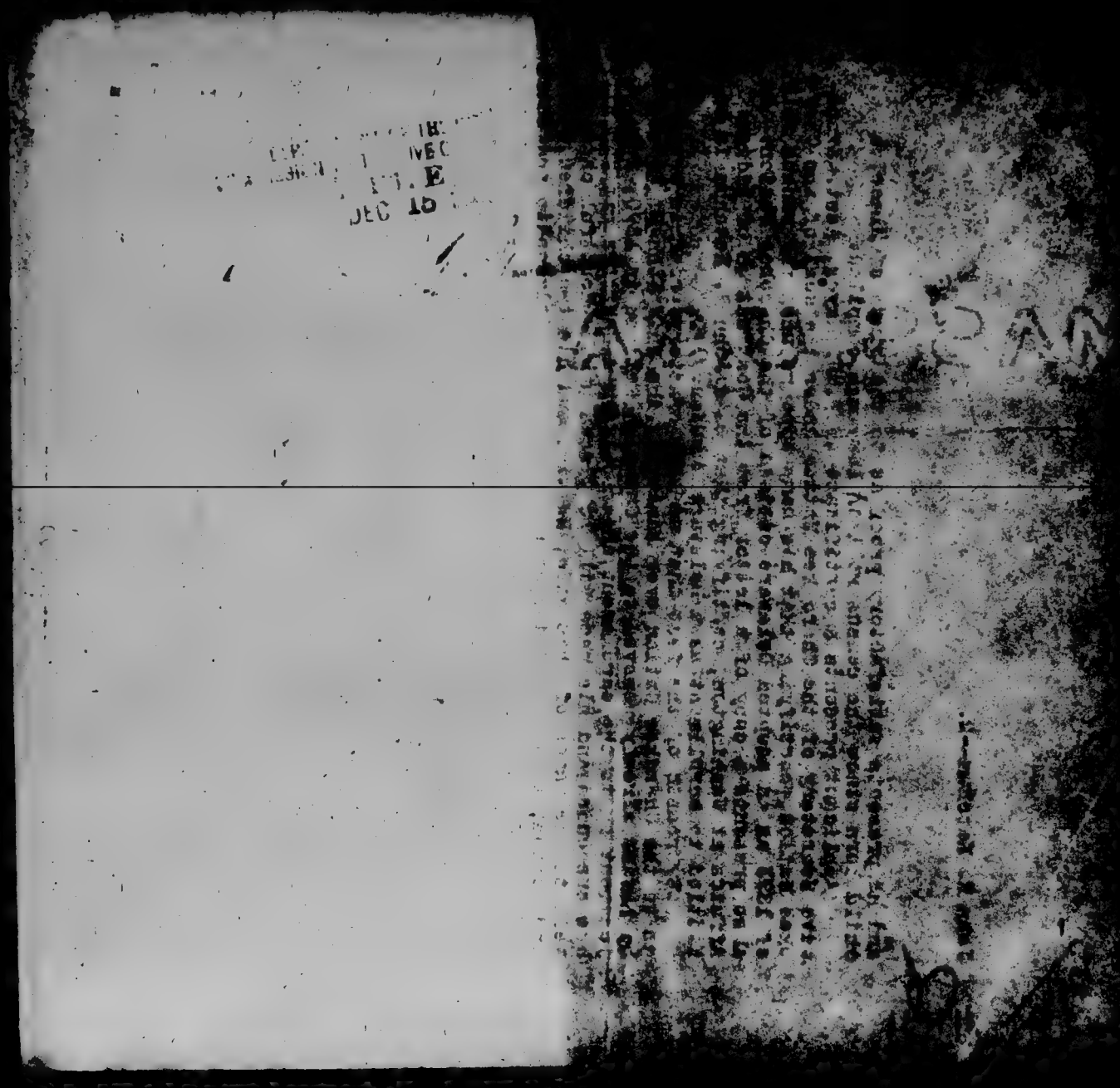
Enc. M-2134

Register.

Cherokee 10701

Daisy Ketchum Dec'd

Transferred from Delaware Co. 3/1/(OS)



(4)

DELAWARES.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
TAHLEQUAH, I.T., DECEMBER 15th, 1896.

In the matter of the application of John Redman Ketchum for enrollment of himself, wife and children as citizens by blood of the Cherokee Nation; said Ketchum being sworn and examined by Commissioner Needles, testified as follows:

Q What is your name? A John Redman Ketchum.
Q What is your age? A 34.
Q What is your post office? A Allowe.
Q What district do you live in? A Saccoweeyeeowee district.
Q Are you a recognized citizen of the Cherokee Nation? A By adoption.
Q Who do you want to enroll? A I want to enroll myself and family.
Q Have you any proof of marriage? A Yes, sir.
Q Have you any marriage license? A The person that married me did not have any blanks and he did not give me any and he died before I get it from him. I am a Delaware Indian.
Q Have you got any proof here of your marriage? A No, sir.
Q What is the name of you r wife? A Hattie.
Q Is she a citizen by blood? A No, sir.
Q What was her name before you married her? A Pittsenbarger.
Q What is her age? A 33.
Q When did you marry her? A Married in '92.
Q What is the name of your children? A Daisy:
Q How old is Daisy? A Five years old.
Q What is the name of the next one? A Bertha.
Q How old is Bertha? A Four.
Q The next child? A Elmer.
Q How old is Elmer? A He is two years old.
Q Have you any proof of birth as to these young child? (Hands paper to COM'R.)

Applicant:--I am not on the 1880 roll.

Q You have got no certificate that you were admitted as a Delaware at all, you have got no proof of marriage? (No response.)
Q How long have you livedin the Cherokee Nation? A I have lived in the Cherokee Nation ten years.
Q Where did you live before that? A I was raised in Missouri until I was 18, then I went out West.
Q You never came to the Cherokee Nation until about ten years ago? A No, sir.

BY W. W. HASTINGS, Cherokee Representative:

Q You are now about 34 years of age? A Yes, sir.
Q Have you lived here since the 18th day of February, 1891? A Yes, sir.
Q All the time? A Yes, sir.

1896 Roll; page 374, #378, John R. Ketchum, Coowessecowee.
1896 Roll; page 312, #365, Hattie Ketchum, "
1896 Roll; page 374, #380, Daisy Ketchum, "
1896 Roll; page 374, #381, Bertha Ketchum, "

BY COMMISSIONER NEEDLES:

Q You say you have got no documentary proof of your marriage, no certificate or anything of the kind? A No, sir.
Q Why did not you get that? A Preacher Hadley did not have any blanks when he married us and he died before he filled them out.
Q Anybody here that saw you married? A No, sir.

Com'r Needles:--The name of John R. Ketchum appears upon the census roll of 1896, and he avers that he is a Delaware by blood. The name of his wife, Hattie, appears upon the census roll of 1896. He avers that he was married to her, she being a white person, in the year 1892, but presents no proof of his marriage. The names of the children, Daisy and Bertha, appear upon the census roll of 1896.

and his proof of satisfactory proof as to the birth of Edna R. child [illegible] the census roll of 1896 was dismissed.

Applicant presents a certificate of V. E. [illegible] Clerk of the [illegible] Court of Delaware County, Oklahoma, certifying that [illegible] appeared before him and made proof of the death of Nancy Ritchie, wife of the [illegible] on or prior to May 28, 1902, and a letter from the Secretary of the Interior to the Commissioner of Indian Affairs at Washington, certifying that said John R. Ritchie is entitled to enrollment as a Delaware Indian.

By reason of the fact that he satisfactory proof as to the Cherokee Nation ever admitting the said John R. Ritchie having already removed to the Cherokee Nation on or before May 28, 1902, judgment as to the enrollment of himself as a Cherokee citizen should be suspended and his name will be placed upon a doubtful roll, as well as the names of his wife, Hattie, and his two children, Edna and Bertha, awaiting satisfactory proof as to citizenship and satisfactory proof as to marriage.

---oooOOOooo---

SUPPLEMENTAL TESTIMONY: The Applicant further testified:

INTERROGATORIES BY W. W. HASTINGS, Cherokee Representative:

Q Did your wife apply to the Dawes Commission in 1896? A No, sir, her father was a claimant.
Q She was not included? A I do not know whether she was included or not.
Q Did you authorize the inclusion of her name? (No response.)
Q Did you help pay any expenses? A No, sir.
Q Did you authorize anyone to employ any attorney? A No, sir, I never had anything to do with it.
Q Did you authorize any one to use the name of your wife? A No, sir.
Q Did you draw Delaware money in 1894? A Yes, sir, I have drawn ever payment since '90.

---oOoOOOooo---

J. O. Rossen, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

J. O. Rossen

Subscribed and sworn to before me this 15th day of December, 1909.

[signature]

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
DEC 13 1900

ACTING CHAIRMAN.

Department of Applicants Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date DEC 18 1900 190

(34) Name John R Ketchum Allowed Ind Ty

District COOWEESCOOWEE Year 1896 Page 374 No. 379

Citizen by blood yes Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

(35) Wife's name Hattie [illegible]

District [illegible] Year 1896 Page 374 No. 379

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License County

Names of Children:

3 Daisy Ketchum	Dist. COOWEESCOOWEE	Year 1896	Page 374	No. 380	Age 5
4 Bertha "	Dist. COOWEESCOOWEE	Year "	Page 374	No. 381	Age 4
5 Elmer	Dist.	Year	Page	No.	Age 2
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

1 on 1896 roll as John R Ketchum
2 " " " Daisy " "
3 " " " Bertha " "

5 Birth affidavits to be supplied
Proof of marriage between No 1 and his wife Hattie Ketchum to be supplied also further proof of Citizenship etc. Not to issue

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T., JANUARY 31st, 1901.

SUPPLEMENTAL TESTIMONY in the matter of the application of John R. Ketcher, D. Card #[illegible]

William W. Nicholas being sworn and examined by Commissioner T. B. Needles, testified as follows:

Q What is your name? A William W. Nicholas.
Q How old are you? A Thirty-six.
Q What is your post office address? A Allusee.
Q Do you know John R. Ketcher? A Yes, sir.
Q How long have you known him? A I have known him about twelve or thirteen years.
Q Do you know his wife? A Yes, sir.
Q What is her name? A Hattie, it used to be Littenberger.
Q Do you know whether they were ever married or not? A Yes, sir, was present at the ceremony.
Q Who married them? A The Rev. Charles Journeycake.
Q When was that? A Second day of September, 1896.
Q How do you recollect it so well? A I do not know that that was the exact date, but I was present at their marriage.
Q Is she living? A Yes, sir, she is living.
Q Have they been living together continuously since they were married? A Yes, sir, to the best of my knowledge and belief they have.

MRS. WILLIAM NICHOLAS, being sworn and examined by Commissioner T. B. Needles, testified as follows:

Q What is your name? A Mrs. William Nicholas.
Q How old are you? A Thirty-two.
Q What is your post office address? A Allusee.
Q Do you know John R. Ketcher? A Yes, sir.
Q Do you know his wife? A Yes, sir.
Q Do you know whether she was ever married or not? A Yes, sir, was at her wedding.
Q Married to whom? A John R. Ketcher.
Q Do you recollect about what time that was? A It was in September to the best of my knowledge.
Q About what year? A '96.
Q Have they been living together as man and wife since then? A Yes, sir.

The undersigned, being sworn, states that as Stenographer to the Commission to the Five Civilized Tribes, he reported the foregoing testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 2nd day of January, 1901.

Commissioner.



8.

1202-21

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 13 1900

ACTING CHAIRMAN

John R Ketcham

James McKeen et al

this the 3rd day of June

J. R. McKay

United States Indian Service.

UNION AGENCY,

MUSCOGEE, IND. TER., May 24, 1895.

Mr. J. E. Campbell,
Al-lu-we, Ind. Ter.

Sir:

Inclosed, herewith, I send you certified copies of the papers on which John R. Ketchum was admitted as a Delaware Indian.

Mr. Ketchum's address being unknown to me, the papers are sent to you with the request that you hand the same to him.

The Indian Office advises me that as Mr. Ketchum is an Indian, no charge is made for the said certified copies.

Very respectfully,

Dan M. Browning

U. S. Indian Agent.

When these papers have been received please acknowledge receipt.

Inclosures.

W.P.W.

F. Del. D 2.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 13 1900

ACTING CHAIRMAN

RECORDED,

IN CASE OF

Wm L Ketchum, Plaintiff.

vs.

Jas G Mekin et al Defendants

Filed in this office this the 22nd day of May 1895

Jos McLaughlin Clerk.

RECORD,

IN CASE OF

Jno G Ketchum Plaintiff.

vs.

Jas G McKinney et al Defendant

this the 22nd day of May 1895

Joe McSparyan Clerk.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 13 1900

ACTING CHAIRMAN

A. Dec. 29

[redacted]

Washington, February 14,

Lee M. Bennett,
U.S.Indian Agent,
Union Agency, I.T.

Sir:

The affidavits, certificates, &c., submitted by you under date of 29th. November last, and 7th. instant, are believed to be sufficient to establish the right of John Redmond Ketchum to ~~be enrolled as a Delaware Indian, and in view of your recommendation, and the~~ request of the three headmen of the tribe, you are hereby authorized to enroll said Ketchum with the Delawares, and to allow him his share in the payment for 3rd. and 4th. quarters,1890, and in future payments of annuity to the Delawares.

A note should be made on the pay roll opposite Ketchum's name, referring to this latter.

Respectfully,

T. J. Morgan,
Commissioner.

W.S.S.

COPY.

I hereby certify that the above is a true copy of the original on file at this Agency.

[redacted], I.T., May 15,1896.

2 4.

Vol. D 21

IN CASE OF

John R Ketchum Plaintiff

James McClure
Henry Amelon Defendants

this the 3rd day of June 1900

John Sabon Clerk

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 13 1900

ACTING CHAIRMAN

Department of the Interior,

OFFICE OF INDIAN AFFAIRS,

Washington, May 21st, 1895.

I, Thomas P. Smith, Acting Commissioner of Indian Affairs, do hereby certify that the papers hereto attached are true copies of the originals as the same appear of record in this Office.

In testimony whereof, I have hereunto subscribed my name, and caused the seal of this Office to be affixed, on the day and year first above written.

Thos. P. Smith

Acting Commissioner.

UNITED STATES INDIAN SERVICE,

Union Agency,

Muskogee, I.T., Nov. 29th, 1880.

The Hon.

The Commissioner of Indian Affairs,

Washington, D. C.

Sir:-

I have the honor to transmit herewith affidavits of Jesse Sullivan and W. P. Youngblood relative to the status of the citizenship in the Late Delaware tribe of Indians, of John Redmond Ketchum. These affidavits are accompanied by the certificate of two of the three headmen of said tribe, that the John Redmond Ketchum who now claims rights as a member of said tribe, is the [illegible] person referred to in the affidavits, and whose name appears on the Delaware Roll as incorporated into the Cherokee Nation, and we ask that the said John Redmond Ketchum's name be placed upon the Annuity Roll of the said Delaware tribe of Indians, and that he be paid his share of the Annuity Payment for the 3rd & 4th quarters of 1880, and participate in future payments.

The other headman is not satisfied that the [illegible] the son of Jesse Ketchum who was [illegible] with the alleged [illegible] and the [illegible]

[illegible]

[illegible] Natural Resources Upon the Reservation.

This matter is respectfully submitted for your consider-

ation and instructions.

Very respectfully,
Your obedient servant,

Leo. E. Bennett,

U. S. Indian Agent.

Morris
Clerk.

3 Enclosures.

Al-lu-we Ind. Ter.,

Nov. 18th, 1890.

We the undersigned, Chiefs, Counsellors and Headmen of the late Delaware tribe of Indians hereby certify that John Redmond Ketchum has been duly recognized and acknowledged as a member of the late Delaware tribe of Indians and entitled to participate in the annuities, and all the rights, privileges and immunities of said tribe. That he is the son of Jonas Ketchum and Mrs. Jane Cornet who is a white woman who were married in Kansas, who separated when the child John Redmond Ketchum was three years of age, the mother taking the child. That the names of both Jonas Ketchum and John Redmond Ketchum appear on the rolls of the Delaware tribe as incorporated with the Cherokee Nation, that the Cherokee Nation received payment for both Jonas Ketchum and John Redmond Ketchum. That during his long absence with his mother the name of John Redmond Ketchum was dropped from the rolls. We hereby direct that his name be restored to the rolls and that he be paid his share of the Annuity payment made by Lee. R. Bennett U. S. Indian Agent Union Agency, I. T., this 18th day of November 1890, and all succeeding payments to be made, and otherwise entitled to all rights and privileges as a member of the late Delaware tribe of Indians.

Charles Journey [illegible]

Captain [illegible]

I the undersigned, one of the Business of the Late Delaware tribe of Indians hereby certify that I am not acquainted with the facts as above set forth, relative to the identity of John Redmond Ketchum, but I have no objection to acknowledging the rights of the said John Redmond Ketchum and receiving him into the said tribe of Delawares, and enjoying all the rights and privileges of said tribe.

I further certify that whenever the claimant identifies himself to me as the son of Jonas Ketchum who was a member of the late Delaware tribe of Indians as above set forth, I will be willing to acknowledge the said John Redmond Ketchum as a member of the said Delaware tribe of Indians and entitled to participate in the annuities and other rights, privileges and immunities of such citizenship.

Silas H. Conner.

State of Arkansas :

County of Carroll :

W. P. Youngblood being duly sworn deposes and says that I am well acquainted with John Redmond Kitchum that he is a half brother of mine that I have known him since his birth twenty five years, I am a son of Wm. Youngblood that my Father and Mother separated and that my Mother and Jonas Kitchum afterwards married and that John Redmond Kitchum mentioned was the fruits of said marriage that he is the only son and heir of Jonas Kitchum that John Redmond Kitchum is now a resident of Allowee Indian Territory.

Attest Len Nunnally
N. C. Charles

his
W X P Youngblood
mark

Sworn and subscribed to before me this Oct. 23rd 1896.

Len Nunnally Clerk
Carroll Circuit Court.

Seal.

State of Arkansas :

County of Carroll :

Jane Sullivan being duly sworn deposes and says she is the wife of Roger Sullivan and the Mother of John Redmund Kitchum who is a resident of Allowan Indian Territory that the said John Redmund Kitchum is the son Jonas Kitchum who was my husband of a former marriage that John Redmund Kitchum was born Sept. 15th 1868. on the Delaware Reservation near Leavenworth Kansas, and that he is the only son and heir of Jonas Kitchum.

Attest Len Nunnally

N. C. Charles

her
Jane x Sullivan
mark

Subscribed and sworn to before me this Oct. 23rd 1890.

Len Nunnally Clerk

Carroll Circuit Court.

Seal.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
DEC 13 1900

ACTING CHAIRMAN.

Department of the Interior,

OFFICE OF INDIAN AFFAIRS,

Washington, May 20th, 1895.

I, Thomas P. Smith, Acting Commissioner of Indian Affairs, do hereby certify that the papers hereto attached are true copies of the originals as the same appear of record in this Office.

In testimony whereof, I have hereunto subscribed my name, and caused the seal of this Office to be affixed, on the day and year first above written.

Thos. P. Smith

Acting Commissioner.

UNITED STATES INDIAN SERVICE,

Union Agency,

Muskogee, I.T., Feby. 7th, 1891.

The Hon.

The Commissioner of Indian Affairs,

Washington, D. C.

Sir:-

Referring to Office Letter "A" 37123-90, dated Dec. 6, 1890, in reply to Agency Letter dated Nov. 29, 1890, relative to the claim of John Redmond (Redman) Ketchum, to annuity as a Delaware, I have the honor to transmit additional evidence as to his identity-to wit-the affidavit of Suze Miller, who knew the parents of the said John Redman Ketchum in Kansas, and is familiar with the circumstances attending the marriage and separation of the claimants parents, and the birth of the claimant, and the failure of the claimants father to secure possession of the child after their departure from Kansas; also, a statement signed by nine of the older members of the tribe, asserting their belief that the claimant is the son of Jonas Ketchum, whom they knew in Kansas as a member of the Delaware tribe of Indians and who afterward removed to the Cherokee Nation, and giving their reasons for this belief, and the certificate of Charles Journey cake, one of the Headmen of the Delaware tribe that the names of Jonas Ketchum and John Redman

appear upon the original roll of Delawares who elected to remove from their reservation in Northern Kansas to the Cherokee Nation, their numbers being 743 and 744 and that John Redman is the son of Jonas Ketchum. The evidence heretofore presented by the claimant and transmitted to you in my letter of Nov. 29th was satisfactory proof of his identity and right to participate in the Delaware Annuity, so far as two of the three representative headmen were concerned, and a letter from Silas H. Conner the remaining and dissenting headman states that the additional evidence herewith submitted is satisfactory, and sufficient to remove his objection. His letter is also enclosed.

As the representative headmen of the tribe have, after a careful investigation, unanimously recommended that the name of John "Redman" Ketchum be restored to the Delaware Rolls and he be permitted to share in the Annuities paid to said tribe, I respectfully recommend that I be instructed to place his name upon a supplemental roll, and pay him his share of the Delaware Annuity for the 3rd and 4th quarters 1890, and of such succeeding payments as may be made hereafter.

Very respectfully,
Your Obedient servant,

Leo. E. Bennett,
U. S. Indian Agent.

Morris
Clerk

4 Enclosures.

Alleowe Ind. Ty.,

December 31, 1890.

Hon. Leo E. Bennette

U.S. Indian Agent

Muskogee Ind. Ty.,

Sir:

The undersigned members of the late Delaware Tribe of Indians resident in the Cherokee Nation I. T. were personally acquainted with Jonas Ketcham, deceased, a Delaware by blood and a bonefede member of the said Tribe, who died in the year 1869. Prior to our removal here he was married to Mrs Jane Cornet, and they lived together as husband and wife for about two years and a half, during which time they had a son who was enrolled with his father on the original roll of the Delawares who elected to remove to the Cherokee Nation, His name was John Redman Ketcham, and he was about three years old when his father come with us to this country, this boy was kept by his mother who had separated from his father. The said John Redman Ketcham has recently come among us and asks to be reinstated in the Tribe. We firmly believe that he is the identical John Redman Ketcham, the son of Jonas Ketcham. We reach our conclusions from our personal recollection of him, from his strong resemblance to his father and his fathers family, and from his own statements and from sworn statements made by his mother and others which we respectfully submit.

Being fully convinced of his [illegible] we ask that he be reinstated on the Delaware roll.

Charles Journey [illegible],

Alla x Kenney,

William Adams,

John V. Kinney,

Eliza Kinney,

John W. x Short,

Wm. H. x Harwood,

Thompson x Smith,

Sarah Fields.

Vinita, Ind. Ter'y.,

Feb. 6-1891.

Leo. E. Bennett, U. S. Agent,

Muscogee, I. T.

Sir; judging from the sworn statement made by Suse Miller it is convincing to my mind that John Redman Ketchum is the identical person he claims to be - a son of Jonas Ketchum a delaware indian (dec'd.) who was enrolled with the Delaware Tribe and who moved to the Cherokee Nation from Kansas. The sworn statement of his Mother in your possession is additional evidence in his favor, also her lawful marriage to Jonas Ketchum. With the above evidence referred to above now in your possession you can enroll him on the Delaware Annuity Roll.

I remain your Friend

Silas H. Connor.

One of Head men of Delaware Pay'mt.

This is to certify that there appears on the Original roll of the Delawares who elected to remove from their reservation in Northern Kansas to the Cherokee Nation, the names of Jonas Ketcham and John Redman, which names are numbered 743 and 744 respectively. I also certify that the name John Redman should have been John Redman Ketcham as he is the son of Jonas Ketcham.

Charles Journey cake.

This certifies that Charles Journey cake signed the foregoing statement in my presence on this the 21st day of Jany. A. D. 1891.

J. E. Campbell

U. S. Commissioner.

Seal.

Alleowe, Ind. Ty.,

Jany. 15th, 1891.

Personally appeared before me J. E. Campbell a U. S. Commissioner for the Western District of Arkansas Suse Miller who states under oath as follows: That he is a member of the Delaware Tribe of Indians, that his name appears upon the original roll of the Delawares who elected to remove from their former reservation in Northern Kansas to the Cherokee Nation and that he is 53 yrs. of age, that about the year 1860 he became acquainted with Jonas Ketcham a Delaware Indian and member of the Delaware Tribe of Indians, that during the year 1865 said Jonas Ketcham and Jane Cornett were living together as man and wife, that in the year 1867 there was born to them a son who was named John Ketcham, that about six months after his birth the parents were separated, that the mother kept the child, that he was sent by Jonas Ketcham to get the child from its mother, that he made under instructions of Jonas Ketcham two trips for that purpose but the mother refused to give him up, yet stated that it was Jonas Ketchams child and that if he would come himself he could have him that he had not seen John Ketcham since his infancy until about one year ago, that he fully believes that the John Redman Ketcham who now claims to be the son of Jonas Ketcham is the identical John Ketcham that he knew in his [illegible] and that he is a bonafide Delaware Indian and as such is [illegible]

A.

No. 2 D 21

In the matter of the application of

John R Ketchum Petitioner

James McKenzie

Henry Armstrong

for the 3rd June 1893

from Sarah

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
DEC 13 1900

ACTING CHAIRMAN

to all the rights of a member of the Eufaula [illegible] and [illegible]
[illegible] is him a strong recommend to John Hester and Jenny Hill,
[illegible] family, that he is not related to any of the parties and has
no interest in the matter envolved.

Attest
J. E. Campbell
Wm. Adams

Suse Miller his X mark.

Sworn to and subscribed before me on this the 19th day of Jany. A. D. 1891.

J. E. Campbell
U. S. Commissioner.

Seal.

Refer in reply to the following:
"A"
37123-90
5313-91

Department of the Interior,

OFFICE OF INDIAN AFFAIRS,

WASHINGTON, February 14, 1891.

COPY

Leo E. Bennett,
U. S. Indian Agent,
Union Agency, I.T.

Sir:

The affidavits, certificates, etc., submitted by you under date 29th November last and 7th instant are believed to be sufficient to establish the right of John Redmund Ketchum to enrollment as a Delaware Indian, and in view of your recommendation, and the request of the three headmen of the tribe, you are hereby authorized to enroll said Ketchum with the Delawares, and to allow him his share in the payment for 3rd and 4th quarters, 1890, and in future payments of annuity to the Delawares.

A note should be made on the pay roll opposite Ketchum's name, referring to this letter.

Respectfully,

(Signed) T. J. MORGAN,
Commissioner.

W.S.S.

Delaware
Roll 351

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
DEC. 14 1900

ACTING CHAIRMAN

Case.

Henry Armstrong
vs.
James Meyhlin, admr

This suit instituted in Commissioners District Circuit Court for the possession of a certain improvement as described in the Citation — was tried Sept. Term of said Court 1892.

In the pleading in the Circuit Court defining the issue between the parties to this suit the record shows that Plaintiff alleges that he is the lawful owner of said improvement, having purchased the same from Betsey Ann Arnold on the 17th day of Jan. 1891, as shown by a certain bill of sale a Copy of which was filed with the Clerk at the time of the institution of this suit.

To this allegation, defendant answers and denies that plaintiff is the lawful owner of said improvement in question and further denies that he purchased said improvement from Betsey Ann Arnold — Plaintiff further alleges that the aforesaid Betsey Ann Arnold is the only law heir to said improvement [illegible]

the niece of the said Samuel P. Ketchum to whom the place belonged to during his life time.

To this allegation defendant answers and denies that Betsy Ann Arnold is the only heir to said place. Plaintiff further alleges that although the Constitution will allow and the administration has been running more than nine months the said Meyhlin declins to turn the place over to the heir as provided in Sec 12, of Art. 1, Chap 9 of the Cherokee laws.

This allegation of Plaintiff, defendant denies that he refused to turn the place over to the heir for the reason that they have never asked for it, Defendant admits the location of the improvement in question.

In the examination of the evidence offered by Plaintiff in support of his first allegation we find a bill of sale from Betsy Ann Arnold to Plaintiff dated Jan. 17th 1891, duly witnessed by three subscribing witnesses. Defendant in his answer does not a

this bill of sale as fraudulent or not genuine in any way but simply denies that plaintiff bought the place from Betsy Ann Arnold

The Court is of the opinion that this bill of sale is Prima facie evidence of title in plaintiff to defendant as administrator, as the plaintiff being the assignee of Betsy Ann Arnold to her interest as heir to said improvement. Defendant admits by his answer that Betsy Ann Arnold is one of the lawful heirs to said R. P. Ketchum's estate and in his testimony attempts to show that one, John R. Ketchum is also a lawful heir to said estate, but the evidence in relation to John R. Ketchum goes to establish the fact in the opinion of this Court that the aforesaid John R. Ketchum is not, nor never has been a duly recognized citizen of the Cherokee Nation and therefore could not as heir hold any interest in any real estate in this Nation.

The Court finds from the evidence in this case that there is only one

to the estate of Samuel P. Ketchum who is the aforesaid Betsy Ann Arnold. The Court further finds from the evidence offered in the trial by defendant that defendant has failed to establish his right as administrator of the aforesaid estate to hold the possession of the improvement in question as against the assignee of Betsy Ann Arnold she being of lawful age at the time of making said bill of sale. This Court is of the opinion from all the facts in the case as appears upon the record that plaintiff is entitled to the possession of the improvement in question as between plaintiff and defendant without affecting the interest of third parties not parties to the record. The judgment of the Circuit Court is reversed and judgment against defendant and in favor of plaintiff, the assignee, for said improvement together with cost of this suit.

R. H. Whitemore, J.C.
R. W. Walker Asst. J.

Feb. 14th 1894

I Certify that the foregoing
4 pages is a correct Copy
Wm Eubank
Clk. Sup. Ct. L. Co.

To be filed in the Case of
John Redmond Ketchum
vs. Henry Armstrong
Filed Sept. 7th 1894
Wm. M. Lahay Clerk
By [illegible] D.C.

FILED

Jno R Peachee Plaintiff.

vs

Jas G Wickliffe et al Defendants.

This the 27 day of May 1

Wm M Gatlin Clerk.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 13 1900

...CORD,

IN CASE

Jno R. Ketchum Plaintiff.

vs.

Jas G. Mehlin Et al Defendants

this the 27nd day of May 1895

W C M Patty Clerk.

EXECUTIVE DEPARTMENT

CHEROKEE NATION.

Tahlequah, Ind. Ter., May 1st 189[illegible]

To whom it may concern:

I W.T. Mayes asst- Executive Secretary as hereby certify that the name of John R. Ketchum appears upon roll 3, of census of 1893. as an adopted Delaware citizen of the Cherokee ~~Nation~~

Given from under my hand and the seal of the Cherokee Nation this the 1st day of May 1895.

W.T. Mayes
Asst- Executive Secty C.N.

[redacted]

~~8952~~ 021

IN RE

Application for Enrollment of

INFANT CHILD

Ernest Nitcham

as a citizen of the

Choctaw Nation.

Approved Oct 31, — 1902

Commissioner.

Received July 1/1902

End B-79

FILED
AUG 15 1902

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Approved Oct 31, 1901

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Encl 68-79

COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

AUG 15 1902

ACTING CHAIRMAN

BIRTH AFFIDAVIT.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Cherokee Nation,

of Earnest Ketcham, born on the 18 day of March, 1902

(Here insert name of child)

Name of Father: John R Ketcham, a citizen of the Cherokee Nation.

Name of Mother: Hattie Ketcham, a citizen of the Cherokee Nation.

Post-Office: Alluwe I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
North District.

I, Hattie Ketcham, on oath state that I am 34 years of age and a citizen, by Adoption, of the Cherokee Nation; that I am the lawful wife of John R Ketcham, who is a citizen, by Blood, of the Cherokee Nation, that a male child was born to me on the 18 day of March 1902 that said child has been named Earnest Ketcham, and is now living.

(Male or female.)

Hattie Ketchum

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 28 day of June 1902

David G Elliott
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
North District.

I, Jane Sullivan, a midwife, on oath state that I attended on Mrs. Hattie C Ketcham, wife of John R Ketcham on the 18 day of March, 1902, that there was born to her on said date a male child; that said child is now living and is said to have been

(Male or female)

named Earnest Ketcham

Jane her X mark Sullivan

WITNESSES TO MARK:

(Must be Two Witnesses.) Joe L Williams

J. R. Ketchum

Subscribed and sworn to before me this 28 day of June 1902

David G Elliott
Notary Public.

[illegible] any one of them is stated to be nine years. The [illegible] the admission of the Indian Territory. The [illegible] that the fact, make application in [illegible] 1900 to the Commission [illegible] for enrollment as citizens of the Nation, but this application appears never to have been passed upon. It does not appear whether these applications were ever to the Cherokee Council or to the Council. The contention as exhibited by the master is solely upon the fact that they are Cherokees by blood.

The court is of the opinion that the judgment of the United States Commission should be affirmed, and that application of the claimants to be enrolled as citizens of the Cherokee Nation is denied

Endorsed as follows:

Louisa F. Trotter, et al
vs. No. 60.
The Cherokee Nation.

Report of Special Master.

[illegible]
[illegible]
[illegible] Winston,
[illegible].

The attorney for the [illegible] an brief.

The attorney for the [illegible] and the representative of the Cherokee Nation present submit [illegible], same is deemed completed and will be reported to the Commission for final decision based upon the evidence now of record.

R.

D. D-21. and D-698.

Department of the Interior,
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 28, 1902.

SUPPLEMENTAL TESTIMONY AND PROCEEDINGS in the matter of the application of John K. Ketchum for the enrollment of himself and children as Delaware Cherokees, and also in the matter of the application of Hattie Ketchum for enrollment of citizen of the Cherokee Nation.

Appearances:
E. B. Lawson, attorney for applicants.
W. W. Hastings, attorney for the Cherokee Nation.

The applicants in this case were notified by registered letter February 25, 1902, that their application for enrollment as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its office in Muskogee, I. T., on the 15th day of March, 1902. On said date the applicants appeared by their attorney E. B. Lawson, and by agreement the case was continued until the 22nd day of March, 1902. On said 22nd day called, as re-set the 22nd day of March, 1902, the applicants appear by their attorney, E. B. Lawson.

JOHN KENNAH KETCHUM, being first duly sworn, and being examined, testified as follows:

BY MR. LAWSON: State your name? A John Kenman Ketchum.
Q Where do you live? A Up in the Cherokee Nation.
Q How old are you? A I am thirty-five.
Q You are married? A Yes sir.
Q What is your wife's name? A Hattie.
Q Have you any children? A Two sir.
Q How long have you been living in the Cherokee Nation?
A I have been living there--I came in 1899, the latter part of December.
Q Have you been living here ever since? A Yes sir.
Q What was your father's name? A Jonas Ketchum.
Q Was he an Indian? A Yes sir.
Q What kind of an Indian? Cherokee, Delaware, Shawnee?
A Delaware.
Q Where were you born? A Born in Kansas.
Q What place in Kansas?
A Up on the Indian Reservation there, Leavenworth.
Q Is your mother living? A Yes sir.
Q Is she present here today? A Yes sir.
Q Is she an Indian or a white woman? A She is a white woman.
Q At the time the Delawares came to the Cherokee Nation in 1866, were you brought along with them? A No sir.
Q Did your mother come with your father?
A No, she was with me a while here about six years ago and stayed a month and went back to her home. Her home is in Missouri.
Q. Did you know Lehon Ketchum? A Yes sir.
Q Where did he live when you knew him?
A Up there on the place I am occupying now.
Q What relation was he of yours? A Uncle.
Q Did you know your father, Jonas?
A No sir, I was too small. I don't remember anything about him.

2.

Q When you came to the Cherokee nation in 1839 or 1840, was your [illegible]?
A Yes sir.
Q And your uncle, Johnson Lockman living? A Yes sir.
Q And he took advantage of the Cherokee [illegible]
A [illegible]
Q [illegible] A [illegible]
A [illegible] is to me that list. [illegible]
Q What was your father's name? A Jarret Ketcham.
Q When you came here to the Cherokee nation in 1839 or 1840, what did you do to get your rights?
A I made application to Chief Journeycake first.
Q Who was he?
A Agent Mr. and the Chief of the Delawares, and I went to him and he told me how to proceed.
Q Did the Delawares adopt you?

MR. [illegible]: I submit that that would not be evidence of citizenship in the Cherokee nation because the fact of the Delawares did adopt him; do you suppose that would give him any standing in the Cherokee nation if they did adopt him? The very question itself is not admissible in itself. I cannot see that it is admissible on any ground.

MR. LAWSON: Did the Delawares adopt you? A Yes sir.

MR. HASTINGS: Was there any record of that.

MR. LAWSON: I have certified copies of it here.

MR. HASTINGS: Their adoption must be a matter of record, and the record is the best testimony.

MR. LAWSON: Do about and tell what you did?
A They held a council and admitted me, and then sent it to the Agent; and he sent it to the Commissioner of Indian Affairs.

MR. LAWSON: Now I desire to introduce in evidence [illegible] copies of the acts of the [illegible] Chief Journeycake, Chief of the [illegible] Agent, and the [illegible] Commissioner of Indian Affairs, [illegible] Delawares, [illegible] Cherokee nation, [illegible] Delawares, [illegible] in the year of Jesus Christ, [illegible] the Cherokee Indians in 1839 with the remainder of the Delawares.

The said Acts of the Head men are as follows:

Al-lu-we Ind. Ter.,

Nov. 12th, 1839.

We the undersigned, Chiefs, Councillors and Headmen of the late Delaware tribe of Indians hereby certify, that [illegible] Lockman [illegible] duly recognized and acknowledged as a member of the [illegible] tribe of Indians and entitled to [illegible] in the [illegible] and all the rights [illegible] of the same. [illegible] in the year [illegible] Cherokee [illegible] Delawares [illegible] Cherokee nation [illegible] Delawares [illegible] Cherokee nation [illegible] Delawares [illegible] Cherokee nation

[redacted]

[redacted]

[redacted]

State of Arkansas, }
County of Carroll. }

Jane Sullivan being duly sworn deposes and says that she is the wife of Hector Sullivan and the Mother of John Nathaniel Kitchen who is a resident of Allowee Indian Territory that the said John Nathaniel Kitchen is the son of James Kitchen the was by [illegible] a former marriage that John Nathaniel Kitchen was born Sept. [illegible] on the Delaware Reservation near Leavenworth Kansas, and that he is the only son and heir of James Kitchen.

Attest Lon Nunnally

V. C. Charles. her Jane Sullivan. mark

(Seal)

Subscribed and sworn to before me this Oct. 23rd, 1900.

Lon Nunnally Clerk

(Seal) Carroll Circuit Court.

Allowee, Ind. Ter.

Jany. 15th, 1901.

Personally appeared before me J. E. Campbell a U. S. Commissioner for the Western District of Arkansas Suse Miller who states under oath as follows: That he is a member of the Delaware tribe of Indians, that his name appears upon the original roll of the Delawares who elected to remove from their former reservation in Northern Kansas to the Cherokee Nation and that he is 56 yrs. of age, that about the year 1860 he became acquainted with James Ketchem a Delaware Indian and member of the Delaware Tribe of Indians, that during the year 1865 said James Ketchem and Jane Garnett were living together as man and wife, that in the year 1867 there was born to them a son who was named John Ketchem, that about six months afterwhich birth the parents were separated, that the mother kept the child, that he was sent by James Ketchem to get the child from its mother, that he was under instructions of James Ketchem two times for this purpose but the mother refused to give him up, yet stated that it was James Ketchems child and that if he would come himself he could have him, that he had not seen John Ketchem since his infancy until about one year ago, that he fully believes that the said [illegible] Ketchem who now claims to be the son of James Ketchem is the identical John Ketchem that he knew in his infancy and that he is a bonafide Delaware Indian and as such is entitled to all the rights of a member of the Delaware tribe, that he recognizes in him a strong resemblance to James Ketchem and Jane Ketchems family, that he is not related to any of the parties and has no interest in the matter involved.

Attest J. E. Campbell

Suse Miller his x mark

Sworn to and subscribed before me on this the 15th day of Jany. A. D. 1901.

J. E. Campbell, U. S. Commissioner.

(Seal)

The foregoing affidavits bear the following endorsement:

Filed
in case of
John B. Ketchum, Plaintiff,
Jesse Mahlin,
Henry Armstrong, Defendant.
this the 3rd day of June, 1896.
Joe M. Lackey, Clerk.

Department of the Interior.
Commission to the Five Civilized Tribes.
F I L E D
Dec. 13, 1900.
Tams Bixby,
Acting Chairman.

There is also introduced in evidence certificate from the Secretary of the Interior, showing that the said affidavits, letters and Acts of the Delaware Council heretofore referred to are on file in the office of the Department of the Interior, which certified affidavits and Acts of the Delaware Council are now in the possession of the Commission to the Five Civilized Tribes.

The Certificate is as follows:

Department of the Interior.
Office of Indian Affairs.
Washington, May 30th, 1896.

I, Thomas P. Smith, Acting Commissioner of Indian Affairs, do hereby certify that the papers hereto attached are true copies of the originals as the same appear of record in this office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name, and caused the seal of this Office to be affixed, on the day and year first above written.

(SEAL)

THOS. P. SMITH,
Acting Commissioner.

MR. MASTERS: The Cherokee Nation most strenuously objects to the introduction of this evidence, for two reasons. First, the action of the Delaware could not have any force or effect on the Cherokee Nation. The Delawares, under the law, have no authority to admit a man to citizenship in the Cherokee Nation. While under their rules and regulations they may have a right to admit a man to be a Delaware, yet they have no authority to make him a Delaware citizen of the Cherokee Nation.

Second, The Cherokee Nation strenuously objects to the introduction of this evidence, these affidavits, which have never yet been received by this Commission. These are affidavits in their own interest, and the witnesses are living and obtainable, and should be brought here to be cross examined by the Cherokee Nation. The Nation contends that a certified copy of an affidavit cannot be any better than the affidavit itself, and if the original should not, certainly a certified copy should not be received.

MR. LACKEY ON WITNESS: When did you first learn that your father was and that you were entitled to citizenship rights here in the Cherokee Nation?

MR HASTINGS: The Nation ob jects to the question, because it is entirely irrelevant and immaterial. This man's right must depend upon himself. He did not say he never came to this country until 1869: His rights are not descendible from his father, but he must stand upon his own rights.

WITNESS: It was about 1861 or 1862. I came down here in 1862 and stopped a little while at Clarmore and made inquiries, but could not find any of my people, and then I went on West.
Q Who do you mean by your people?
A My father, thatis all the people I knew I had at that time.
Q Did you find your uncle at that time? A No sir.
Q When did you find him? A In 1869.

MR. HASTINGS: Is your mother yet living? A Yes sir.
Q She was alive in 1861 and 1862, when you was down here looking for your relatives? A Yes sir.
Q You have livedwith her--
A No sir, not since 1862.
Q Up until 1862? A Yes sir.

MRS. JANE SULLIVAN, being first duly sworn, and being examined, testified as follows:

MR. LAWSON: State your name. A Jane Sullivan.
Q How old are you, Mrs. Sullivan. A Seventy on the 3rd day of March.
Q Where do you live? A Live in Stone County, Missouri.
Q Do you know John Redman Ketchum? A Yes sir.
Q What relation is he of yours? A He is my son.
Q Did you know thefather of John Redman Ketchum? A Yes sir.
Q What was his name? A James Ketchum.
Q What relation, if any, did he bear to you? A My husband.
Q Where did he marry you? A I can hardly tell, it is so long ago. Between Wyandotte and Kansas City, in that country there.
Q How long did you live with James Ketchum as his wife?
A Pretty near two years.
Q Was John Red an Ketchum born while you and James Ketchum were living together as man and wife? A Yes sir.
Q Where was John Redman Ketchum born? A I cannot think, ithas been so long.I think we were living on his place there between Wyandotte and Kansas City.
Q On the Delawre Indian reservation? A Yessir,
Q Was James Ketchum, your husband, an Indian? A Yes sir.
Q What kind of an Indian was he, what blood? A Delaware.
Q When did you and James Ketchum separate? A I can hardly remember
Q What is your best recollection?
A It hasbeen so long ago, and I amso old.
Q Was it after John Redman was born? A Yes sir.
Q About how long after John Redman was born did you and your husband separate?
Q I asked you, Mrs. Sullivan, how long after John Redman was born, that you and your husband separated. How old was he at the time you and your husband separated?
A He was not quite a year old, I don't think. Maybe he was a yearold
Q What is your recollection as to when John Redman was born?
A I can hardly recollect, it is such a long time.
Q What month was he born in? A September, the 12th.
Q Did you know Mr. Pratt, the Indian Agent?
A Yes, I was down to his house many a time.
Q Where did you know him. A In the Delaware territory.
Q In Kansas? A Yes sir.

Q Were you present when Jonas Hotchkiss enrolled himself on the
last roll, at Mr. [illegible]? A Yes sir.
Q [illegible] enrolled at that time? A Yes sir.
Q [illegible] A [illegible] home, there's where he
Q [illegible] gave his name in to Mr. [illegible]?
A I believe [illegible]. I was present, I do, to my best knowledge.
Q [illegible] tell him what I [illegible]
Q [illegible] come to the [illegible] in the remember
of the [illegible] in 1865? A I don't recollect.
Q Did he come up here with the [illegible] in 1865?
A Yes, he came with them.
Q Did John Hudson come with them? A No sir.
Q Did you and Jonas Hotchkiss separated when he came down here?
A Yes, ushed.
Q Why didn't Jonas bring the little boy along with him?
A Because I hadhim away from him?
Q Did he try to get him? A Yes sir.
Q When did you first tell John Hudson who his father was?
A I don't think I told him until he was about twelve years old,
or thirteen.
Q After he got up to be a right smart boy? A Yes sir.

MR. HASTINGS: How old are you? A Seventy on the 3rd day of March.
Q Who was your first husband? A William Youngblood.
Q You and him separated of? A Yes sir.
Q Where did he go to? A He lived back there when I did. He is
dead.
Q When did he die? A It hasbeen over two years ago.
Q You never were divorced from him? A Yes sir.
Q Have you got a copy of that divorce? A No sir, I have not, but
it has been years ago.
Q Where were you divorced from him? A In Carroll County.
Q What state? A I don't recollect.
Q In the State of Maine, A I think so, I don't recollect.
Q Was it in Missouri? A No sir, in Carroll County.
Q What state were you living in, Missouri, Ohio or where?
A It must have been Arkansas.
Q What was your next husband's name? A Sullivan.
Q Were you married to Sullivan by a preacher? A Yes sir.
Q Where, A It is hard to recollect.
Q Before the war? A After the war.
Q Sullivan was your second husband?
A No sir, I am no fool. I married a man by the name of Cornick.
Q When did you marry him? A Before the war.
Q What became of him? A He is dead.
Q When did he die? A Just as the war began to break up.
Q After the war was over did he come home?
A Yes sir, he came home and died.
Q Do you remember the year he died? A No sir, I can't remember.
Q About how long after the war? A About a year, pretty near a year
Q Did he die in thespring of 1866? A Must have been.
Q How long after Cornick d ed that you married Sullivan.
A Two or three years.
Q You are positive he was your next husband? A Yes sir.
Q You have been living with him ever since? A Yes sir, until he
died.
Q When did he die? A About twelve years ago.
Q You never was married to Jonas Hotchkiss?
A Yes sir, I married Jonas Hotchkiss.
Q Who married you? A I don't remember, but I think it was a minis-
ter. It has been so long.
Q Did you have any license? A Yes sir.
Q In what county did you marry? A Married right there on his place.
Q What county? A I don't know the name of the place.

Q Do you know what time of the year it was when you married him?
A I hardly remember, I think it was in the fall. It seems to me like it was in the fall.
Q Do you know how long after the war that was? A No sir.
Q You don't know? A No.
Q You, of course, went over there to him enroll, and he put your name down, and your husband's and your child's? A Yes sir.
Q You are positive of that? A Yes sir.
Q You were there and saw it? A Yes sir.
Q What was your name then? A Cornick.
Q You had your name put down as Cornick? A That was my name.
Q After you was married to Jonas Ketchum? A Went by the name of Ketchum.
Q I am talking about the time you went over to enroll, if you remember about it. I want to know if you enrolled your name there with your husband's and your child's. A I don't remember whether my name was enrolled or not.
Q Why do you remember the child?
A I remember holding him up, and my name was enrolled too.
Q What was he enrolled as, Ketchum? A Yes sir.
Q What was his first name. A John.
Q Then you enrolled yourself, your husband and this boy? Why didn't you enroll it as John Redman Ketchum. A I don't recollect.
Q You don't remember 25 years back, just how that boy was enrolled, do you? A No sir, I don't. I can't remember everything. Some things I can remember, and some things I can't. It is a long time.

MR. LAWSON: Who was your fist husband? A William Youngblood.
Q Then when did you marry? A Cornick.
Q Then when? A Jonas Ketchum.
Q Then when? A Sullivan.
Q You have been married four times? A Yes sir, but they are all dead.
Q You are a white woman? A Yes sir.
Q You state that you were lawfully married to this man Jonas Ketchum. A Yes sir.
Q You state that you were present when this boy was enrolled, A Yes sir.
Q You know that your son John Redman's name was out on there?
A Yes sir, I know that they put it on.
Q Do you know whether John Redman drew any money before you and Jonas separated? A Yes sir. One time with the Relcamp.

MR. HASTINGS: You knew that your name was put on there with theirs.
A I can't tell.
Q You know it just the same as theirs name is put there?
A I know I was to have had it put there.
Q You went there to have the child's name put there? A Yes sir.
Q You know it was enrolled just like your own?
A I knew it was.
A How? A Because I heard them read it there.
Q Cornick was your second husband, was he? A Yes sir.
Q Who married you to Cornick? A Jim Myers.
Q Where the married you to Jonas Ketchum? A I can't recollect.

Q Why is it you can recollect who married you to everyone else except in this one case. A I just can't remember.
Q You don't know the state county or place? A It has been so long.
Q It must been longer since you married Cornick? A Yes.
Q It is longer back to your first husband.
A So many things I can recollect.
Q You can't give us any information as to where to send for that divorce from your first husband. A No, for the man is dead. You can find out that here in Arkansas.
Q Back here in Arkansas, Carroll County? A Yes sir.

WILLIAM YOUNGBLOOD, being first duly sworn, and being examined, testified as follows:

MR. LEWIS: State your name? A William Youngblood.
Q Where do you live? A Boone County, Missouri.
Q How old are you? A Born in 1854.
Q Are you acquainted with Mrs. Sullivan? A Yes sir, I ought to be.
Q What relation, if any, is she to you? A She is my mother.
Q Do you know John Redman Ketchum? A Yes sir.
Q How long have you known him? A I have known him all his life.
Q What relation, if any, is he to you? A Half brother of mine.
Q Did you know John Redman Ketchum's father? A Yes sir.
Q What was his name? A Jonas Ketchum.
Q How old were you when Jonas Ketchum and your mother, Mrs. Sullivan, were married? A I expect I was 11 or 12 years old.
Q Where were they married? A Married in Kansas in the Delaware Nation.
Q Near what place? A It is about fifteen miles from Wyandotte, North, up the river.
Q Were Jonas Ketchum and his wife living together when John Redman was born? A Yes sir.
Q Where were they living? A Living within the Delaware Nation, on Jonas' place.
Q How old was John Redman when your mother and Jonas Ketchum separated.
A He must have been right close to a year old, eight months or a year old.
Q Where were they living when they separated?
A On the Delaware Nation, on the old ~~[illegible]~~man's place.
Q What old man? A Jonas Ketchum.
Q Was Jonas Ketchum a Delaware? A Yes sir.
Q Do you know whether or not John Redman Ketchum drew any money before his father and mother separated?
A I know before that they went to a certain place and drew money, and they said that he made one drawing, but of course I never went. He made one drawing to the best of my recollection.
Q What did Jonas Ketchum call his son? A John Redman.
Q Where were you living when your mother and your father Youngblood separated? A We were living in Arkansas.
Q What County? A Boone County.
Q Boone County, Arkansas? A Yes sir.
Q Do you know where your mother got a divorce from Youngblood?
A At Galena, I think. Galena, Missouri.
Q Were you living there then? A I guess we were I don't recollect. I was quite small.
Q You don't know where she got the divorce?
A Not for certain, but I have heard her say, I think.
Q Youngblood and his wife, Mrs. Sullivan now, were not living together when she married Jonas Ketchum? A No sir.

MR. HASKINS: She married Cornick after Youngblood and she separated? A Yes sir.
Q How long did she and Cornick live together?
A I don't recollect exactly how long.
Q Did they separate before he died? A No sir, he died.
Q Do you remember when he died? A I don't remember exactly the year.
Q Was it after the war? A It seems to me right about the commencement of the war.
Q Who married your mother to Jonas Ketchum?
A I don't know the man's name.
Q About how old was John Redman Ketchum, the appliemt, when Jonas Ketchum separated from your mother?
A He must have eight months or a year old.
Q What did his father call him, John Redman Ketchum?
A That is what he called him.

Q You remember of him killing an eight months old child, about 28 years ago, John Redman? A Yes sir.
Q You are absolutely certain of that proposition? A Yessir.

JESSE MILLER, being first duly sworn, and being examined, testified as follows:

MR. LAWSON: State your name? A Jesse Miller.
Q Where do you live? A Live at Watova.
Q Ind an Territory? A Yes sir.
Q How long have you lived in the Cherokee Nation? A Thirty-four years.
Q How old are you? A I am sixty-five.
Q Did you know Jonas Ketchum? A Yes sir.
Q Did you know his wife, Mrs. Sullivan now? A Yes sir.
Q Where did they live when you knew them? A In Kansas.
Q What place in Kansas? A Between Leavenworth and Lawrence.
Q On the Delaware Reservation? A Yes sir.
Q Do you know John Redman Ketchum. A Yes sir.
Q Whatis the name of his father? A Jonas Ketchum.
Q Was he a Delaware? A Yes sir.
Q Where were Jonas Ketchum and his wife living when John Redman Ketchum was born? ?
A Living in thesame place where he was living.
Q Where was that? A Between Lawrence and Leavenworth.
Q In the Delaware Indian Reservation? A Yes sir.
Q Do you know the time that the Delawares came to the Cherokee Nation, in 1866? A Yes sir.
Q Did John Redman Ketchum come along at that time? A No sir.
Q Do you know why Jonas Ketchum did not bring John Redman along?
A Yes sir.

MR. HASTINGS: The question is objected to by the representative of the Cherokee Nation because the same is irrelevant. This man did not come in, did not come until Hunx after he arrived of age some three or four years.

WITNESS: I went after the babe when he was about a year old.
Q What babe? You mean John Redman? A Yes sir. And the old lady told me to go back, because that man did not come with me. That is the last I saw of it.
Q How close did you live to Jonas Ketchum and his wife?
A About half a mile.
Q Were you living there when John Redman was born? A Yes sir.
Q Do you know whether John Redman drew any money, any Delaware money, before his father and mother separated.
A No, I don't know.
Q How old was John Redman when Jonas Ketchum and his wife separated?
A One year old, or a little over

MR. HASTINGS: What was John Redman Ketchum's mother's name when Jonas Ketchum married her? A I don't know.
Q Don't you know her. A I don't know the name.
Q How many times had she been married before? A I don't know.
Q What year was John born? A In 1866
Q What time of the year? A In the fall, I don't know what month.
Q What time did you leave there to come down here?
A It was in the winter, after New Year, in 1868.
Q When did you go over there after John? A Before that.
Q How long? A Just about--I think it was in the summer.
Q Of 1867? A Yes sir
Q How do you pretend to tell this Commission that you went up there to take a nursing babe away from its mother's breast?
A They sent me.

Q It was nursing, wasn't it, at that time?
A Yes, sir, it was one year old.

MR. LESTER: - Who sent you up to try and get the babe?
A Mrs Ketcham.
Q Jesse Ketcham, the father of the child? A Yes sir.

There appears on the docket, Interest, Vol. 2, page 58, January Adjourned Session, March 4th, 1856, on page 58, number 745, Mary Jane Ketcham, and on the same page, number 744, the name of John Ketcham. The name of John Ketcham does not appear of record at said page.

John R. Ketchum recalled.

MR. LESTER: Mr. Ketchum, when did your father die?
A In the year 1870.
Q In the Cherokee Nation? A Yes sir.
Q That is your information? A Yes sir.

MR. LESTER: I want to introduce the original record in Court No. 45, the same being the number of the case of Louisa E. Trotter, appeal from the Dawes Commission, in 1896.

MR. LESTER: We object to the introduction, for the reason that the record in that case is incompetent testimony in the application of John R. Ketchum, and for the further reason that same is immaterial.

This record is introduced for the purpose of showing that his wife applied to the Dawes Commission in 1896, and was rejected.

The record is as follows:

2674. Louisa E. Trotter, Christopher Pittsenbarger, Henry Pittsenbarger, Francis M. Pittsenbarger, Mary A. Redd, Chas. M. Lassiter, Lewis K.Harn, Thomas Jefferson Pittsenbarger, Francis A. Crossmiller, et al.,	Filed Sept. 5-1896. Answer filed. Application denied.
vs.	Judgement sustained. Court No.45.
Cherokee Nation.	Robert J. Dunning, Vinita, I.T.
Appealed.	

Louisa E. Trotter, et al
vs. No. 45.
Cherokee Nation.

Mr. Edgar Smith, Special Master to whom this case was referred, submits the following report:

[redacted]

Louisa B. Trotter, et al., vs. The Cherokee Nation.	No 63. Report of Special Master.

I, Hugh Wells, Special Master in Chancery herein, respectfully report to the Court that pursuant to [redacted] and the [redacted] I have made a personal investigation into the facts [redacted] and the proof in the above entitled cause, and find as follows, to-wit:-

-1-

That this cause was instituted on the 6th day of Sept. 1906 by filing herein the petitions of the [redacted] Cherokee Indians the applicants of the following named persons, to-wit:

[redacted]

[redacted]

[redacted]

Lena McCabe,
Robert F. McCabe,
Stella F. Chase,
Lonnie E. Chase,
William A. Lankford,
Martha Jennings,
Julia E. Lankford,
Minnie Lankford,
Ray F. Lankford,
Ula Belle Jennings,
Mary May York,
William M. Calvey,
Ola M. Lawrence,
Lewis H. Harman,
Sarah E. Orth,
Marguerite Bray,
Mitchell Harman,
Lola Bacon,
Hunt Harman,
Minnie Harman,
Charles H. Gooch,
Minnie Gooch,
Maggie J. Harman,
Belle Bray,
Alice Bray,
Orie M Harman,
Mable Harman,
Grant Harman,
Lorenzo Mobley,
Lee [illegible],
[illegible] E. Chase,
[illegible] A. Lankford,
[illegible],
[illegible],
Glenn H. Lankford,
[illegible],
[illegible],
[illegible],
[illegible] Pittsenbarger,
[illegible],
[illegible],
[illegible],
[illegible],
[illegible],
Lewis S. Harman,
Lewis F. Harman,
William Harman,
Dan Harman,
Maggie Gooch,
William M. Harman,
Lewis A. Harman,
Mary Bray,
Samuel Bray,
Lee Harman,
Glenda G. Bacon,

praying admission to the rights of Cherokee Citizenship claiming through Christopher Harman who is alleged to have been a Cherokee Indian by blood; that on the 2nd day of Oct. 1896 appellee herein filed demurrer and answer;

That on Nov. 7th, 1896, said application was by said Commission denied, no reason being assigned therefor; that on the 19th day of Dec. 1896 said applicants, the appellants herein, appealed to the District Court of the United States sitting at Muskogee, Indian Territory.

-II-

That said applicants filed in support of their application the affidavits of the following named persons to-wit:

Mary A. Reed,
W. L. Reed,
John Pittsenbarger,
Cordie Hightower,
Francis Crosswhite,
Owen Miller,
Elizabeth A. Brown,
Lewis H. Harman,
William Story,
Stephen L. Pittsenbarger and Lonnie Lankford and a receipt from J. G. Harman, claimant of roll of 1880;

That the appellee herein filed no testimony in support of the answer;

-III-

That Louisa E. Trotter, Christopher Pittsenbarger, Mary Pittsenbarger, Francis E. Pittsenbarger, Mary A. Reed and Thos. J. Pittsenbarger are the children of Catherine Pittsenbarger.

That Catherine Pittsenbarger was the daughter of Christopher Harman;

That the said Christopher Harman was a brother of John Harman referred to in said application;

That Chas. H. Lankford is a son of Sallie Lankford nee Harman who was a daughter of the aforesaid Christopher Harman;

That Lewis H. Harman is the son of the aforesaid Christopher Harman;

That no application of Francis Crosswhite appears with the papers;

[redacted]

That the lineal descendants of the aforesaid Christopher Pittenburger are as follows:-

[redacted]

That the lineal descendants of the aforesaid Henry Pittenburger are as follows: Harriet Pitman, daughter, Mary S. Thompson, daughter, William H. Pittenburger, son.

That the lineal descendants of the aforesaid Francis M. Pittenburger are as follows:

[redacted]

That the lineal descendants of the aforesaid Mary A. Pittenburger are as follows:

[illegible], son,
[illegible], daughter,
[illegible], son,
[illegible], son,
[illegible], daughter,
[illegible], daughter,
[illegible], son,
[illegible], son,
[illegible], daughter,
[illegible], son,
[illegible], son,
[illegible], daughter,
[illegible], daughter,
[illegible], son,
[illegible], son,
[illegible], daughter,
[illegible], daughter,
[illegible], daughter,
[illegible], son,
[illegible], son,
[illegible], daughter,
[illegible], daughter,
[illegible], daughter,

That the lineal descendants of the said Charles M. Lanhner are as follows;

William A. Lanhner,	son,
[illegible],	daughter,
[illegible],	daughter,
[illegible],	son,
Edith M. Lanhner,	daughter,
[illegible] M. Lanhner,	grandson,
[illegible],	granddaughter,
Virgil E. Lanhner,	grandson,
Ray A. Jennings,	grandson,
Jacob M. Jennings,	granddaughter,
[illegible] Jennings,	granddaughter,
Mamie York,	granddaughter,
Mary M. York,	granddaughter,
Chas. William York,	grandson,

That William M. Galloway is a nephew of the said Chas. M. Lanhner;

That Ola M. Lawrence and Josie E. Lawrence are niece and grand-niece respectively of the aforesaid Thos. J. Pittenberger;

That the lineal decendants of Lewis M. Hamman aforesaid are as follows;

Peter Hamman,	son,
[illegible] E. Leach,	daughter,
Chas. C. Hamman,	son,
[illegible] Frey,	daughter,
[illegible],	son,
[illegible],	son,
Lewis C. Hamman,	son,
Lola Myers,	daughter,
Lewis J. Hamman,	son,
[illegible],	granddaughter,
[illegible],	granddaughter,
[illegible],	granddaughter,
[illegible],	grandson,
[illegible],	grandson,

Fannie Couch,	daughter,
William M. Harman,	grandson,
Maggie F. Harman,	granddaughter,
Lewis A. Harman,	grandson,
Belle Bray,	granddaughter,
Mary Bray,	granddaughter,
Alice Bray,	granddaughter,
Samuel Bray,	grandson,
Orie E. Harman,	grandson,
Lee Harman,	grandson,
Mable Harman,	granddaughter,
Claude Bacon,	grandson,
Grant Harman,	grandson,

-IV-

I find that these applicants are all lineal descendants of Christopher Harman as hereinbefore shows; that the said Christopher Harman was a brother of the whole blood of one John Harman referred to herein; that the said John Harman is shown to have been an enrolled memberof the eastern tribe of Cherokees and that it is shown that he came to or was removed to the Indian Territory.

That is imot shown that the said Christopher Harman was an enrolled Cherokee but that it is shown that he was a recognized and acknowledged Cherokee Indian by blood in the State of Tenn. where he resided; that these applicants are all Cherokee Indians by blood;

That Louisa E. Trotter resides in the Cherokee Nation Indian Territory; that the evidence does not show that any other of said applicants resids in said Cherokee Nation; that it is not shown that either of these applicants were ever enrolled by the Cherokee Nation as Cherokee Indians by blood since the removal of said Nation to its present location; that the evidence shows that said family have made applications in 1880 and 1890 to the proper authorities of the Cherokee Nation and filed a great number of affidavits but said application appears never to have been passed upon.

-V-

Applicants contend, they having shown that they are Cherokee Indians by blood and that their ancestors were acknowledged Cherokee Indians by blood and that they have sought in good faith to obtain enrollment from the Cherokee Nation without adjudication that they are entitled to be enrolled as Cherokee Indians by blood and to all the rights and benefits which attach to such citizenship.

While appellee contends that it not having been shown that either of these applicants was ever enrolled by the Cherokee Nation as a Cherokee Indian by blood since the removal of said Nation to its present location; that applicants are barred from being enrolled at this time.

I respectfully ask that a reasonable fee be allowed me as Master herein. Master's fee paid.

Respectfully submitted this 28 day of Sept. 1897.

Edgar Smith,
Special Master.

IN THE UNITED STATES COURT OF THE INDIAN TERRITORY,

NORTHERN DISTRICT, AT MUSKOGEE.

Louisa E. Trotter, et al,

vs. No. 63. Supplemental report.

The Cherokee Nation.

Now attention having been called to the fact that the names of some of the applicants embraced herein have been omitted from the foregoing report, I herewith submit the following finding in connection with the foregoing report:

I find that upon examination of the papers herein that Wm. Castoe and Sarah Castoe, Wm. P. Castoe, Fred Cox, Nellie Castoe, Lawrence, Robert F., Isaac R. McCabe, Gertrude York, Stephen Wesley, Lewella Pittsenbarger, Rena Parish, Amos Reed, were embraced in the original application.

That the above named applicants are related to those applicants heretofore mentioned in the foregoing report, whose relation to the common ancestor has already been therein shown, as follows, to-wit: Sarah and Wm. Castoe are children of James E. Castoe, who was the grandson of the aforesaid Mary A. Reed;

W. P. and Nellie Castoe are the children of John A. Castoe who was also the grandson of the aforesaid Mary A. Reed; that Amos Reed is the son of Isaac Reed also the son of the aforesaid Mary A. Reed;

Lawrence, Robert F. Isaac McCabe are children of Wm. F. McCabe also the son of the aforesaid Mary A. Reed;

Gertrude York is the daughter of Sarah York who is the daughter of Chas. M. Lauchner mentioned in the foregoing report;

Stephen Wesley and Lewella Pittsenbarger are the children of Thos. J. Pittsenbarger mentioned in the foregoing report;

Rena Parish is a daughter of Henry Pittsenbarger mentioned in the foregoing report;

That the evidence in the foregoing case does not show how long the said Louisa E. Trotter has resided in the Cherokee Nation; that the family was originally from the state of Tenn.

Respectfully submitted, 7/28/97.
Edgar Smith,
Special Master.

Louisa E. Trotter, et al,

vs. No. 63. Additional report.

The Cherokee Nation.

I, Edgar Smith, Special Master herein respectfully submit to the Court that the following named persons whose names appear to have been omitted from the original report were embraced in the original application, to-wit:

Earnest C., Edith R., Geo. V., and Joseph Pittsenbarger, who are children of John P. Pittsenbarger mentioned in the foregoing report; also Raymond B. and Chas. A. Pittsenbarger who are the children of Stephen A. Pittsenbarger mentioned in the foregoing report.

Respectfully submitted this 28 day of Sept. 1897.
Edgar Smith,
Special Master.

IN THE UNITED STATES COURT FOR THE INDIAN TERRITORY,

NORTHERN DISTRICT, AT MUSKOGEE.

Louisa E. Trotter, et al		
vs.	No. 63.	Supplemental Report.
The Cherokee Nation.		

I, Edgar Smith, Special Master in the above entitled cause respectfully submit to the Court that under and by virtue of the order of resubmission herein of date Nov. 9th, 1897, and in accordance with the notice given by me as such Special Master as provided by law I heard testimony, in the above entitled cause on Nov. 15th, 1897, and I find as follows, to-wit:

That Louisa E. Trotter and her family (except Lovina Brown and her family and Flora Miller and her family and Albert V. Trotter and his family) reside in the Cherokee Nation; that Lovina C. Brown resided in the Cherokee Nation for about 8 years and left the Cherokee Nation about one year ago with the intention of returning if their application for citizenship to the Cherokee Nation should be passed upon favorably; that the said Flora Miller and her family and the said Albert V. Trotter and his family have never resided in the Cherokee Nation; that Francis M. Pittsenbarger and his family, Henry Pittsenbarger and his family; Thos. Jefferson Pittsenbarger and his family, Ella Lawrence and her family, Isaac Reed and his family and Chas. M. Lauchner and his family reside in the Cherokee Nation; that the said Francis Pittsenbarger, Henry Pittsenbarger, Thos. Jefferson Pittsenbarger, Wm. Castoe, Chas. M. Lauchner and Isaac Reed, together with their respective families have resided in the Cherokee Nation for the last nine years.

That Louisa E. Trotter and her family with the exception above stated have resided in the Cherokee Nation for the last 8 years; that Mary A. Reed resided in the Cherokee Nation for 8 years and left the said Nation immediately after the application was filed before the Commission to the Five Civilized Tribes.

William T. McCabe improved a farm in the Cherokee Nation and left the improvements about one year afterwards, leaving some household goods and declaring his intention to return to the Cherokee Nation.

The applicants herein were from Missouri to the Indian Territory and the family was originally from the state of Tenn.

Respectfully submitted this 16th day of May, 1897.

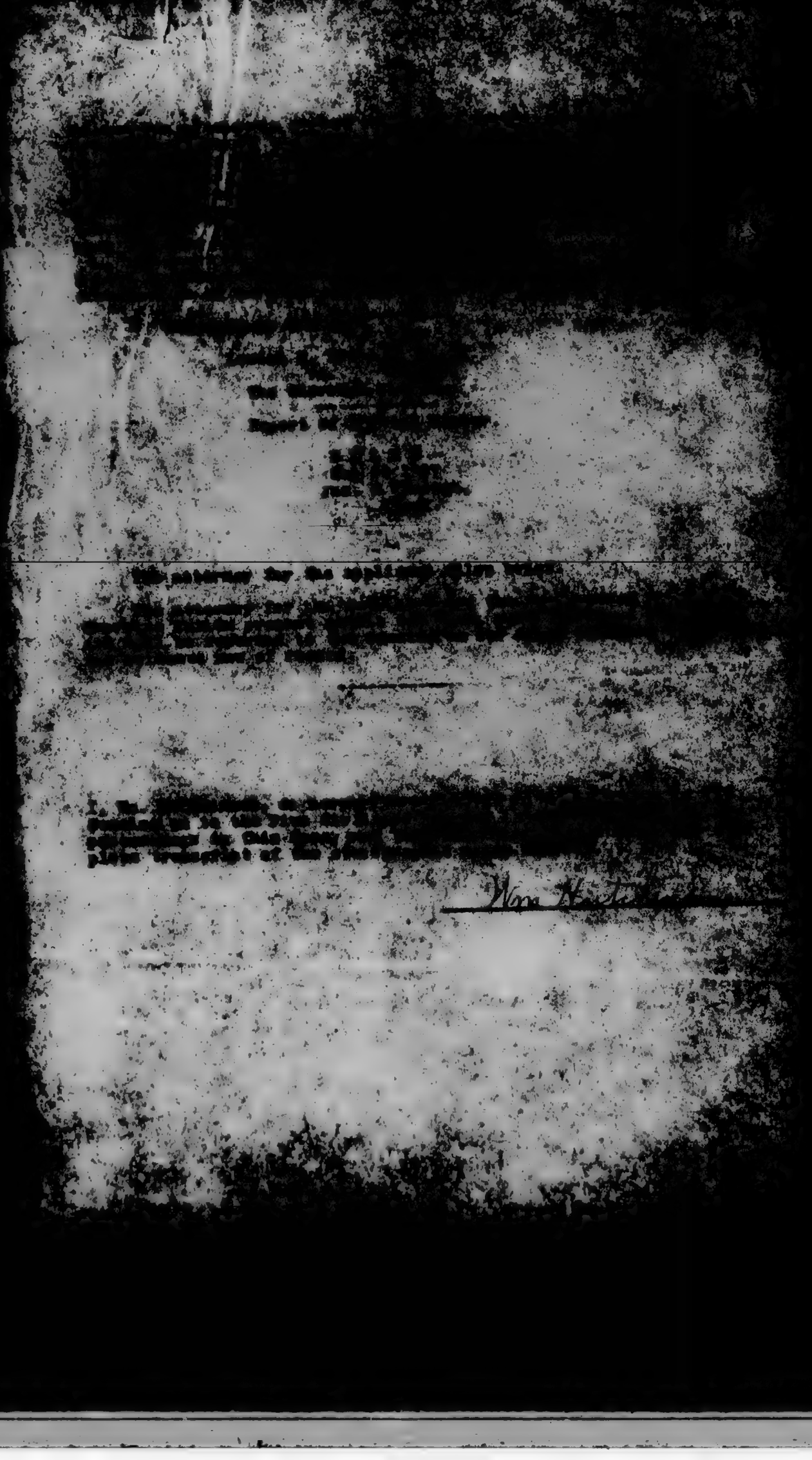
Edgar Smith,
Special Master.

BY THE COURT:

It seems that there are 147 applicants for citizenship in the Cherokee Nation embraced in this case. The Special Master's report is very thorough and exhaustive; no exceptions have been taken to it. A supplemental report is also submitted and made a part of this opinion.

The applicants in this case base their right to be enrolled as citizens of the Cherokee Nation on the ground that they are the descendants of Christopher Harmon, who is alleged to have been a Cherokee Indian by blood, who was a brother of one John Harmon, who was a member of the Eastern Band of Cherokees, and that he was recognized as such in the State of Tennessee. It appears from the supplemental report in this case that some of the applicants reside in the Cherokee Nation, but that the longest time of the residence

18.



DEPARTMENT OF THE INTERIOR,

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory, June 6th 1906.

In the matter of the application of John R. Ketcham for enrollment as a citizen of the Cherokee Nation of Delaware Blood.

Number Delaware Doubtful 34.

Briefon part of the Cherokee Nation.

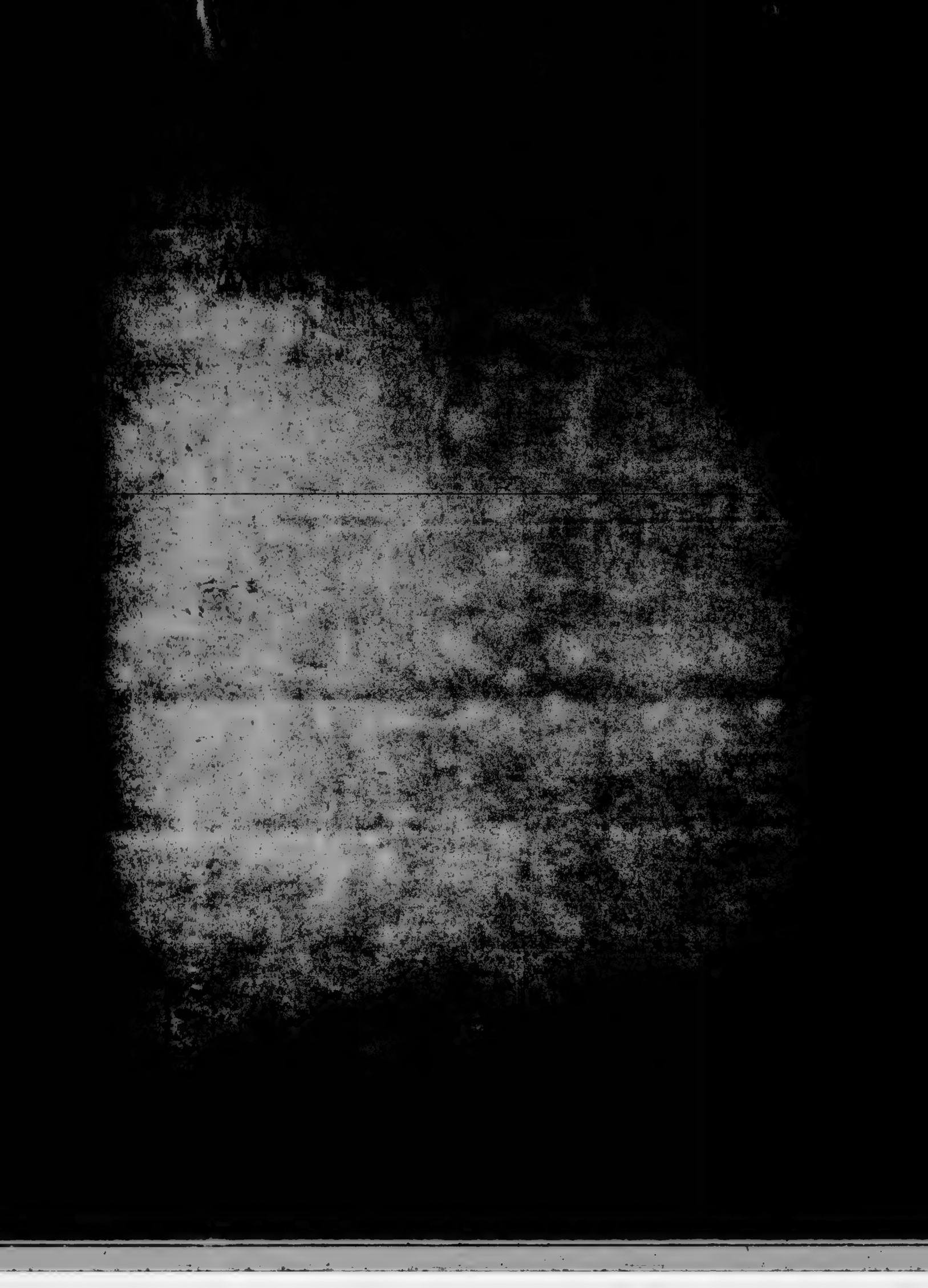
John R. Ketcham the applicant claims that he was born in 1867 and that he is a son of Jonas Ketcham whose name appears upon the list of registered Delawares who came to the Cherokee nation under the agreement made April 8th 1867 and that his name appears upon said list under the name of his father as John Redmon; Redmon being his middle name. His mother was a white woman who had been twice previously married and no divorce is shown to have been obtained from her second husband or the one to whom she had been married previous to her marriage with Jonas Ketcham. That she is a citizen and resident of the state of Missouri where she always continued to reside and that she never was a resident of the Cherokee nation or of the Indian Territory. Neither does the applicant claim that he came to the Cherokee nation with his father or that he ever came to the Cherokee nation until 1891 for the purpose of living or making it his home. Having them been born in the state of Missouri his residence was there with his mother until after he was twenty-four or twenty-five years old when as above observed he removed to the Cherokee nation where he married on the 2nd day of September 1893 and where he seems to have since continuously resided. The testimony introduced was far from convincing that the John Redmon whose name appears upon the list of Registered Delawares is the applicant although the mother testifies that she was present when the baby was enrolled but she is just as positive that her own son died [illegible]

does appear upon that roll that it was necessary for him to [illegible] to the Cherokee Nation along with his father in order to [illegible] citizenship in the Cherokee nation.

His continuous residence in the state of [illegible] with [illegible] citizen of that state and in our judgment would [illegible] rights, if any he ever acquired by being enrolled upon the [illegible] Delawares. So far as citizenship is concerned we contend that [illegible] Citizen or a Shawnee citizen is [illegible] to the Cherokee Constitution and laws of the Cherokee nation [illegible] ence to residence as any other citizen. Our constitution and [illegible] distinction whatever.. When the Delawares and Shawnees came to the Cherokee Nation they were incorporated into and became citizens of the Cherokee nation; voted, held office, and exercised rights of citizenship the same as Cherokees by blood and it is as necessary for a Delaware or Shawnee to reside in the Cherokee Nation in order to retain his citizenship as it is for a Cherokee by blood. The applicant never removed to the Cherokee Nation until he was 24 or 25 years of age or three or four years after he had reached his majority and we contend that it was necessary for the applicant to have been readmitted to citizenship in the Cherokee Nation the same as if he claimed as a Cherokee by blood,. No citizen can continuously retain his domicile in a distant state and at the same time retain his citizenship in the Cherokee nation . He does not pretend to have had any effects in the Cherokee Nation during any of this time.

The Delaware Council or Committee had no authority whatever to enroll any one as a citizen of the Cherokee Nation if this Delaware Council or Committee so voted to divide their funds which were not a part of the Cherokee funds , with the applicant it is a matter over which the Cherokee Nation has no control. That the Constitution and laws of the Cherokee Nation does not provide for a Delaware Council to determine citizenship in the Cherokee Nation, neither does the Delaware Agreement make any provision for it.

Again the name of the applicant does not appear upon the [illegible] roll of citizens [illegible]



Cherokee-Delaware # 22.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of John R. Ketchum for the enrollment of himself and his three minor children, Daisy, Bertha and Elmer Ketchum, as citizens of the Cherokee Nation of Delaware blood.

D E C I S I O N.

--oOo--

The record in this case shows that on December 14, 1900, John R. Ketchum appeared before the Commission at Tahlequah, Indian Territory, and made application for the enrollment of himself and his three minor children, Daisy, Bertha and Elmer Ketchum as citizens of the Cherokee Nation of Delaware blood. The application also included the wife of John R. Ketchum, but, as she is differently classified, she is not embraced in this decision. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on January 21, 1901, and on March 22, 1902.

The evidence in this case shows that John R. Ketchum is of Delaware blood, and that his name appears upon the Register of Delawares who removed to the Cherokee Nation pursuant to the terms of the Cherokee-Delaware agreement of April 8, 1867, as "John Redman." John R. Ketchum is not identified on the Cherokee authenticated tribal roll of 1880, but he and his two children, Daisy and Bertha Ketchum, are identified on the Cherokee Census roll of 1896. Elmer Ketchum, born November 30, 1898, is too young to be on any roll but proper proof of his birth has been furnished this Commission.

The evidence further shows that the mother and father of John R. Ketchum separated when he was about one year old, and that his mother took him with her. His father, Jonas Ketchum, who had removed to the Cherokee Nation with the Delawares attempted to get possession of John R. Ketchum but was unsuccessful. In 1889 or 1890 John R. Ketchum came to the Cherokee Nation and he has lived there ever since. He and his wife, Mattie Ketchum, have lived continuously in the Cherokee Nation ever since their marriage in 1898, and it is considered that their minor children have lived in the Cherokee Nation ever since their birth.

It is, therefore, the opinion of this Commission that John R. Ketchum, Daisy Ketchum, Bertha Ketchum and Elmer Ketchum should be enrolled as citizens of the Cherokee Nation of Delaware blood in accordance with Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this NOV 20 1902

In the matter of the application of [redacted]
ment of himself and his three minor children as [redacted]
nation of Delaware Blood.
Delaware D # 21.

Protest of the Cherokee Nation.

Comes now the Cherokee Nation and respectfully protests against the decision of the Commission rendered in the above case on November [redacted] 1906 and respectfully requests that same be forwarded to the Honorable Secretary of the Interior for review. That a copy of the brief filed by the Cherokee Nation be forwarded with the record in this case.

Respectfully submitted,

W W Hastings

Attorney for the Cherokee Nation.

Chief Clerk Cherokee Division.

Sworn to and subscribed before me at this 5th day of December, 1902.

Notary Public.

term of said Court, being the [illegible]

to wit:

ELIZA S. GILLAM, et al,

vs. No. 58 Decree of Court.

CHEROKEE NATION.

On this the 22nd day of December, 1887, [illegible]
motion made before the court for a continuation of [illegible]
Commery's report herein filed on the 21st day of [illegible]
Plaintiffs supported by their attorneys, and upon the [illegible]
is ordered by the court that the said motion be and the same is hereby overruled, to which ruling of the court the plaintiffs except, and the same is allowed them.

And it is further ordered by the court that there be nothing remaining upon the report of the Master in Chancery which is as follows, to wit:

ELIZA S. GILLAM, et al,

vs. Report of Master in Chancery.

CHEROKEE NATION.

To the Hon. Isaac Parker, Judge of the United States Court, Southern District of the Indian Territory.

The above styled cause was referred to me as Master in Chancery for the Court, and I find the following

That the said [illegible]
Act, [illegible]
[illegible]

[illegible]

It appearing to the Court that the above facts are supported by the law and the evidence,it is therefore ordered approved and adjudged that the report of the Master be in all things confirmed,and it is further ordered,decreed and adjudged that Elias S.Gilliam,W. T. Gilliam,Robert Gilliam, Lillie G.Gilliam, Pearl Gilliam,Minnie Gilliam, James Gilliam, and Morgan Gilliam,W.F.Cooper; Mattie, [illegible], and John Cooper, C. E. Cooper, Charles Cooper, Tennie Cooper,Syrie Cooper,Bertie Cooper,-and Georgia Cooper,be enrolled as citizens of the Cherokee tribe of Indians.

Witness my hand and seal of this Court the day and year above written. To which the defendant duly excepted and still excepts.

[illegible]

Judge U. S. Court Sitting Muskogee Division.

[illegible]

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

DEC 13 1900

Chairman.

Office of Indian Affairs,

Washington, [illegible]

Mr. John R. Ketchum,

Alluwe, Indian Territory.

Sir:

In compliance with your request of the 13th instant, a copy of the authority upon which your name was enrolled with the Delaware Indians is herewith inclosed.

Very respectfully,

[signature]

Commissioner.

(L.)

Mr. [illegible]

Ahoma, Indian Territory

Sir:-

[illegible] and three minor children for enrollment as citizens of the Choctaw Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes at its office in Muskogee, Indian Territory, on the March 13, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application, that you may deem necessary.

You are further notified that the representative of the Choctaw Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your claim to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony [illegible] and will be permitted to do so.

Yours truly

Acting Chairman.

Register

Commissioner in Charge.

[redacted]

U.S. Indian
Agency for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner, considering the application of John D. Benham for the enrollment of himself and his three minor children, Delpha, Sarah and Mary, as citizens of the Cherokee Nation of Indians, a copy of which decision was rendered him on November 20, 1906, has this day been transmitted to the Secretary of the Interior for his approval and decision.

The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

James Bishop
Acting Chief

[illegible]

Muskogee, Indian Territory, [illegible]

E. B. Lawson,

Attorney for John R. Ketchum et al,

Nowata, Indian Territory.

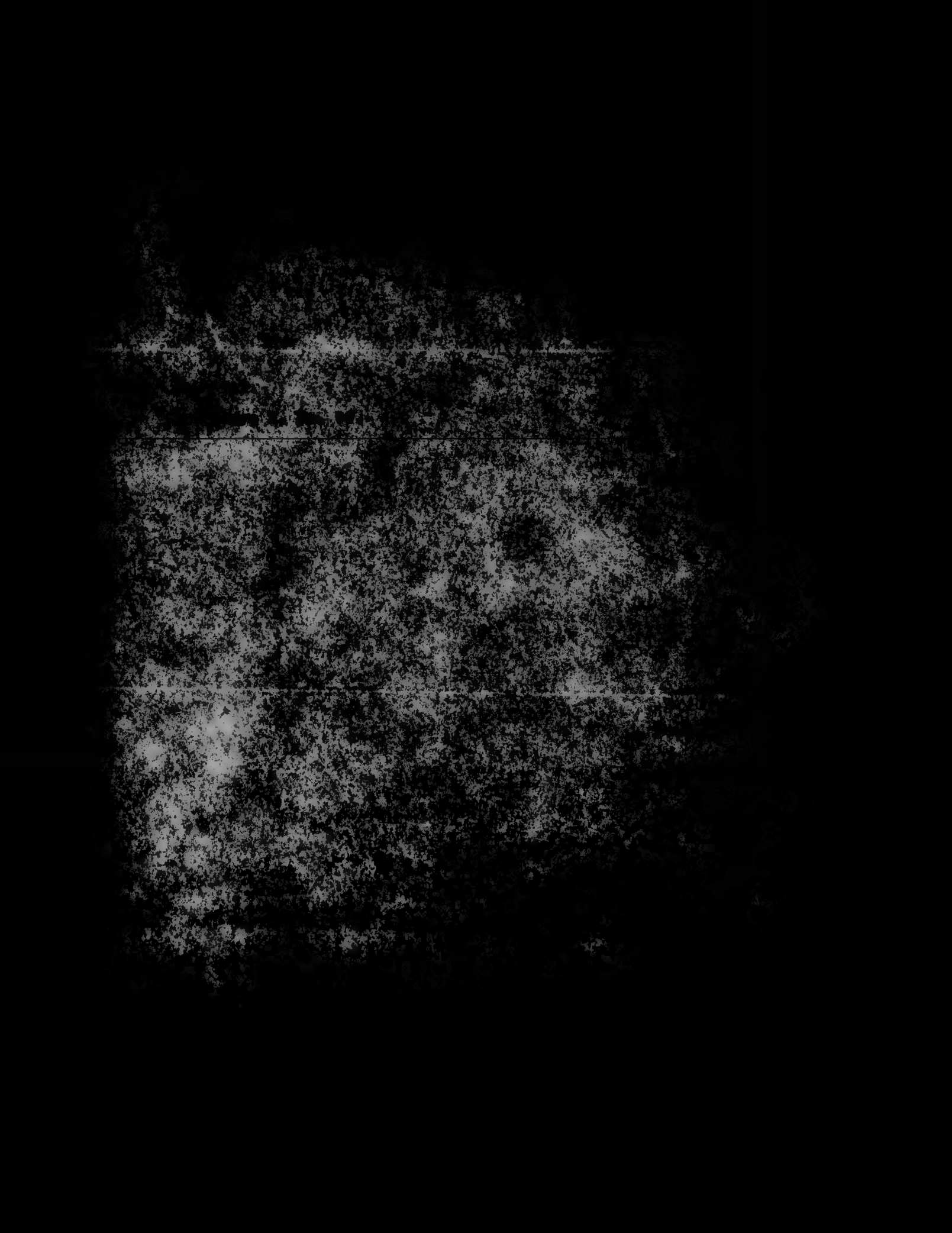
Dear Sir:

There is herewith enclosed a copy of the record of supplementary proceedings had in the matter of the application of John R. Ketchum for the enrollment of himself and his three minor children, Daisy, Bertha and Elmer Ketchum, as citizens of the Cherokee Nation of Delaware blood, together with a copy of the Commission's decision, dated November 20, 1902, granting said application. You have heretofore been furnished with a copy of the record of proceedings had in the original application.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest has been furnished the applicant by the attorney for the Nation.

The decision, with the record of proceedings [illegible] case, has this day been transmitted to the Secretary of the Interior for his review and decision.

[illegible]



Muskogee, Indian Territory, December 2, 1908.

John R. Ketchum,

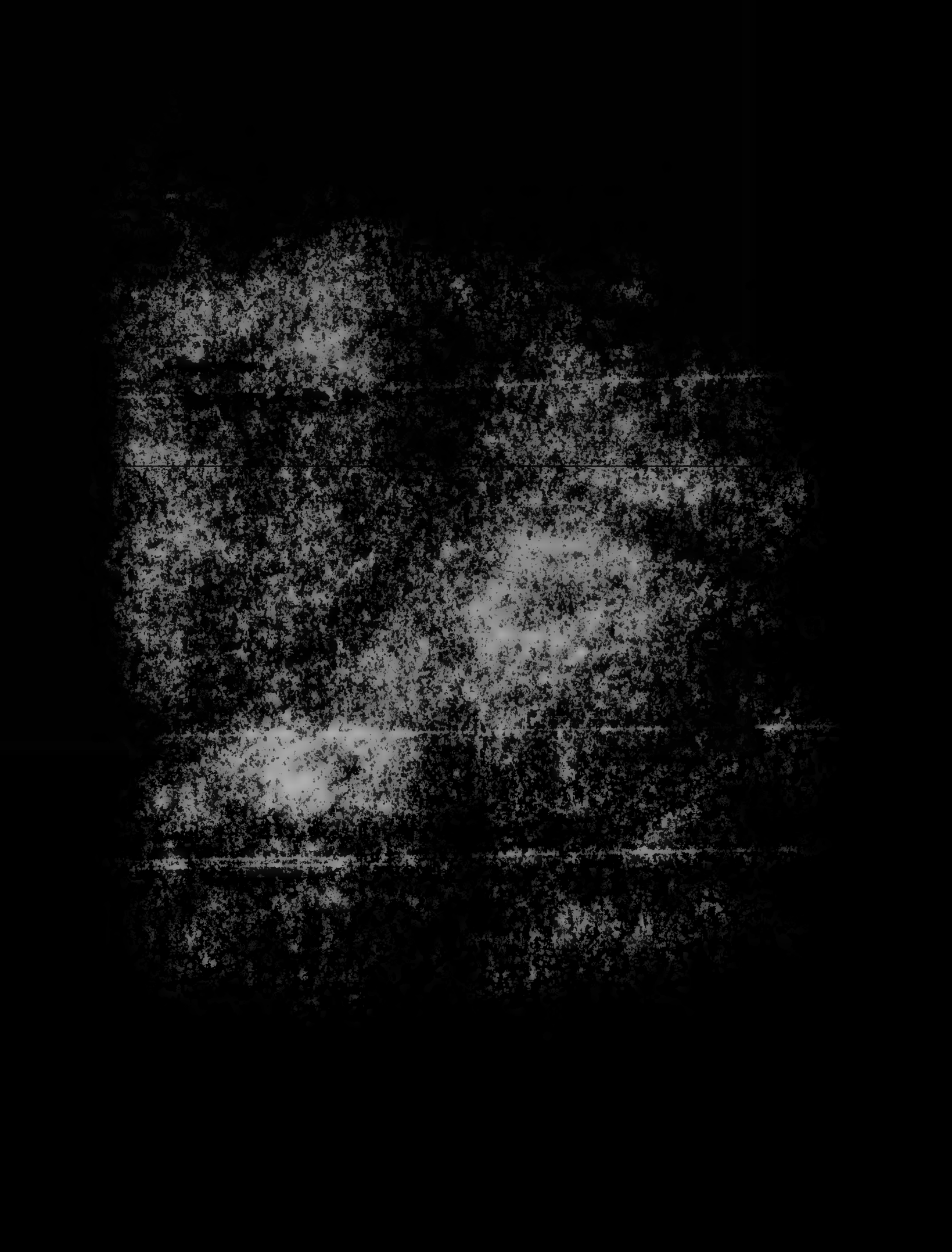
Allowe, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated November 30, 1908, granting your application for the enrollment of yourself and your three minor children, Daisy, Bertha and Elmer Ketchum, as citizens of the Cherokee Nation of Delaware blood. There has heretofore been furnished your attorney, E. B. Lawson, Nowata, Indian Territory, a copy of the record of proceedings had in the original application, and there has this day been forwarded to him a copy of the record of supplementary proceedings, together with a copy of the Commission's decision.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest has been furnished you by the attorney for the Nation.

The decision, with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision.



The Honorable

The Secretary of the Interior.

Sir:

There is enclosed herewith report from the
of the Commission to the Five Civilized Tribes,
forwarding, for the Department's consideration, the
to the application of John M. Bruton, for the
and his three minor children, Daisy, Bertha and
citizens of the Cherokee Nation of Delaware blood.

November 20, 1902, the Commission held that the applicants above named were entitled to enrollment as citizens of the Cherokee Nation of Delaware blood.

John M. Bruton also made application for the enrollment of his wife, Mattie Bruton, and the Commission states in the decision that she is differently classed and has not, therefore, been enrolled in the Cooweescoowee.

The evidence in this case shows that John M. Bruton is of Delaware blood; that he removed to the Cherokee Nation prior to the Cherokee-Delaware agreement of April 8, 1867, and [illegible] the registration of Delawares who removed, etc.

The applicant [illegible]
and [illegible]



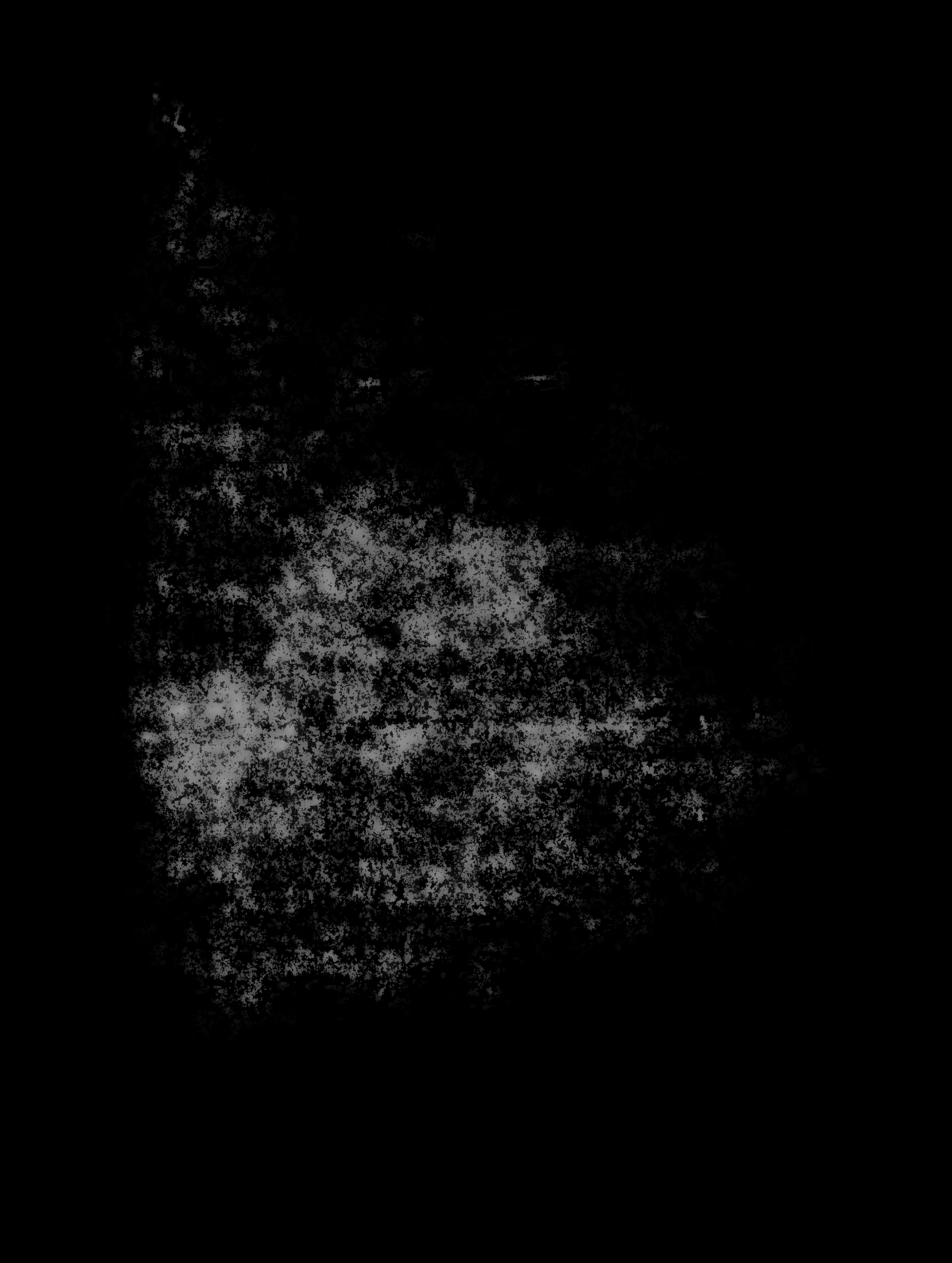
[redacted]

mother [illegible]
removed to the [illegible]
possession of [illegible]
John R. Ketchum came to the Cherokee
since; that he and his wife, [illegible]
Nation ever since their marriage in [illegible]

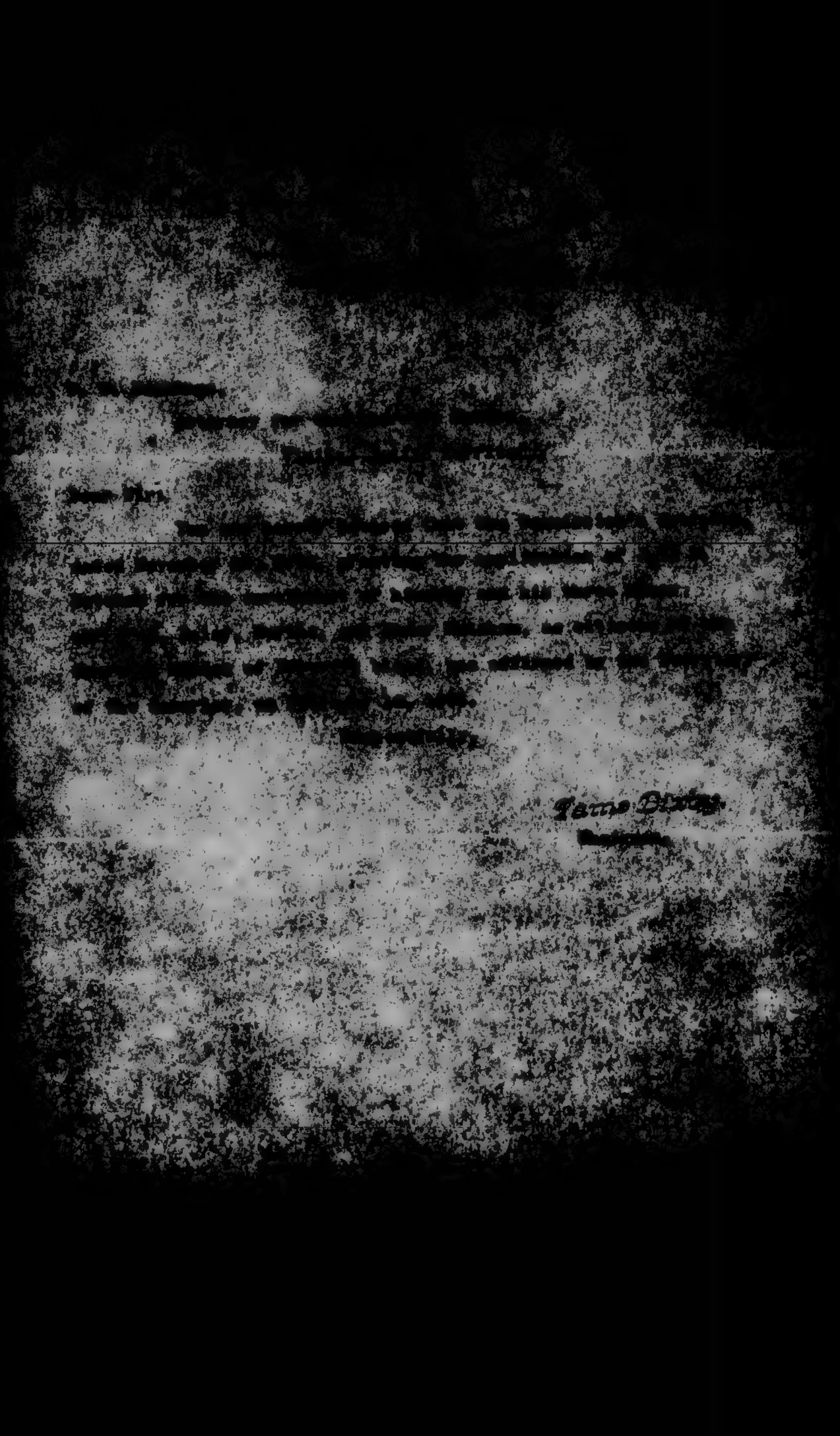
The Nation protests against [illegible]
tion and the only one necessary to [illegible]
principal applicant's name [illegible]
Delawares, it was necessary for him to [illegible]
Nation along with his father in order to [illegible]
in the Cherokee nation; that as this applicant [illegible]
the Cherokee Nation until three or four years [illegible]
majority, it was necessary for him to [illegible]
citizenship in the Nation the same as if he claimed [illegible]
blood; that no citizen can continuously retain his domicile in a
distant state and at the same time retain his citizenship in the
Cherokee Nation.

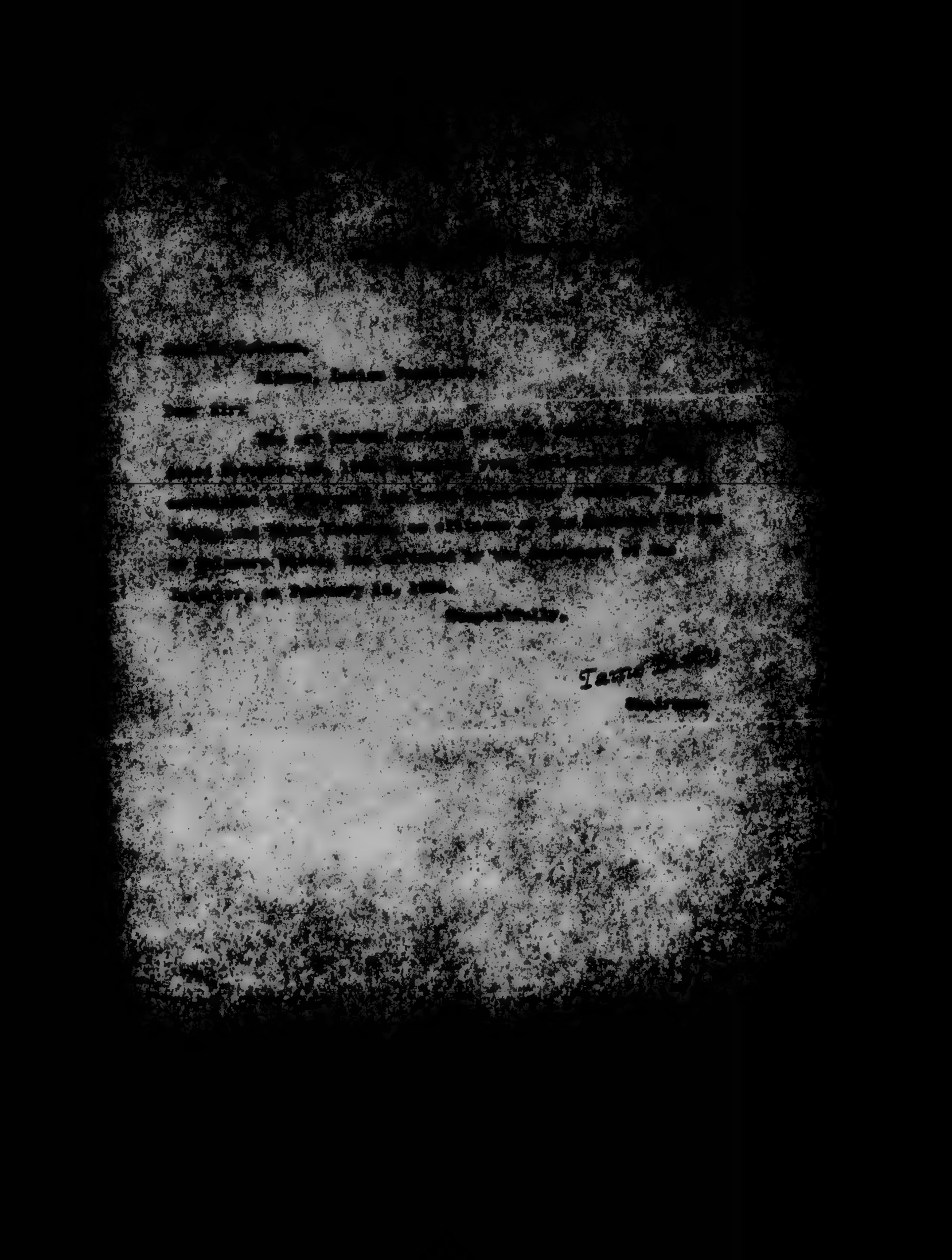
Reporting in the matter February 5, 1906, the Acting Commissioner of Indian Affairs recommends that your decision be observed in. A copy of his letter is inclosed.

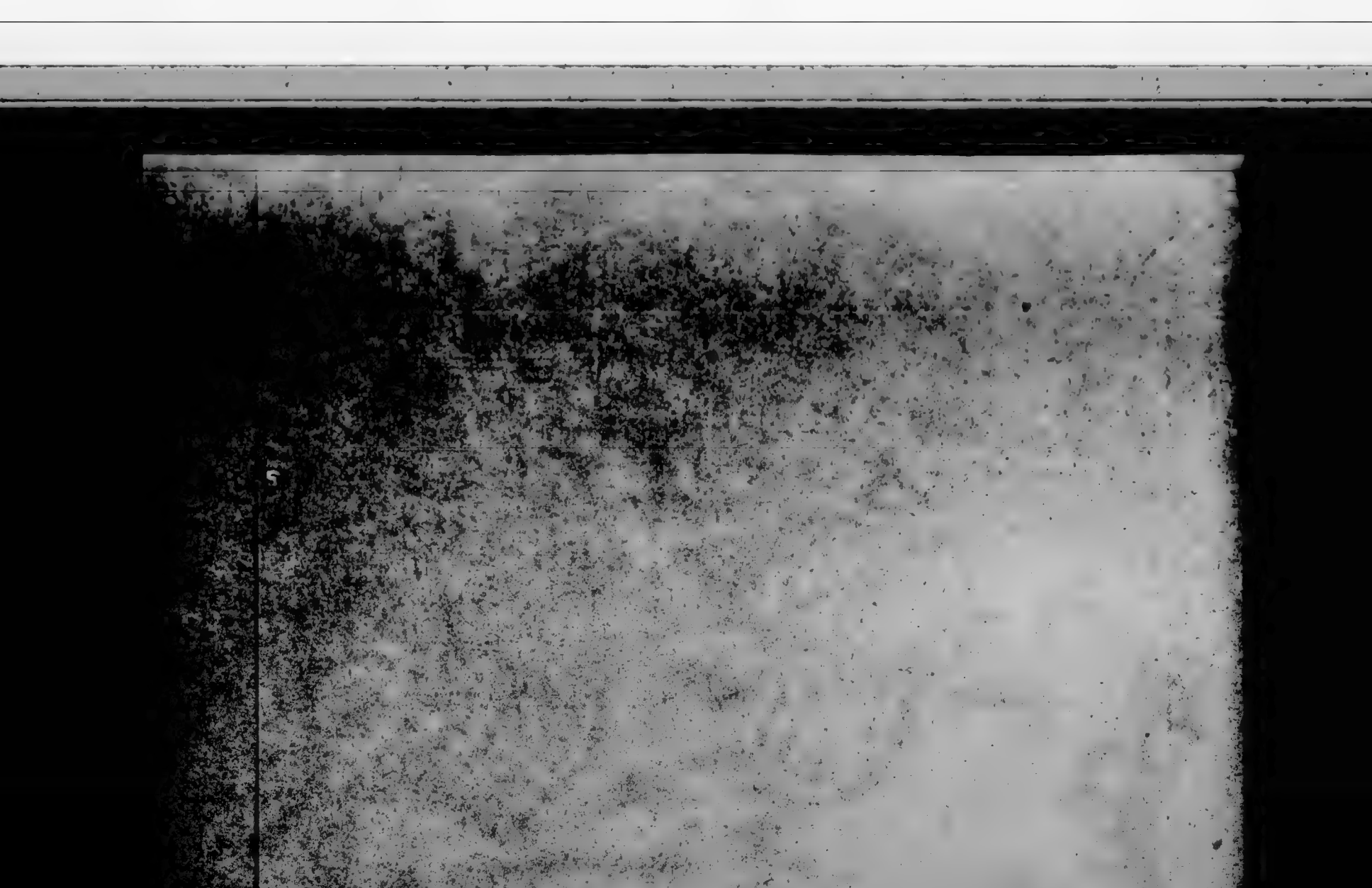
The principal applicant acquired a [illegible] in the Cherokee nation when his father [illegible] residence continued to be that by the [illegible] retained his majority. In the [illegible] applying to [illegible]





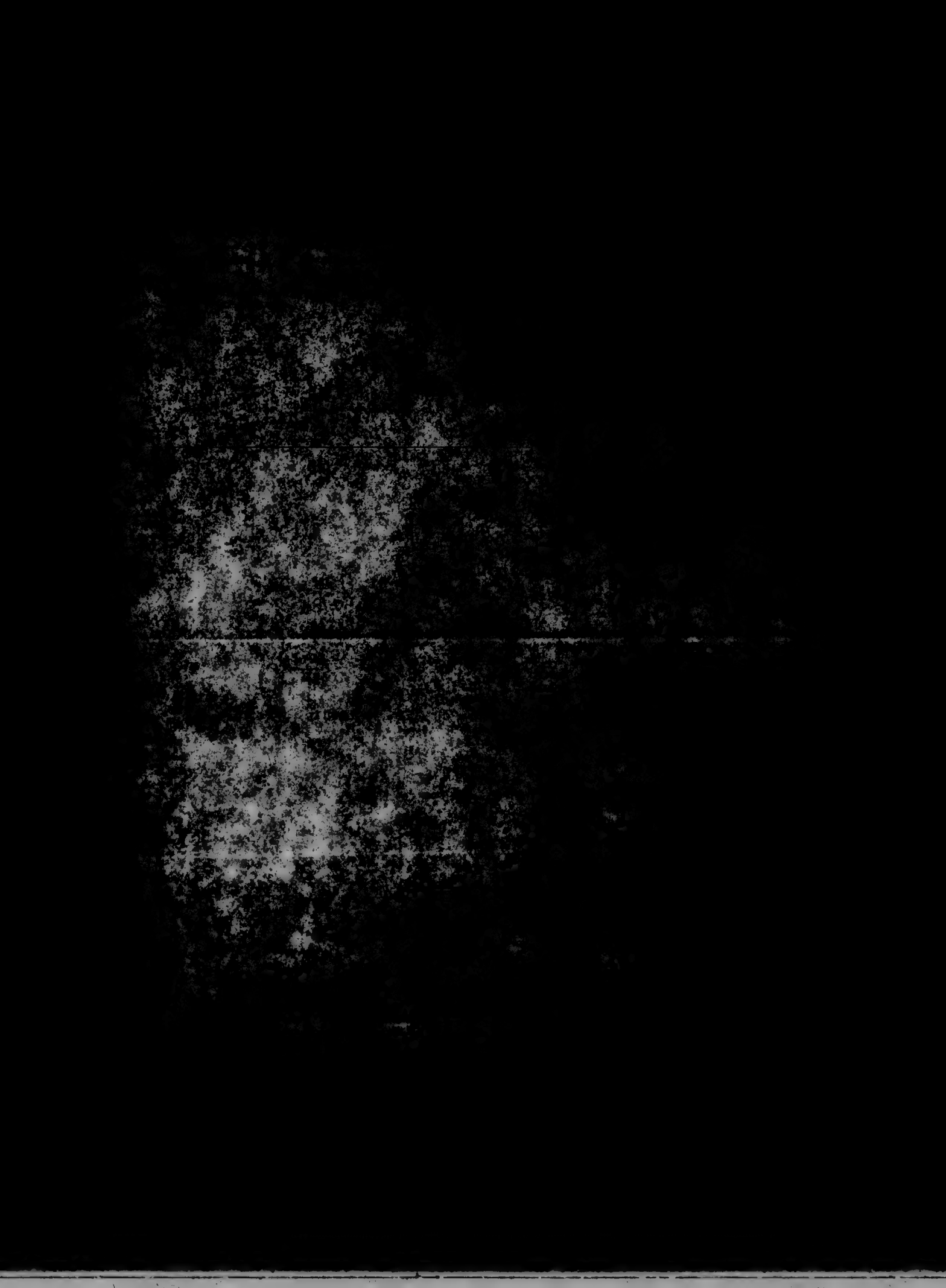








Q [illegible]
Q [illegible]
Q [illegible]



OCT 12

Name Attucksfield

District ..... Year .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Wife's name Shaimee's

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship Cherokee { John Brown

Intermarried citizen .....

Married under what law ..... Date of marriage .....

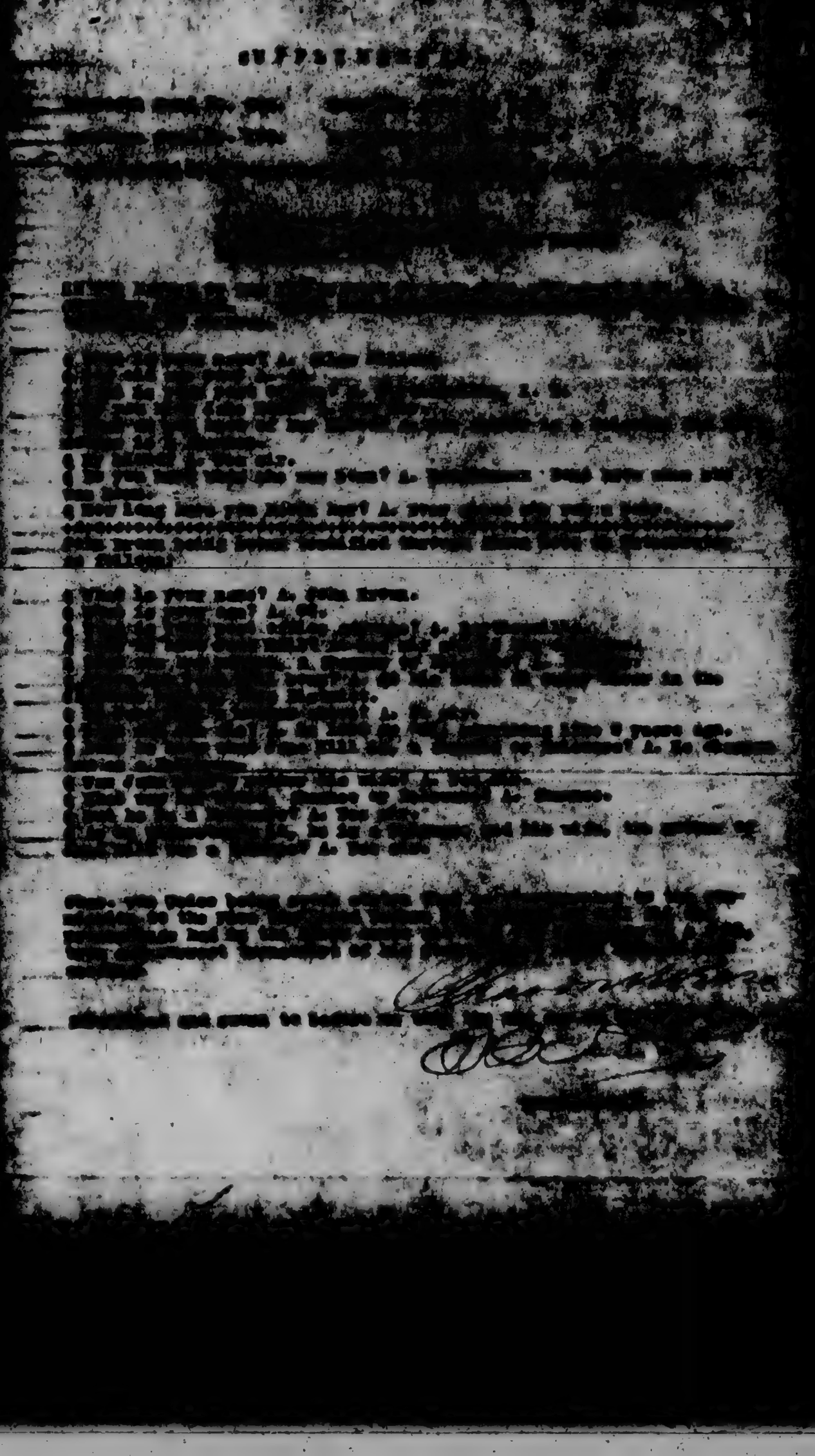
License ..... Certificate .....

Names of Children:

Katie Brown	Dist. COOWEESCOOWEE	Year 1896	Page 360	No. 96	Age 14
Lucinda "	Dist. COOWEESCOOWEE	Year	Page 360	No. 97	Age 12
Annie "	Dist. COOWEESCOOWEE	Year	Page 360	No. 98	Age 10
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

D565

[illegible]



[redacted]

[redacted]

[redacted]

DEPARTMENT OF THE INTERIOR,

Commission to the Five Civilized Tribes.

Muskogee I. T. November 29th 1902.

Cherokee D 566.

In the matter of the application of [redacted] Lucinda Brown and Annie Brown for enrollment as citizens of the Cherokee Nation of Delaware Blood.

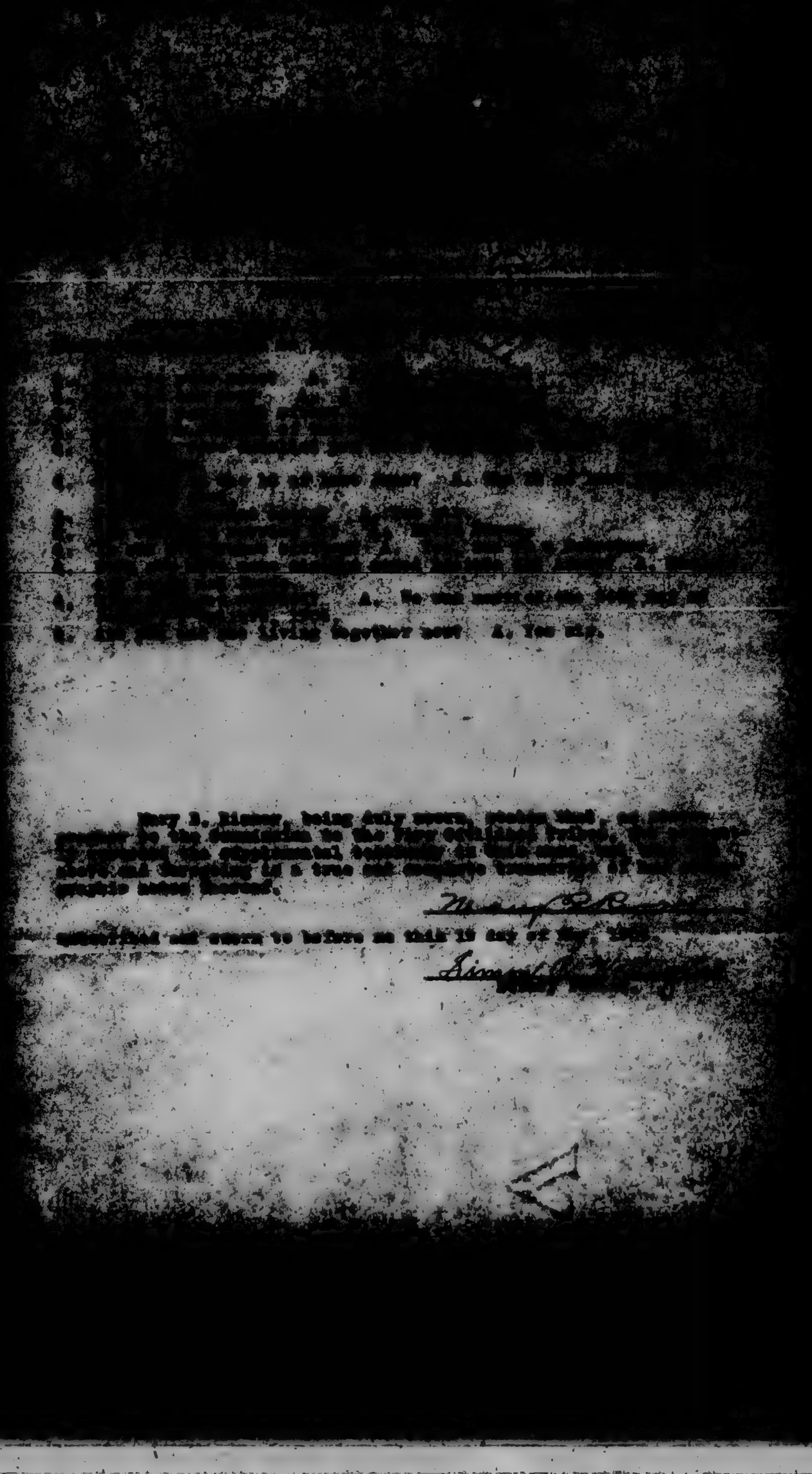
Motion to Reopen.

Comes now the Cherokee Nation and represents to the Commission that the testimony in this case shows that the mother of the applicants herein was a recognized shawnee of kinn of the Cherokee nation and the father was a Delaware citizen of the Cherokee nation hence the children should be enrolled as citizens of the Cherokee nation of Shawnee blood and not as citizens of the Cherokee nation of Delaware blood and therefore moves the Commission that its judgment be set aside and this case be reopened and that a new judgment be rendered ordering the applicants to be enrolled as citizens of the Cherokee Nation of Shawnee blood.

Respectfully submitted,

Reference is made to D 566. W W Hastings

Attorney for the Cherokee Nation.



DEPARTMENT OF THE INTERIOR
OFFICE OF INDIAN AFFAIRS

Application for enrollment with the Five Civilized Tribes

Application of [illegible] for enrollment as a citizen of the [illegible] Nation

Roll [illegible] Card [illegible]

Preliminary investigation of this case was made by [illegible] at [illegible] on [illegible]

Name	Relationship	Age	Sex	Blood	Roll No.
[illegible]		[illegible]			
[illegible]		[illegible]			
[illegible]		[illegible]			
[illegible]		[illegible]			
[illegible]		[illegible]			

Examiner [illegible] Date [illegible]

[illegible]

[redacted]

y Full [redacted]

E2 NW NE less [redacted]							
Washington							
2.24 A tract in	8	[redacted]	15E	17	[redacted]		
SE NW NE "	8	[redacted]	15E	10	[redacted]	[redacted]	
W2 NW NW "	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]		
Cherokee							
W2 W2 NW	15	15N	22E	40			
SE NW NW "	15	15N	22E	10			
NE SW NW "	15	15N	22E	10		80	

TOWNSHIP

[redacted]							
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]		
[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	

Not a legal sale to [redacted]
Apr 26 1921 - [redacted]

Sold 1/3 [redacted] Williams [redacted]
[redacted] to Louise Grimes

NOV [redacted]

[redacted]

Office of
Probate Attorney

Department of the Interior
United States Indian Service

JUN 7 1932

SUPT. FIVE CIV. TRIBES

Tulsa, June 6, 1932

Mr. A. M Landman,
Supt Five Civ. Tribes,
Muskogee, Okla

Dear Sir: Attention Miss Bowman.

My attention was called to Exemption Cert. # 287, lands of Katie Brown, then Bullette dec'd (Cancelled 3167) to William Spybuck says his third interest in the Washington Co land sold to Ernest Bullette — I think Muskogee records will show this.

Very truly yours
J. W Sickles.

Muskogee, Indian Territory,

Mr. John Brown

Dewey, Indian Territory.

Sir:-

You are hereby notified that the application of [redacted] for enrollment as citizen of the Cherokee Nation will be taken up for final [redacted] by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 1st day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Cherokee D-565
Register.

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

The Honorable,

The Secretary of the Interior.

Sir:

[redacted] to herewith transmitted the record of proceedings had in the matter of the application of John Proctor, [redacted] guardian of his three minor children, Kelly, Lucinda [redacted] as citizens of the Cherokee Nation of Indians, [redacted] Commissioner's decision, dated November 13, 1899, granting said application.

You are advised that the Cherokee Nation has [redacted] and transmitted a motion to remand [redacted] which is observed to be as follows:

[redacted]

Respectfully,

Tams Bixby,

[redacted]

Enc. 2-6556

Through the

[redacted]

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 4, 1903.

John Brown,

Dewey, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the record of proceedings had in the matter of your application for the enrollment of your three minor children, Katie, Lucinda and Annie Brown, as citizens of the Cherokee Nation of Delaware blood, together with a copy of the Commission's decision, dated November 12, 1902, granting your said application.

You are hereby advised that the Cherokee Nation has filed with the Commission a motion to reopen this case, which is considered to be in the nature of a protest. A copy of this motion is also herewith enclosed.

The decision, together with the record of proceedings had in this case, has this day been transmitted to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as the Commission is informed of same.

Respectfully,

Acting Chairman.

Enc. 5-24

[redacted]

(Copy)

Refer in reply
to the following:
Land
10237--1903

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON,
March 3, 1903.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed herewith a report from the Acting Chairman of the Commission to the Five Civilized Tribes dated February 7, 1903, forwarding for the Department's consideration the record relative to the application of John Brown for the enrollment of himself and his three minor daughters, Katie, Lucinda and Annie Brown, as citizens of the Cherokee Nation.

The Commission in its decision of November 12, 1902, states that John Brown is differently classed and is not therefore embraced in its decision of that date. The Commission held that Katie, Lucinda and Annie Brown are entitled to enrollment as citizens of the Cherokee Nation of Delaware blood.

The Cherokee Nation by its attorney protests against the decision and takes the position that the applicants should be enrolled as citizens of the Cherokee Nation of Shawnee blood.

The record in the case shows that the applicants are the children of John and Sarah Brown; that John Brown is of Delaware blood; that Sarah Brown was of Shawnee blood; that the name of

[redacted]

[redacted]

[redacted]

R.C. 6978-1906

J.P.

DEPARTMENT OF THE INTERIOR.

FEB

WASHINGTON.

I.T.D. 2542-1903.

March 9, 1906.

LRS

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

The Department has considered the case involving the application for the enrollment of Katie Brown, Lucinda Brown and Annie Brown, as citizens of the Cherokee Nation of Delaware blood.

It is shown that the applicants are the children of John and Sarah Brown, the former being a Delaware and the latter a Shawnee Indian. John Brown is identified on the Cherokee authenticated tribal roll of 1880, as an adopted Delaware. The mother of the applicants has been dead about 9 years.

November 12, 1902, you held that the applicants should be enrolled as citizens of the Cherokee Nation of Delaware blood.

The Nation protests against your decision, contending that as the mother of the applicants was a recognized Shawnee citizen of the Cherokee Nation, and the father was a Delaware citizen of said Nation, the children should be enrolled as citizens of said Nation of Shawnee blood and not of Delaware blood.

The theory upon which this contention is based does not appear.

Reporting to the [illegible]
Commissioner of Indian Affairs, [illegible]
be conferred [illegible]. A copy of his letter is [illegible].

Finding no reason to disturb your decision, it will be
affirmed.

Respectfully,

(signed) F. L. Campbell,
Acting Secretary.

1 inclosure.

[redacted]

[redacted]

[redacted]

[redacted] Secretary,

[redacted]

Sir, we hereby submit [redacted] dated November 27, 1868, granting [redacted] enrollment of your tribe about 4[redacted], [redacted] Amis Dyer, on account of the [redacted] Wives, was affirmed by the Secretary of the Interior on March 9, 1869.

Respectfully,

Jane Bixby

[redacted]

[redacted]

[redacted]

[redacted]

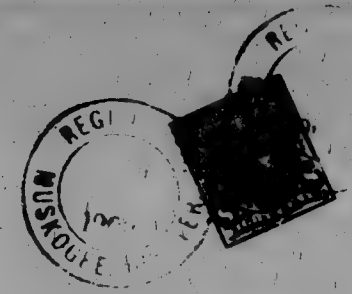
Dear Sir:

You are hereby advised that the Postmaster, [redacted], dated November 19, 1908, granting the application of [redacted] for the enrollment of his three minor children, [redacted], and Annie Brown, as citizens of the Cherokee Nation, [redacted], and affirmed by the Secretary of the Interior, March 9, 1909.

Respectfully,

Tams Bixby


MAR
1902
OGEE, IND. TER.



Department of th

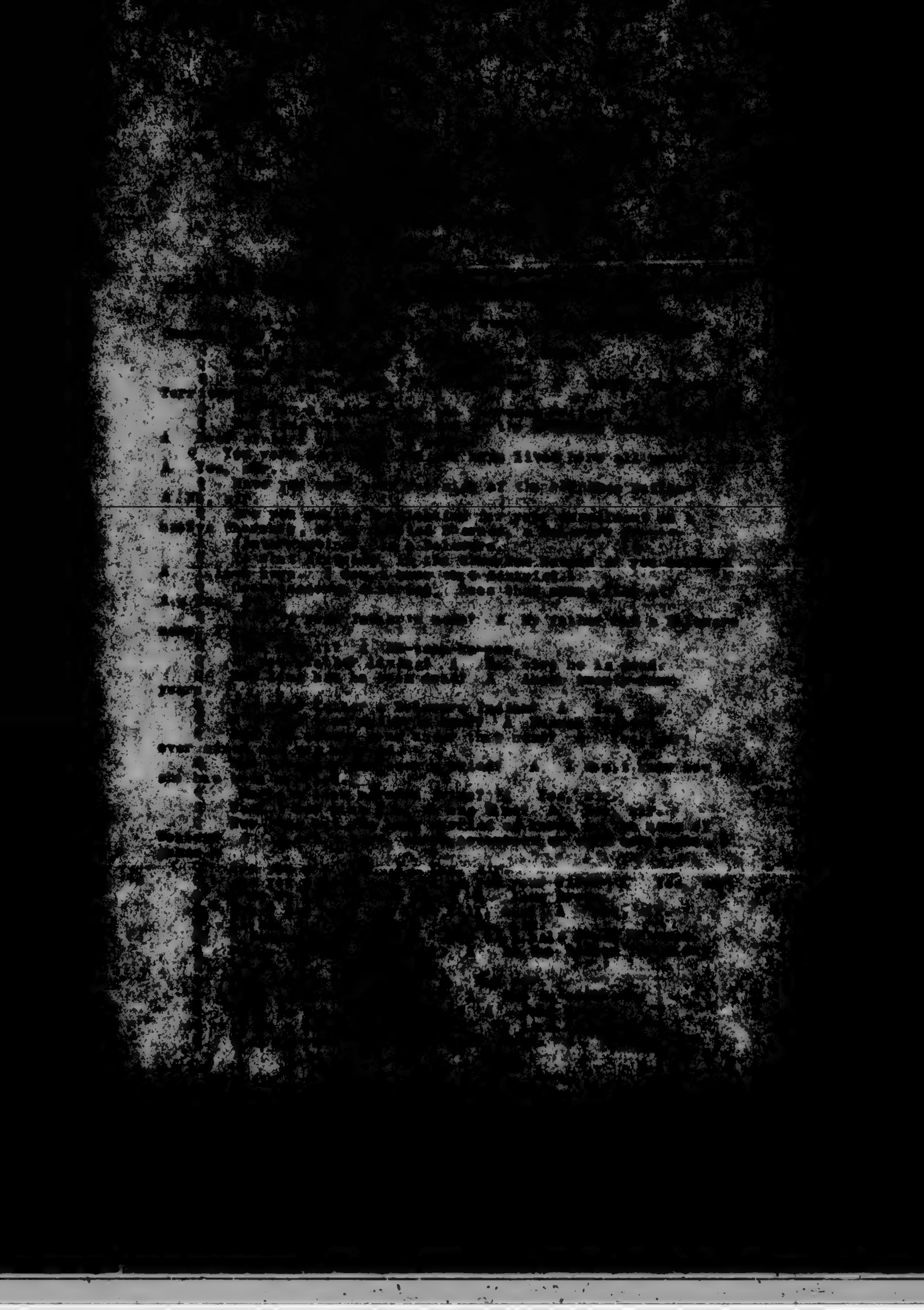
MUSKOKA AND

OFFICIAL BUSINESS

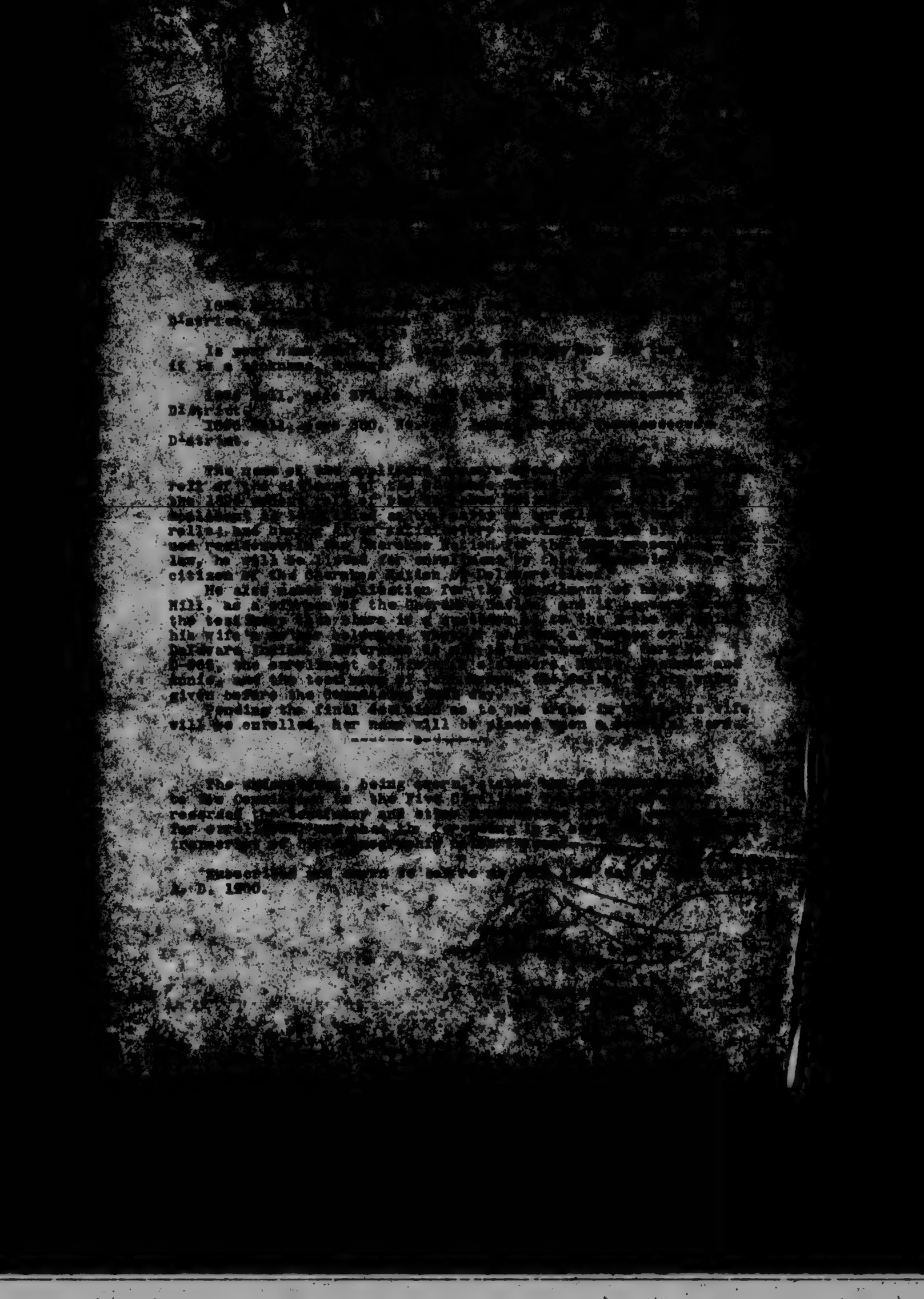
Penalty for private use, $300.

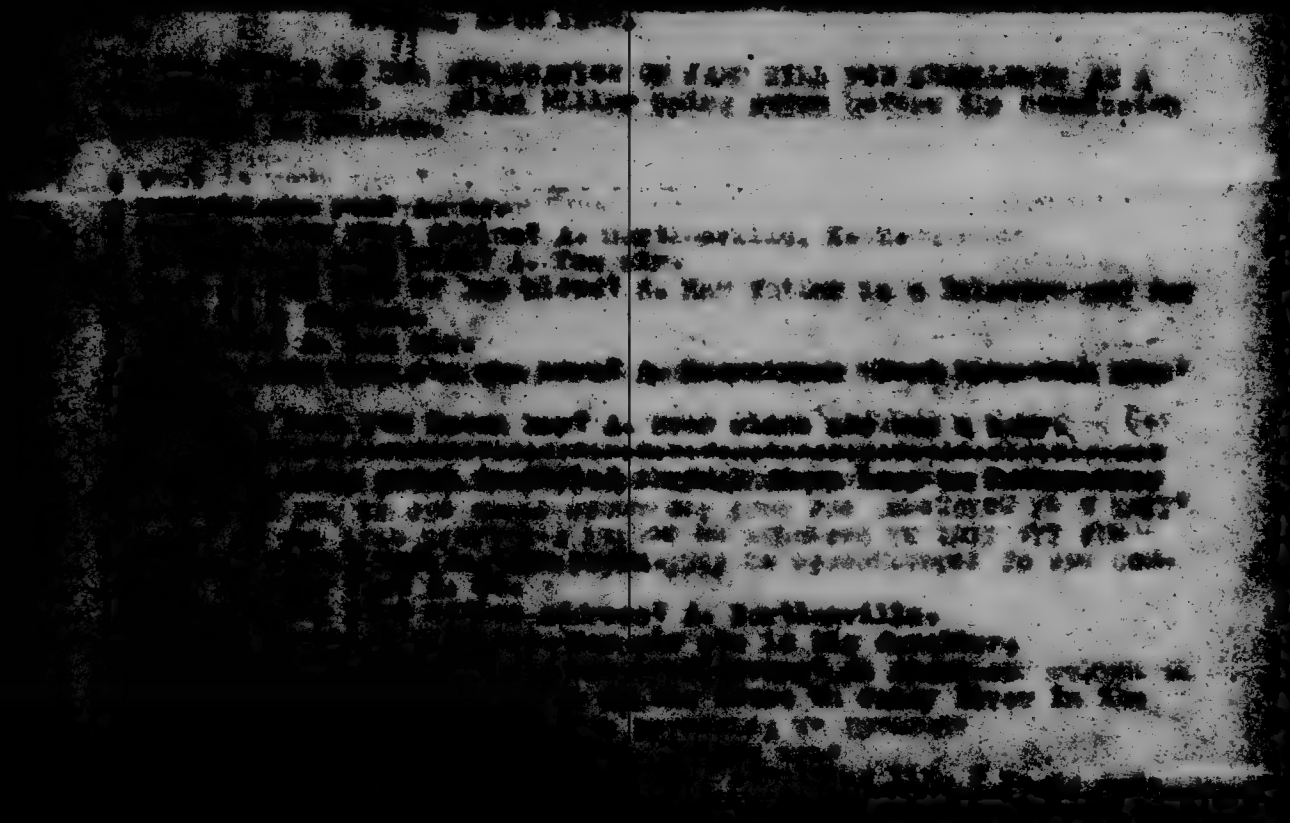
Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.
OFFICIAL BUSINESS
Penalty for private use, $300.





[redacted]







POOR ORIGINAL -
BEST AVAILABLE COPY

[illegible] will be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory on the first day of March,1902. Receipt was acknowledged of the Commission's letter and on said date the case was continued by agreement until the 10th day of March,1902. The applicant was notified that she could appear on said date before the Commission either in person or by attorney when an opportunity would be given her to introduce any further testimony affecting her application . The case was on this day, to-wit: the 10th day of ~~March~~ March,1902, ~~been called~~, and the applicant failing to respond either in person or by attorney it is considered that the testimony in said case is completed and the case will be reported to the Commission for final decision based upon the evidence now of record.

[redacted]

[redacted] 1902, to Jane Hill. Jane Hill was born in the Cherokee Nation, and her residence is considered to have been continuously therein to the date of [redacted] including the date of this application.

It is, therefore, the opinion of this Commission that Jane Hill and Alonzo T. Hill should be enrolled as citizens of the Cherokee Nation of Indians by blood in accordance with the provisions of [redacted] under Sec. of the Act of Congress approved June 28, 1898, (30 Stat., 495), and it is so ordered.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

[redacted] Chairman.

[redacted] Commissioner.

C. R. Breckinridge Commissioner.

Dated at Muskogee, Indian Territory,
this AUG 11 1902

CD566

DEPARTMENT OF THE INTERIOR,
Commission to the Five Civilized Tribes,
Muskogee, I. T. August 20th 1908.

In the matter of the application of [redacted] for enrollment as citizens of the Cherokee Nation of Delaware Blood.
C. D. 566.

The Cherokee Nation desires to protest against the enrollment of the applicants as citizens of the Cherokee nation of Delaware Blood and asks that the decision of the Commission rendered on August 11, 1908 be forwarded to the Honorable Secretary of the Interior for review.

The testimony in this case shows that the father of the applicants was a Cherokee citizen of Delaware Blood and that the mother of the applicants was a recognized Cherokee citizen of Shawnee blood and the contention of the Cherokee Nation is that the citizenship of the children should follow and be that of the mother and that inas much as there is no contention but that their mother was of Shawnee blood that the applicants should not be enrolled as of Delaware blood following their father but should be enrolled as of Shawnee blood following their mother. This is the only point in the case for consideration whether the Children will follow the status of their father or their mother.

Respectfully submitted,

W. W. Hastings

J. C. B.

Attorney for the Cherokee nation.

4 2366

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 24 1902

Acting Chairman

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Mr. Albert T. [redacted]

[redacted]

Sir:-

You are hereby notified that the application of your wife Jane, and one minor child

for enrollment as citizen # of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

1st day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Cherokee D-566.
Register.

Yours truly,

[redacted]





ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory,

Albert T. Hill,

Dewey, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the record of proceedings had in the matter of your application for the enrollment of your wife, Jane, and your minor child, Alonzo T. Hill, as citizens of the Cherokee Nation of Delaware blood, together with a copy of the Commission's decision dated August 11, 1902, granting said application.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest is also herewith enclosed.

The decision, together with the record of proceedings had in this case, was this day transmitted to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as the Commission is informed of same.

Respectfully,

Acting Chairman.

Enc. M-26

Refer in reply
to the following:
Land
10237-1903

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON,
March 5, 1903.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed herewith a report from the Acting Chairman of the Commission to the Five Civilized Tribes, dated February 9, 1903, forwarding the record in relative to the application of Jane Hill for the enrollment of herself and Alonzo T. Hill as Cherokee citizens.

August 11, 1902, the Commission held that the applicants were entitled to enrollment. The Cherokee Nation by its attorney protests against the Commission's decision. The attorney for the Cherokee Nation states that the father of the applicants was a Cherokee citizen of Delaware blood and that their mother was a Cherokee citizen of Shawnee blood, and that the applicants should be enrolled as citizens of Shawnee blood instead of citizens of Delaware blood.

The evidence shows that Jane Hill, nee Brown, is the daughter of John and Sarah Brown; that John Brown was a Delaware, and that his wife, Sarah Brown, was a Shawnee Indian. The name of John Brown appears on the 1880 roll as an adopted Delaware. The name of Jane Hill appears on the Cherokee [illegible] roll of 1896 as

an adopted Delaware, and Alonzo T. Hill is properly identified by birth certificate. He was born December 21, 1900, and is the son of Jane Hill. Jane Hill, nee Brown, was born in the Cherokee Nation and has resided there continuously since her birth.

In view of the foregoing the office is of the opinion that Jane Hill and Alonzo T. Hill should be enrolled as citizens of the Cherokee Nation of Delaware blood, and it recommends the approval of the Commission's decision.

Very respectfully,

A. C. Tenner,
Acting Commissioner.

GA.W. (S)

D.C. 6977-1903 E.P.

[illegible] of the Interior. TEB

WASHINGTON.

I.T.D. 2340-1903.

March 9, 1903.

LRS

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

The Department has considered the case involving the application of Albert T. Hill, for the enrollment of his wife, Jane Hill, and his minor child, Alonzo T. Hill, as citizens of the Cherokee Nation.

It appears that Jane Hill, formerly Brown, is the daughter of John and Sarah Brown, the former being a Delaware and the latter a Shawnee Indian; that John Brown is identified on the Cherokee authenticated tribal roll of 1880 as an adopted Delaware; that the mother of Jane Hill has been dead for 9 years; that Jane Hill is identified on the Cherokee census roll of 1896, as an adopted Delaware; that Alonzo T. Hill was born December 21, 1900.

You held August 11, 1902, that Jane Hill and Alonzo T. Hill should be enrolled as citizens of the Cherokee Nation of Delaware blood in accordance with the provisions of section 21 of the act of June 28, 1898 (30 Stat., 495).

The Nation protests, contending that inasmuch as there is no question but that the mother of Jane Hill was of Shawnee blood, that the applicants should not be enrolled as of Delaware blood, following their father, but should be enrolled as of Shawnee blood.

following these reports.

If this contention is based on [illegible] of the Cherokee Nation, as recited, there is none.

The Acting Commissioner recommends that you decline concurred in. A copy of his letter of [illegible], submitting the case, is inclosed.

Finding no reason to disturb your decision, it is hereby affirmed.

Respectfully,

(signed) F. L. Campbell,
Acting Secretary.

1 inclosure.

Muskogee, Indian Territory, [illegible]

Albert T. Hill,

Dewey, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated August 11, 1902, granting your application for the enrollment of your wife, Jane, and your minor child, Alberta T. Hill, as citizens of the Cherokee Nation of Delaware blood, was affirmed by the Secretary of the Interior on March 9, 1903.

Respectfully,

Tams Bixby.
Chairman.

[illegible]

W. W. Hastings,
Attorney for the [illegible]
Vinita, Indian Territory.

Dear Sir:

You are hereby advised that the Commissioner's decision of August 11, 1906, granting the application of Robert [illegible] for the enrollment of his wife, Jane, and his minor child, Harold E. Hill, as citizens of the Cherokee Nation by blood, was affirmed by the Secretary of the Interior on March 9, 1908.

Respectfully,

[illegible]
Chairman.

LANSING, KANS.
MAY
11
1903
M.&E.

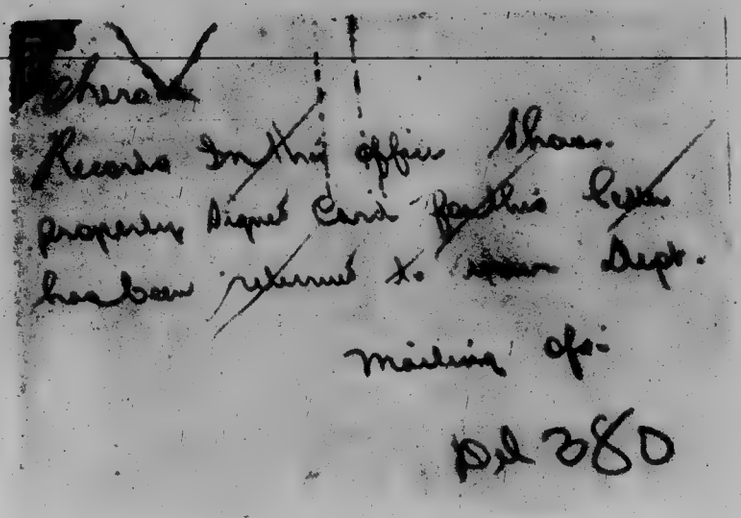
Department of the Interior.

Commissioner Five Civilized Tribes,

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS

Penalty for private use, $300.


Records in this office show.
mailing office
DL 380

Reed W

Are you a Cherokee by blood? A [illegible]
Full blood? A Yes sir.
Q And your wife a [illegible]? A Yes sir.
Q Full blood? A Yes sir.
Q How long have you lived in the Cherokee [illegible]? A All my life.
Q Give me the name of your father? A Joe Wilson.
Q Is he dead? A Yes sir.
Q Give me your mothers name? A I dont know what my mothers name.
Q Is she dead? A Yes sir.
Q What is the name of your wife? A Mary.
Q How old is your wife? 22.
Q When did you marry her? 3 years ago.
Q What was her name when you married her? A. [illegible]
Q What has [illegible] name Jennie? A I dont know what her name was.
Q Have you been living with her ever since you married her? A Yes.
Q Give me the name of your child? A Ida.
Q How old is your child? A [illegible].

BY M. L. [illegible] representative of the Cherokee Nation.

Q Where are you living now? A On Goon Creek.
Q How long have you lived on Goon Creek? A All my life.
Q Where did you marry your wife? A. Wigen.
Q Is your wife registered as a Quapaw.
Q Did your wife get her allotment in the Quapaw Nation? A. Yes sir
Q. Did they give your child an allotment there? A No sir.
Q Did they recognize her as a Delaware? A Yes sir.
Q Did you make application for your child allotment in the Quapaw Nation? A No sir.

[illegible] mail, page [illegible], No. 3208, Reed Wilson, Cooweescoowee, Adpt. No.
[illegible] " [illegible], " 466, Reed Wilson, "

[illegible] being called as a witness in the above styled and [illegible] by Commissioner Breedlove testified through [illegible] as sworn interpreter as follows:

Examination by M. L. [illegible] What is your name? A Sam [illegible].
Q What is your post office address? Bunch.
Q Do you live here in the Cooweescoowee District? A Yes sir.
Q Do you know this boy Reed Wilson? A Yes sir.
Q Where does he live at? A On Goon Creek.
Q Is he on a place on Goon Creek now? A Yes sir, [illegible] live on it.
[illegible] A Yes sir. [illegible] A No sir.
[illegible]

Reed Wilson, Jr.

[illegible]

REED WILSON re-called and testified as follows:

Q There was your child born in [illegible]
Q Was your wife there in the [illegible]
you married here? A [illegible]
county down here.
Q Are you keeping house in the county [illegible]
Q How do you live if you are not keeping house? A We are living with my wife's sister.

The applicant is identified on the 1900 and 1910 [illegible] Kokomo. He states that he has lived in the [illegible] his life, and it appears from the [illegible] lived for the past year in the county [illegible] by outside territory. He is married to [illegible] to be enjoying the privileges of a [illegible] she has lived on the [illegible] also makes application, who, he says, [illegible] He does not apply for his wife to [illegible] years ago. In view of the [illegible] law in connection with residence and [illegible] of the Indian Tribes require actual residence within their territorial limits in order to obtain enrollment and tribal recognition, the application of the applicant [illegible] will be placed upon a deferred case [illegible] desired to present a certificate of the [illegible] the Commission is supplied with [illegible] of this child if also will be [illegible] a complete case for further [illegible] a Choctaw-Delaware. It is [illegible] child is entitled to enrollment and has already been enrolled as a citizen of the Choctaw Nation.

Chas. Van Meter being sworn states that as stenographer to the Commission he reported in full all [illegible] in the above entitled cause and that the foregoing is a true, correct and full transcript of his stenographic notes in said proceedings.

[illegible]

Subscribed and sworn to before me this the [illegible] day of October, 1906.

[illegible]

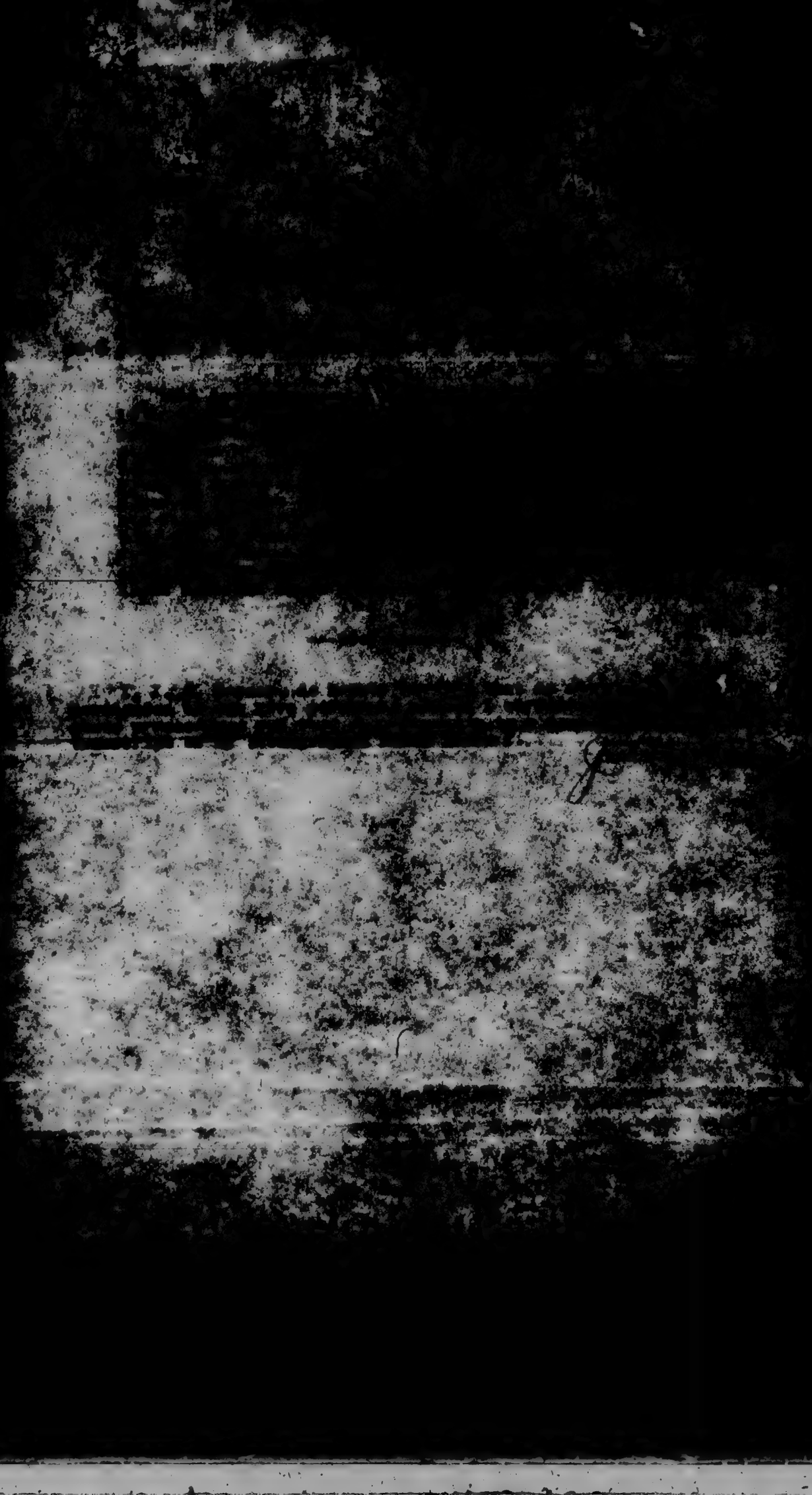
Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 22, 1902.

SUPPLEMENTAL in the matter of the enrollment of REED WILSON as a citizen of the Cherokee Nation by Delaware blood.

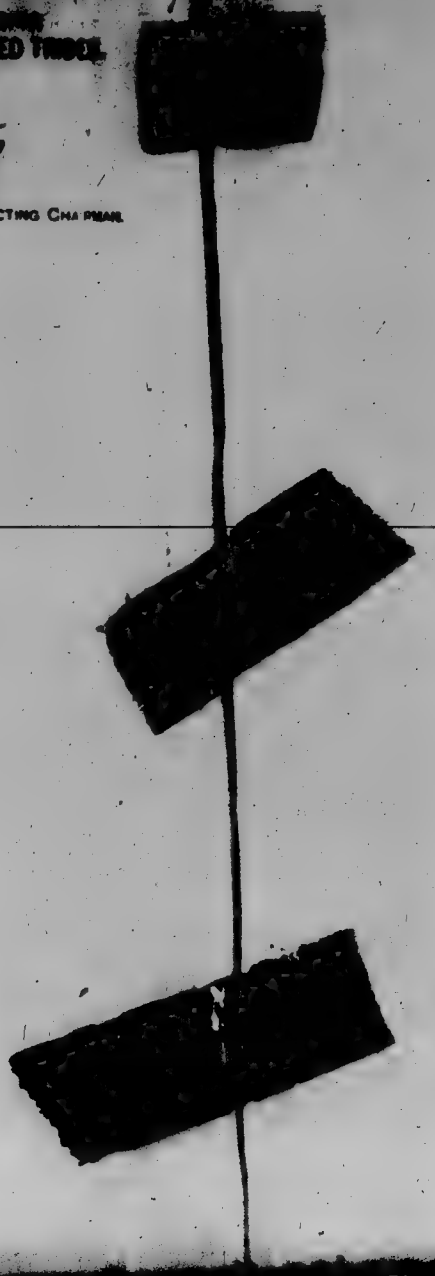
The applicant was notified by registered letter March 5, 1902, that his application for the enrollment of himself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 22d day of March, 1902, and that on said day he could appear before the Commission either in person or by attorney when an opportunity would be given him to introduce any further testimony affecting his case. The applicant has this day, to-wit: the 22d day of March, 1902, been called and failing to respond either in person or by attorney, the case is deemed completed and will be reported to the Commission for final decision based upon the evidence now of record.

---ooo0ooo---

I, J. S. Bonnie, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly reported the [illegible] and that the foregoing is a true



DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
OCT 11 1900
ACTING CHAIRMAN



Name Red Wilson, Davey Dist.

District COOWEESCOOWEE. Year 1908 No. 3409

Citizen by blood Cherokee Mother's citizenship Ida Wilson Ark 2

Intermarried citizen — " — " —d

Married under what law Date of marriage

License Certificate

Wife's name

District Page

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

Ida Wilson Dist. Year Page No. Age 2

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

2 appld for tribal rights

Ind Ty

CERTIFICATE OF RECORD.

United States of America,
Indian Territory,
Northern District. } ss.

I, Jno. A. Wroten, Clerk of the United States Court in the Northern District, Indian Territory, do hereby certify that the instrument herein attached was filed for record in my office on the 10th day of July, 1897, at ——— M., and duly recorded on page 5, [illegible] Book.

WITNESS my hand and seal of said Court at Muskogee, this 10th day of July, A. D. 1897.

SEAL

Jno A Wroten

By ———

Chas Dela D 9

Chas Dela

Western District. } ss.

I, R. P. Harrison, Clerk of the United States Court in the Western District, Indian Territory, and ex-officio Recorder of Deeds in and for said District and Territory, do hereby certify that the instrument herein attached is a full, true and correct copy of [illegible] filed in my office on the 10th day of July, 1897, and recorded in Book [illegible] page 569 thereof.

WITNESS my hand and seal of said Court at Muskogee, in said Territory, this 7th day of August, A. D. 1897.

R. P. Harrison
Clerk.

[illegible] Deputy Clerk.

To Any Person Authorized by Law to Solemnize Marriage—Greeting:

You are Hereby Commanded to Solemnize the Rite and publish the Banns of Matrimony between Mr. Ned Wilson of Bartlesville, in the Indian Territory, aged 29 years, and Miss Laura Jenny Thompson of Quapaw Agency, in the Indian Territory, aged 22 years, according to law, and do you officially sign and return this License to the parties therein named.

WITNESS my hand and official seal at Muscogee, Indian Territory, this 19 day of June, A. D. 1897.

SEAL

Jas. A. Templeton
Clerk of the U. S. Court

By W. E. Rowsey Deputy.

CERTIFICATE OF MARRIAGE.

United States of America, } ss.
INDIAN TERRITORY,
Northern District.

I, H. B. Scruggs, a Minister of the Gospel

DO HEREBY CERTIFY, that on the 19 day of June, A. D. 1897

I did duly and according to law as commanded in the foregoing License, solemnize the Rite and publish the Banns of Matrimony between the parties therein named.

WITNESS my hand this 19 day of June, A. D. 1897

My credentials are recorded in the office of the Clerk of the United States Court, Indian Territory, Northern District.

Book B, Page 69

Rev. H. B. Scruggs

Death of

Ida [illegible]

Approved June 10, 1901

[signature]

Commissioner

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JUN 20 1901

[signature]
ACTING CHAIRMAN

County of Cherokee }ss
State of Kansas }
To the Commissioner of the Five Civilized
Tribes

being cognizant of all the facts
hereinafter and sworn to on documents
attached hereto, I do not hesitate to say
they are Correct.

Reed Wilson is a Delaware Indian
Lenna Jenny Wilson is a Quapaw Indian
Ida Wilson was their child
it died on Oct 8th 1900
Dennis Flynn Wilson is their child.
he was born on Oct 21st 1900.

Reed Wilson and Lenna Jenny were legally
married at Miami Indian Territory by
the Hon W. C. Rowsey Deputy Clerk U.S. Court

C. W. Daniels is a reputable Notary
Public at this place, Baxter Springs, Kans

Respectfully submitted

A. W. Abrams
Clerk Quapaw Council

Post Office
Baxter Springs, Ks

June 6th 1901

IN RE

Application for Enrollment of

INFANT CHILD

Ida Wilson

as a citizen of the

Chickasaw Nation.

Approved, June 12th 1901

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
JUN 12 1901

Dockets

INDIAN TERRITORY.
..... District.

I, ..., on oath state that I am ..... years of age and a citizen, by ....., of the ..... Nation; that I am the lawful wife of ....., who is a citizen, by ....., of the ..... Nation; that a ..... (male or female) child was born to me on the ..... day of ..... 1..... ; that said child has been named ....., and is now living.

(Must be Two Witnesses)

Subscribed and sworn to before me this ..... day of ..... 190....

NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
..... District.

I, ..., a ....., on oath state that I attended on Mrs. ....., wife of ....., on the ..... day of ....., 1..... ; that there was born to her on said date a ..... (male or female) child; that said child is now living and is said to have been named .....

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this ..... day of ..... 190....

NOTARY PUBLIC.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Muscogee

Ida Wilson, born on the ____ day of ____

(Name of child)

Name of Father: Reed Wilson, a citizen of the Muscogee

Name of Mother: Ruth J. Wilson, a citizen of the Muscogee

Post-office: Dewey, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
____ District.

I, ____, on oath state that I am ____ years of age and a citizen, by ____, of the ____ Nation; that I am the lawful wife of ____, who is a citizen, by ____, of the ____ Nation; that a ____ child was born to me on the ____ day of ____, 1____; that said child has been named ____, and is now living.

(Must be Two Witnesses)

Subscribed and sworn to before me this ____ day of ____, 190____.

NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
____ District.

I, ____, a ____, on oath state that I attended on Mrs. ____, wife of ____, on the ____ day of ____, 1____; that there was born to her on said date a ____ child; that said child is now living and is said to have been named ____.

(Name of child)

witness my hand.

(Must be Two Witnesses)

Subscribed and sworn to before me this ____ day of ____, 190____.

____

applicant was duly registered [illegible] 1902, that his application for the enrollment of himself as a citizen of the Cherokee Nation would be taken up for final consideration by the Commission at its office in Muskogee, Indian Territory, on the 22d day of March, 1902, and that on said day he could appear before the Commission either in person or by attorney when an opportunity would be given him to introduce any further testimony affecting his case. The applicant has [illegible] day, to-wit: the 22d day of March, 1902, been called and failing to respond either in person or by attorney, the case is deemed completed and will be reported to the Commission for final decision based upon the evidence now of record.

---o0o---

I, J. O. Rogers, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the above proceedings and that the foregoing is a true and complete transcript of my stenographic notes thereof.



IN RE

Application for Enrollment of

INFANT CHILD

Dennis F. Nelson,

as a citizen of the

Cherokee Nation.

Approved, August 27, 1907

Commissioner.

CARD B

AUG 22 1902

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation, of Dennis Flynn Wilson, (Give name in full) born on the 21st day of October, 1900. Name of Father: Reed Wilson, a citizen of the Cherokee Nation. Name of Mother: Laura Jenny Wilson, a citizen of the Cherokee Nation. Post-office: Apache Tex

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, Indian Territory, Cherokee Nation, District. } ss

I, Laura Jenny Wilson, on oath state that I am 22 years of age and a citizen, by blood, of the Cherokee Nation; that I am the lawful wife of Reed Wilson, who is a citizen, by adoption, of the Cherokee Nation, that a male (male or female) child was born to me on the 21st day of October 1900, that said child has been named Dennis Flynn Wilson, and is now living.

Laura Jenny Wilson

WITNESSES TO MARK:
(Must be Two Witnesses) L. P. Daniels, George Redeagle

Subscribed and sworn to before me this 5th day of August 1901

Com Expires Feb 5th 1904 C. C. Daniels, NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, Indian Territory, District. }

I, Meh hunk a zhe ka, a mid wife, on oath state that I attended on Mrs. Laura Jenny Wilson wife of Reed Wilson, on the 21st day of October, 1900, that there was born to her on said date a male (male or female) child; that said child is now living and is said to have been named Dennis Flynn Wilson

Meh-hunk-a-zhe-ka

WITNESSES TO MARK:
(Must be Two Witnesses) L. P. Daniels, George Redeagle

Subscribed and sworn to before me this 5th day of August 1901

Com Expires Feb 5th 1904 C. C. Daniels, NOTARY PUBLIC.

Cherokee-Delaware D 9

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Reed Wilson for the enrollment of himself and two minor children, Ida and Dennis F. Wilson, as citizens of the Cherokee Nation of Delaware blood.

D E C I S I O N.

The record in this case shows that on October 11, 1900, Reed Wilson appeared before the Commission at Bartlesville, Indian Territory, and made application for the enrollment of himself and his minor child, Ida Wilson, as citizens of the Cherokee Nation of Delaware blood. Another child, Dennis F. Wilson, has been born to Reed Wilson and his wife, Laura J. Wilson, since the date of this application and that child is now embraced in this decision.

The evidence in this case shows that Reed Wilson, a Delaware Indian, who is identified on the Cherokee authenticated tribal roll of 1880, and Laura J. Thompson, a Quapaw Indian, were lawfully married June 19, 1897. As a result of that marriage the minor applicants herein were born. Reed Wilson is identified on the Cherokee census roll of 1896. Dennis F. Wilson is too young to be upon any roll, but is identified by a birth affidavit made a part of the record herein.

The evidence further shows that Laura J. Wilson, the wife of the principal applicant, is a Quapaw Indian and enrolled as a member of the Quapaw tribe in Indian Territory. The said Reed Wilson has lived in the Indian Territory all his life. The minor child, Dennis F. Wilson, has lived in said Territory since birth and is not enrolled as a member of the Quapaw tribe of Indians. The evidence further shows that Ida Wilson died in June, 1900. An affidavit to that effect is made a part of the record herein.

The Act of Congress approved July 1, 1902 (Public No. 241), section twenty-five, duly ratified as provided for in section seventy-five thereof, is as follows:

"The roll of citizens of the Cherokee Nation shall be made as of September first, nineteen hundred and two, and the names of all persons then living and entitled to enrollment on that date shall be placed on said roll by the Commission to the Five Civilized Tribes."

It is, therefore, the opinion of this office that

Wilson and [illegible]

Cherokee Nation of Indians

of Northern District, I. T.

(26 Stats., 989, and 34

It is further ordered that

ment of Ida Wilson as a citizen

Blood, be, and the same is, hereby

Commissioner to the Five Civilized Tribes.

C. R. Breathitt Jr.

W E Haney

Dated at Muskogee, I. T.,

this APR 27 1903

HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BREEDLOVE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, March 3, 1902.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Mr. Reed Wilson,

Dewey, Indian Territory.

Sir:-

You are hereby notified that the application of yourself and two minor children for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

March 22, 1902

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application, as you may deem necessary.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with certificate of marriage of yourself to your wife, Roxy; also affidavit as to the death of your child Ida.

Yours truly,

Enclosure.

Cherokee Roll, R 9

Muskogee, Indian Territory, July [illegible], 1902.

Mr. Reed Wilson,

Baxter Springs, Kansas.

Sir:

There are enclosed birth affidavits which you are required to have executed by your wife and the midwife attending your wife at the time of the birth of your child, Dennis Flynn Wilson. Certain blanks, marked with crosses (X) in pencil, must be filled out and the affidavits must be sworn to before a Notary Public or other officer authorized to administer oaths. These new affidavits are required on account of certain inaccuracies and omissions in the original affidavits which are herewith returned to you.

There are also enclosed affidavits of death, as it appears that your child, [illegible], is dead. These affidavits you are required to have properly executed and returned to the office of this Commission at Muskogee, Indian Territory, before August 6, 1902.

You are also required to supply this Commission with a certificate of your marriage to your wife, Laura Jenny Wilson, or a certified copy of the record of your marriage.

Yours truly,

Commissioner in Charge.

Encls. 3
Register.

INDEXED.

COMMISSION TO FIVE TRIBES.

No.	Received	ANSWERED Book	Page
23597	DEC 6 1902		

1902

Dufant, Horace B.,
Wyandotte, I. T.,
December 3, 1902.

CHEROKEE

States that no application has been made there for enrollment of Dennis F. Wilson.

No answer

DEC 9 1902

DEC 3 1902

23597
1902

Dufant, Horace B.,
Wyandotte, I. T.,
December 3, 1902.

CHEROKEE.

States that no application has been made there for enrollment of Dennis F. Wilson.

No answer
DEC 9 1902

RECEIVED
DEC 3 1902
COMMISSION TO THE FIVE CIVILIZED TRIBES

DEPARTMENT OF THE INTERIOR.

UNITED STATES INDIAN SERVICE.

Seneca Indian Training School, I.T.,
Wyandotte, I.T., Dec. 3, 1902.

The Commission
to the Five Civilized Tribes.

Sirs:

Answering your communication of Nov. 22, 1902, (Delaware ---), I have to state that no application has been made in this office for the enrollment of Dennis F. Wilson, the child of Laura J. Wilson. The mother, Laura J. Wilson, is a Quapaw Indian and enrolled with her tribe, but the child is not enrolled as a member of the Quapaw or any other tribe of this agency.

Very respectfully,

Superintendant in charge of
Quapaw Agency, I.T.

Muskogee, Indian Territory, [illegible]

W. W. Hastings,
Attorney for the Cherokee Nation,
Vinita, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated April 27, 1906, granting the application of Reed Vilson for the enrollment of himself and his minor child, Dennis F. Vilson, as citizens of the Cherokee Nation of Delaware blood, and dismissing his application for the enrollment of his minor child, Ida Vilson.

You are hereby advised that you will be allowed fifteen days from date hereof, in which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby,
Chairman.

Enc. 1-6-06

COPY

Muskogee, Indian Territory, April 28, 1906.

W. W. Hastings,
Attorney for the Cherokee Nation,
Vinita, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated April 27, 1906, granting the application of Reed Wilson for the enrollment of himself and his minor child, Dennis F. Wilson, as citizens of the Cherokee Nation of Delaware blood, and dismissing his application for the enrollment of his minor child, Ida Wilson.

You are hereby advised that you will be allowed fifteen days from date hereof, in which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

Tams Bixby.

Chairman.

Enc. M-165

[redacted]

[redacted], Indian Territory, [redacted]

Reed Wilson,

Dewey, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes dated April 27, 1906, granting your application for the enrollment of yourself and your minor child, Dennis F. Wilson, as citizens of the Cherokee Nation of Delaware blood, and dismissing your application for the enrollment of your minor child, Ida Wilson, she having died in June, 1900.

Respectfully,

Commissioner in Charge.

Enc. D-8

829

Certificate of marriage
of Peter Wilson to
Ida Roy. in official
evidence in this case.

Enclosed affidavit
from Miss Ida

Department of the Interior.

Commissioner of Indian Affairs,

MUSKOGEE INDIAN TERR.

OFFICIAL BUSINESS

Penalty for private use, $300.

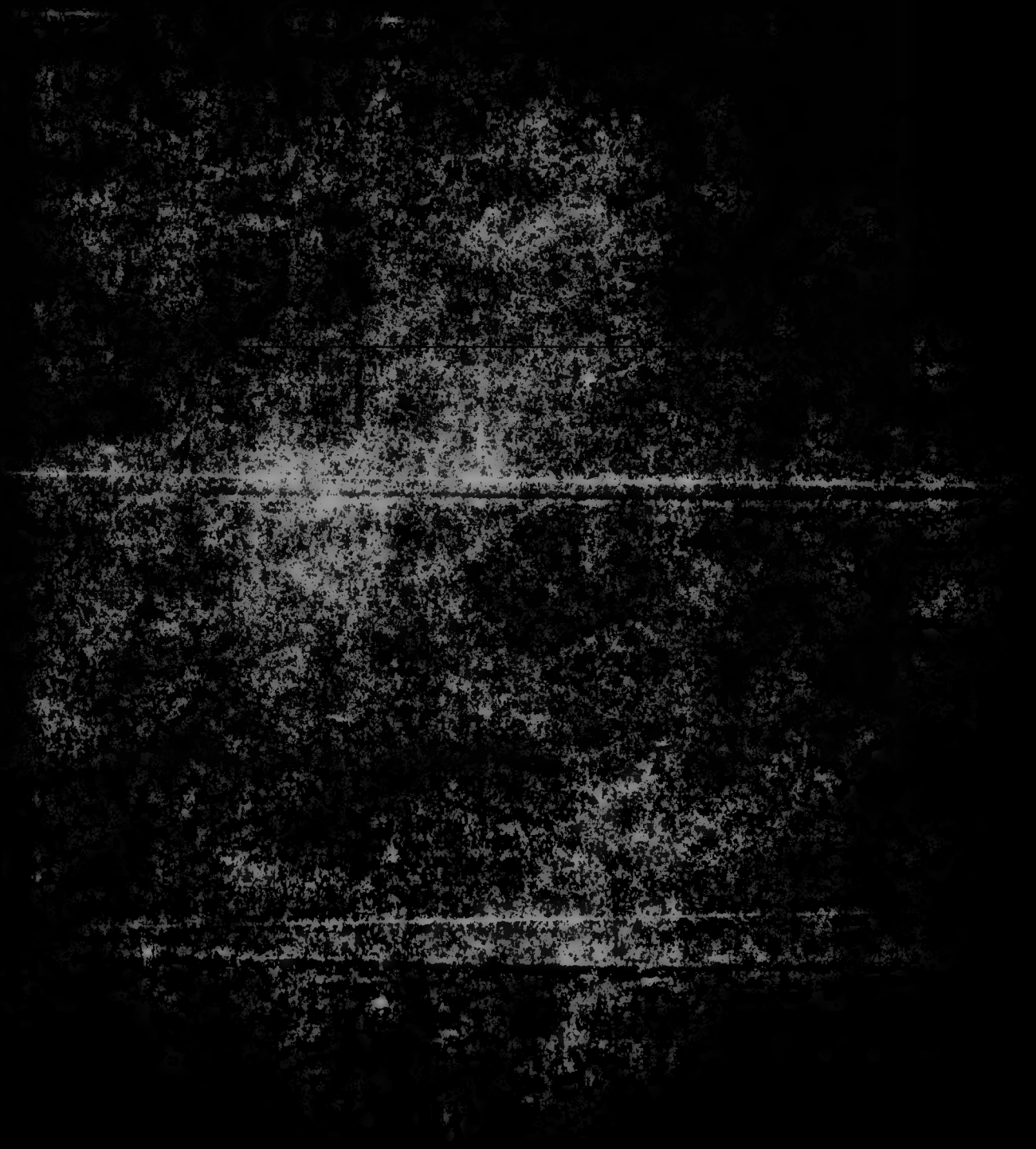


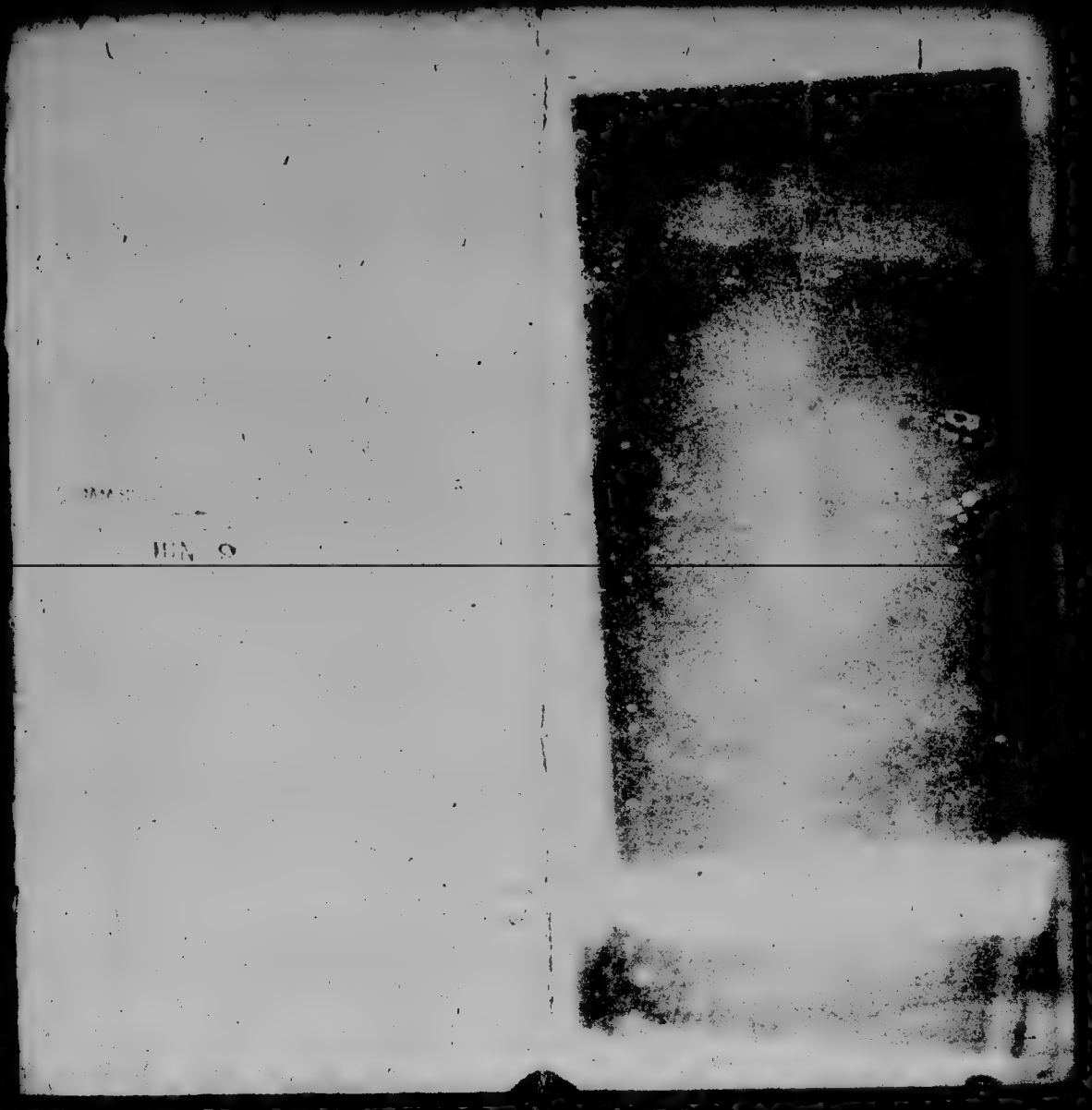
DEPARTMENT OF
COMMISSION TO
RECEIVED
JUL 10

Q Give me the name of his father. A Andrew Miller.
Q Is he alive? A No sir.
Q How long has he been dead? A About ten or twelve years I should judge.
Q Give me the name of his mother. A Her first name was Ida, Ida Miller.
Q Is she alive? A Yes, she is alive.
Q About what is her age? A I should judge she is about [illegible] first.
Q Is this man living with his mother now? A Yes sir.

The 1909 delinquent list examined and the name of the applicant is not found thereon. Upon examination of the original roll of 1909 at the office of the Commission the name of the applicant is found thereon as [illegible] of Cherokee, [illegible] on page 1256, No. 1491, opposite [illegible].

[illegible] Mary Miller [illegible] A [illegible] by the [illegible] Miller is [illegible] and to have lived [illegible] He is identified on the roll of 1896, page 276, [illegible] pistrict, and is accounted for [illegible] Treaty of 1866. He is not identified on [illegible] roll of 1880. From his being [illegible] that he is not [illegible] of a Delaware citizen. [illegible]





RESIDENCE: Coweseowee

POST OFFICE: Bartlesville, I.T.

(Delaware) Nation. _____ Roll.

CARD NO. _____

FIELD NO. _____

Dawes' Roll No.	NAME.	Relationship to Person first Named.	AGE	SEX.	BLOOD.	TRIBAL ENROLLMENT. Year.	District.	No.	TRIBAL ENROLLMENT OF PARENTS. Name of Father.	Year.	District.	Name of Mother.	Year.	District.
	1 Miller, Jr.		24	M	1/2	1896	Coweseowee		Andrew Miller			Mary Miller		
	2													
	3													
	4													
	5													
	6													
	7													
	8						Cancelled							
	9													
	10						Application pending							
	11													
	12													
	13													
	14													
	15													
	16													
	17													
	18													

June 6, 1902.

The applicant is also identified on the pay roll of Delaware Indians as disbursed by D. W. Lipe, Treasurer of the Cherokee Nation, under an act of the National Council, approved March 30, 1896, entitled an "Act to equalize the per capita shares of the Delaware tribe of Indians with the shares of Cherokees by blood in payments of 1886, 1890 and 1894", on Page 5, Census roll, No. 650; pay roll No. 142, as Joe Miller.

Department of the Interior.
Commission to the Five Civilized Tribes,
Muskogee, I. T., Sept. 9, 1902.

Retta Chick, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, she recorded the testimony and proceedings in the foregoing application, and that the above is a true and complete transcript of her stenographic notes thereof.

Subscribed and Sworn to before me this [illegible] day of September, 1902.

Notary Public.

[illegible]

[illegible]

Supplemental Proceedings.

[illegible]

[illegible] Joseph Miller, being sworn, testified as follows:

By the Commission.

Q What is your name? A Joseph Miller.
Q How old are you? A Twenty-four.
Q Where do you live? What is your postoffice address?
A [illegible]
Q Are you a Delaware by blood? A Yes, sir.
Q Are you a full blood Delaware? A Yes, sir, I think so.
Q What is the name of your father? A Andrew Miller.
Q Is he living or dead? A He is dead now.
Q What is the name of your mother? A Mary Ruscomb.
Q Is she living? A Yes, sir.
Q Is she a Delaware? A Yes, sir.
Q Are you [illegible] A Yes, sir.
Q Have you [illegible]

You and living there now are you? A Yes, sir.
Q Have you any brothers? A Yes, sir.
Q What are their names? A Jacob.
Jacob Miller? A Yes, sir.
Q Have you one named [illegible] Miller? A Yes, sir.
Q And a sister named [illegible] Miller? A Yes, sir.
Q They are your full brothers and your full sister, are they?
(No answer.)
Q Full brothers and sisters? A Yes, sir.
Q Did you ever have a sister named Lavinia? A Yes, sir.
Q Is she living? A Yes, sir.
Q Your sister Lavinia living? A No, sir.
Q When is dead? A Yes, sir.
Q Was she older than you? A She was older than Jacob
Q Was it the child next to Caroline, just younger than Caroline?
A Yes, sir.
Q Is she dead? A Yes, sir.
Q Were there more than one child in your father's family
[illegible] A Yes, sir.
[illegible]
[illegible]

James Wilson, being sworn, testified as follows:

By the Commission,

Q What is your name? A James Wilson.
Q James Wilson? A Yes, sir.
Q What is your postoffice address? A Bartlesville.
Q Do you know the applicant in this case, Joseph Miller?
A Yes, sir.
Q How long have you known him? A I known him ever since he was born.
Q Do you know his father and his mother? A Yes, sir.
Q Do you know his brothers and sisters? A Yes, sir, I knows them all.
Q Were there two boys in that family named Jacob? A Well, the other one, the oldest named Jacob, and he died way long time ago first we come up here. He had another wife at that time and he died.
Q Now, that was Andrew Miller's boy by his first wife? A Yes, sir.
Q Now, how old would that boy Jacob be if he was living today?
A The other one?
Q Well, do you know about how long he has been dead? A Let's see, I don't know exactly how long ago that has been.
Q Was he a man grown when he died? A Yes, he was grown. I guess it be about twenty when he died maybe, I don't know exactly. He come from down there.
Q Did he come to this country from the Delaware Nation?
A Yes, sir.
Q That was the stepbrother of this boy? A Yes, sir.
Q Had the same father? A Half brothers.
Q Half brothers? A Yes, sir.
Q Well, is this boy Joseph--he always lived with his father and mother in the Cherokee Nation? A Yes, ever since he died.
Q He lived with his parents until his father died, did he?
A Yes, sir.
Q How long has his father been dead? that is, about how many years?
A I can't tell how long about that, some time.
Q Well, now, his half brother Jacob, has he been dead as much as twenty-two years? A Yes, sir, something like twenty-five.
Q Do you think as much as twenty-five years? A I think so.
Q At least that much? A Yes, sir.
Q Now, on this roll of 1880 in the family of Andrew Miller I find two Jacob Millers. One of them is this boy's half brother, who has already been enrolled, and the other Jacob Miller is marked dead and appears to be about nineteen years old in 1880. Do you think that's merely a mistake in the age and this boy is the same as that Jacob Miller there? A No, I guess that be about a little over thirty years when the other Jacob first come up here in the Cherokee Nation. No, he be, I guess, pretty near forty, the other Jacob.
Q His half brother? A Yes, He died way long time ago. I don't know exactly.
Q Are you certain it was as much as twenty-five years ago?
A No, I can't tell exactly, that may be more.
Q Well, do you think it was any less than that? A Well, I can't tell the truth how long he has been dead.

The applicant's father, Andrew Miller, is duly identified on the authenticated roll of 1880 in Goowesecowee District on Page 139, No. 1868, as an adopted Delaware. The applicant's mother is likewise identified on that roll on Page 139, No. 1869, as Mary

Department of the Interior.
Commission to the Five Civilized Tribes,
Muskogee, I. T., Sept. [illegible], 1902.

Being duly sworn, stated that he is stenographer to the Commission to the Five Civilized Tribes, has recorded the testimony and proceedings in the foregoing application, and that the same is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this [illegible] day of September, 1902.

Notary Public.

Delaware D-22.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

---o---

In the matter of the application for the enrollment of Joseph Miller as a citizen of the Cherokee Nation of Delaware blood.

D E C I S I O N.

*****

The record shows that proceedings were had in the matter of this application at Bartlesville, Indian Territory, on June 6, 1902, and thereafter, at Muskogee, Indian Territory, on September 9, 1902.

The evidence shows that Joseph Miller is a citizen of the Cherokee Nation of Delaware blood, and is identified on the Cherokee census roll of 1896. The evidence further shows that his father, one Andrew Miller (deceased), is identified on the Cherokee authenticated roll of 1880; also that his mother, Mary Miller, is identified on said roll.

The evidence further shows that Joseph Miller has lived in the Cherokee Nation all his life.

It is, therefore, the opinion of this Commission that Joseph Miller should be enrolled as a citizen of the Cherokee Nation of Delaware blood, in accordance with the provisions of section twenty-one of the act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

C. R. Breckinridge
Commissioner.

W E Harvey
Commissioner.

Dated at Muskogee, I.T.,
this JUN 1 - 1903

IN RE
THE DEATH OF
Joseph Miller
A CITIZEN OF THE
Cherokee Nation.

July 2 1907
Ma. D. Cook
Joint Commissioner

DEPARTMENT OF THE INTERIOR.
Commissioner to the Five Civilized Tribes.
FILED
JUL 2 1907
J. G. Wright,
Commissioner.

COMMISSION TO THE FIVE CIVILIZED TRIBES

In the matter of the death of Joseph Miller (Here insert name of deceased)

a citizen of the Cherokee Nation, who died on the 23 day of

Bartlesville (Here insert name of post office) Ind. Ter., on the 23 day of

August, 1905

AFFIDAVIT OF RELATIVE

Indian Territory
Northern District

I, Stephen A. Miller, on oath state that I am 43 years of age and a citizen, by blood, of the Delaware Nation; that my postoffice address is Delaware (Here insert name of postoffice) Ind. Ter.; that I am the brother (State relationship: as the father; as uncle; a cousin, etc.) of Joseph Miller (Here insert name of deceased) who was a citizen, by blood, of the Cherokee Nation and that said Joseph Miller (Here insert name of deceased) died on the 23rd day of August, 1905

Witnesses to MARK: Stephen A Miller

(Mark in Full)

Subscribed and sworn to before me this 5th day of June 1907

Com Ex Sept 8. 1908 William P. Drew
Notary Public.

AFFIDAVIT OF ACQUAINTANCE

Indian Territory
Northern District

I, George Smith, on oath state that I am 43 years of age, and a citizen by blood of the Delaware Nation; that my postoffice address is Delaware (Here insert name of postoffice), Ind. Ter.; that I was personally acquainted with Joseph Miller (Here insert name of deceased) who was a citizen, by blood, of the Cherokee Nation; and that said Joseph Miller (Here insert name of deceased) died on the 23rd day of August, 1905

Witnesses to MARK: George Smith

(Mark in Full)

Subscribed and sworn to before me this 5th day of June 1907

Com Ex Sept 8. 1908 William P. Drew
Notary Public.

Delaware D-22.

Muskogee, Indian Territory, August 15, 1902.

Joseph Miller,

Bartlesville, Indian Territory,

Dear Sir:

The Commission is in receipt of your letter of August 7, relative to your appearance before the Commission at Muskogee, for the purpose of giving additional testimony in the matter of your application to be enrolled as a citizen of the Cherokee Nation.

In reply, you are requested to advise the Commission if you have a brother by the name of Jacob Miller, listed by your mother Mary Bascomb, for enrollment on October 10, 1900, or if the Joseph Miller included in that application is intended for yourself. If the Jacob Miller included in that application is intended for yourself, you are requested to explain to the Commission how it is that you sign your name as Joseph Miller, while your name was given to the Commission by your mother as Jacob.

Please give this matter your prompt attention and upon receipt of your reply you will be further advised as to the necessity for your appearance at Muskogee.

Yours truly,

Acting Chairman.

[redacted]

[redacted], United States Territory, [redacted]

Joseph Miller,
Applegarville, Indian Territory.
Dear Sir:-

The Commission is in receipt of your letter of [redacted], relative to your enrollment as a [redacted] citizen of the Cherokee Nation, your letter stating that it was a matter of regret to you [redacted] to the application made by your mother for [redacted]

In reply, you are advised that, as you have never made [redacted] application for enrollment as a Delaware citizen of the Cherokee Nation, it will be necessary that you appear before the Commission at its offices at Muskogee, Indian Territory, and make application.

You should give full notice your contemplated [redacted]

Very truly,

Acting Chairman.

No.	Received	Answered
7928	MAR25 1903	

Cherokee Land Office,
Vinita, I. T.,
March 24, 1903.

Encloses record in case of Joseph Miller, Delaware D 22, for decision.

CHIEF LAW CLERK.

TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BREEDLOVE,
W. B. STANLEY.

ALLISON L. ALLENSWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Del. D-22.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Vinita, Indian Territory, March 24th, 1903.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

I have the honor to transmit herewith, for decision, the record in the matter of the application of Joseph Miller, Delaware

D-22.

Respectfully,

Clerk in Charge.

Enc. C-107.
JOC.

[illegible]

[illegible]

[illegible]

[redacted]

Trans from R. [illegible]

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
SEP 4 1900

ACTING CHAIRMAN

Department of the Interior,
Commission to the Five Civilized Tribes,
Ft. Gibson, I.T., August 24, 1900.

In the matter of the application of Cleo T. Reid for the enrollment of herself as a Cherokee citizen, being sworn and examined by Commissioner Dudley she testifies as follows:

Q What is your name? A Cleo T. Reid.
Q What is your age? A Twenty-four.
Q What is your post-office address? A Muskogee.
Q Are you a recognized citizen of the Cherokee Nation? A Yes sir.
Q By blood or intermarriage? A Blood.
Q What degree of blood do you claim? A About one-thirty-second.
Q What district do you live in? A Cooweescoowee.
Q How long have you lived in Cooweescoowee District? A Ever since 1884.
Q Where do you live now? A My post-office address is Muskogee, my home is in Cooweescoowee District.
Q Don't you live in Muskogee? A Why if my post-office address is there I guess I live there.
Q For whom do you apply? A For myself, continuously.
Q How long have you lived in the Cherokee Nation? A Since 1883.
Q You are not married? A Yes sir, I married Christmas.
Q You don't apply for your husband? Or Children? A No sir.
Q What was your name before you were married? A Cleo Thompson.
Q Your father's name? A Gilbert T. Thompson.
Q Is he living? A Yes sir.
Q He a Cherokee by blood? A Yes sir.
Q What is your mother's name? A Josephine Thompson.
Q Is she living? A Yes sir.
Q Is she a Cherokee by blood? A No sir.
Q Was you omitted? A Yes sir.
1880 roll examined for applicant's name, and name not found.
1896 roll, examined, and name not found.
1894 roll, page 317 #4312 Cleo Thompson, Cooweescoowee District.
Q What is your husband's name? A James W. Reid.
Q When were you married? A In December, 1899.
Q You say you have always lived in the Cherokee Nation?
A My home always has been in the Cherokee Nation.
Q How long have you lived in Muskogee? A I have been there since school was out.
Q When was that? A In June.
Q What year? A 1900.
Q But before that you resided in the Cherokee Nation did you?
A Yessir, I have always lived there, except when I was off at school.

Examined by Cherokee Representative W. F. Hastings:
Q Your father's name is Gilbert T. Thompson? A Yes sir.
Q What is his present post-office address? A Charlotte, North Carolina.
Q How long has he been in North Carolina? A Three years I believe.
Q Where did he go from when he went to North Carolina? A Kentucky.
Q How long did he live in Kentucky? A I don't know whether I can tell you exactly.
Q Where did he move from when he went to Kentucky? A He was [illegible] there.
Q How long did he live in Texas? A He was there about three years.

Q Where did he go from when he went to Texas? A (No answer)
Q You have been with your father up to your marriage? A Yes sir, been with him and at school.
Q You were either with your father or at school up until your marriage in December last? A Yes sir.
Q Your father and you with him were admitted in 1883? A Yes sir.
Q And made actual residence in this country about one year?
A Yes sir.
Q Since that time you have lived at different places allover the United States and your father now lives in North Carolina?
A Wherever a preacher could make a living, yes sir.
Q You have one brother in Kentucky? A Yes sir.
Q You have either one or two in Texas? A Yes sir, I have two brothers in Texas.
Q Where were you living with your father in 1887? A I was living in Tahlequah.
Q Where were you living in 1888? A I was in Virginia at school.
Q Where was your father living then? A He was in North Carolina.
Q ~~Xxxxx~~ Was your mother ~~xxxx~~ living? A Yes sir.
Q She was living with your father at that time? A Yes sir.

Examination by Cherokee Attorney Hutchings:.

Q You know whether your father has ever voted in any of the states in which he has resided? A He has not.
Q ~~He has not identified himself as a citizen?~~ A ~~No sir.~~

Examination by Dr.Hilton Thompson, relative of applicant:

Q You have never had any citizenship anywhere else? A No sir.
Q And you have never had any home anywhere else? A No sir.
Q Always claimed the Territory as your home? A Yes sir.
Q And your father and family have kept all rights here? A Yes sir.
Q Kept up a claim and also put improvements on it? A Yes sir.
Q Never claimed anywhere else as a home except the Cherokee Nation? A No sir.

Examination by Cherokee Representative Hastings:

Q Where were you married? A I was married in North Carolina; my husband has made application for a school in Muskogee.
Q What was his post-office address? A Waxhaw, North Carolina.
Q Is he with you at the present time at Muskogee? A No sir, he is spending the summer with his friends in North Carolina.
Q Was your husband ever been in the Indian Territory? A No sir.

Com'r Needles: The name of Cleo T Reid appears upon the pay roll of 1894; examination of the rolls now in the possession of the Commission, her name is not found upon any other; she avers that she was married to James W. Reid in December 1899, and that she was re-admitted to citizenship with her father in the year 1883, but presents no certificate of admission; final judgment as to the listing for enrollment of said applicant will be suspended and her name will be placed upon a doubtful card; applicant is advised to file with this Commission certified copy of the decree of the Cherokee council admitting her to citizenship.

M.D.Green, being first duly sworn, states that as stenographer for the Commission to the Five Civilized Tribes he correctly reported the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 1st day of Sept, 19[illegible]

AUG 24 1956

Acting Chairman

CHEROKEES BY BLOOD AND ADOPTION.

Date AUG 24 1906 1906

Name Daughter Musgrave J.T.

Enrolled Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

(24) Husband's name Alex T. Reid nee Thompson

Enrolled COOWEESCOOWEE. Year 1894 Page 317 No. 4212

Citizen by blood yes 1/32 Mother's citizenship

Intermarried citizen parents Reid & Thompson

Married under what law Date of marriage

License Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
Daughter	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

I m 1912 Alex T. Reid nee Thompson
Certificate of admission to be supplied

N181

Office of Commission on Citizenship.

Cherokee Nation
September [illegible] A.D. 1883

No. 104 Gilbert Taylor Thompson, his wife [illegible] Geo. S. Butler Atty. for Claimants

- The Cherokee Nation.

Petition filed September 3rd. 1883.
Case submitted by claimant September 4th. 1883
Case submitted by the Solicitor September 4th. 1883.

And now on this the 7th. day of September A.D. 1883 this case coming on for final hearing and all the evidence produced in the case on both sides having been carefully read and duly considered by the Commission on Citizenship, it was considered and determined by said Commission, that the above named claimants, Gilbert Taylor Thompson, Allison Thompson, Ernest Thompson, Milton Thompson, Clem Thompson, James Thompson and Gilbert Taylor Thompson Jr. are Cherokees by blood and they are by virtue thereof entitled all the rights and privileges of Cherokee citizenship within the Cherokee Nation and that they should be and they are hereby admitted to the full and complete enjoyment of the same in all respects as native born Cherokees.

Thos. Tehee, President of Com.
Alex. Wolf
T.J.Thompson

D.W.C.Duncan
Clerk of Com.

Transcript furnished Claimants Sept. 11th. 1883
D.W.C.Duncan, Clerk of Com.

Executive Department Cherokee Nation
Tahlequah I.T. October 17, 1900

I hereby certify that the above and foregoing is a true and correct copy as shown by the Citizenship Record, page 371, now on file in this office.

J. L. Parks
Executive Secretary

DEPARTMENT OF THE INTERIOR,
Commission to the Five Civilized Tribes,
MUSKOGEE, I. T., SEPTEMBER 28, 1900.

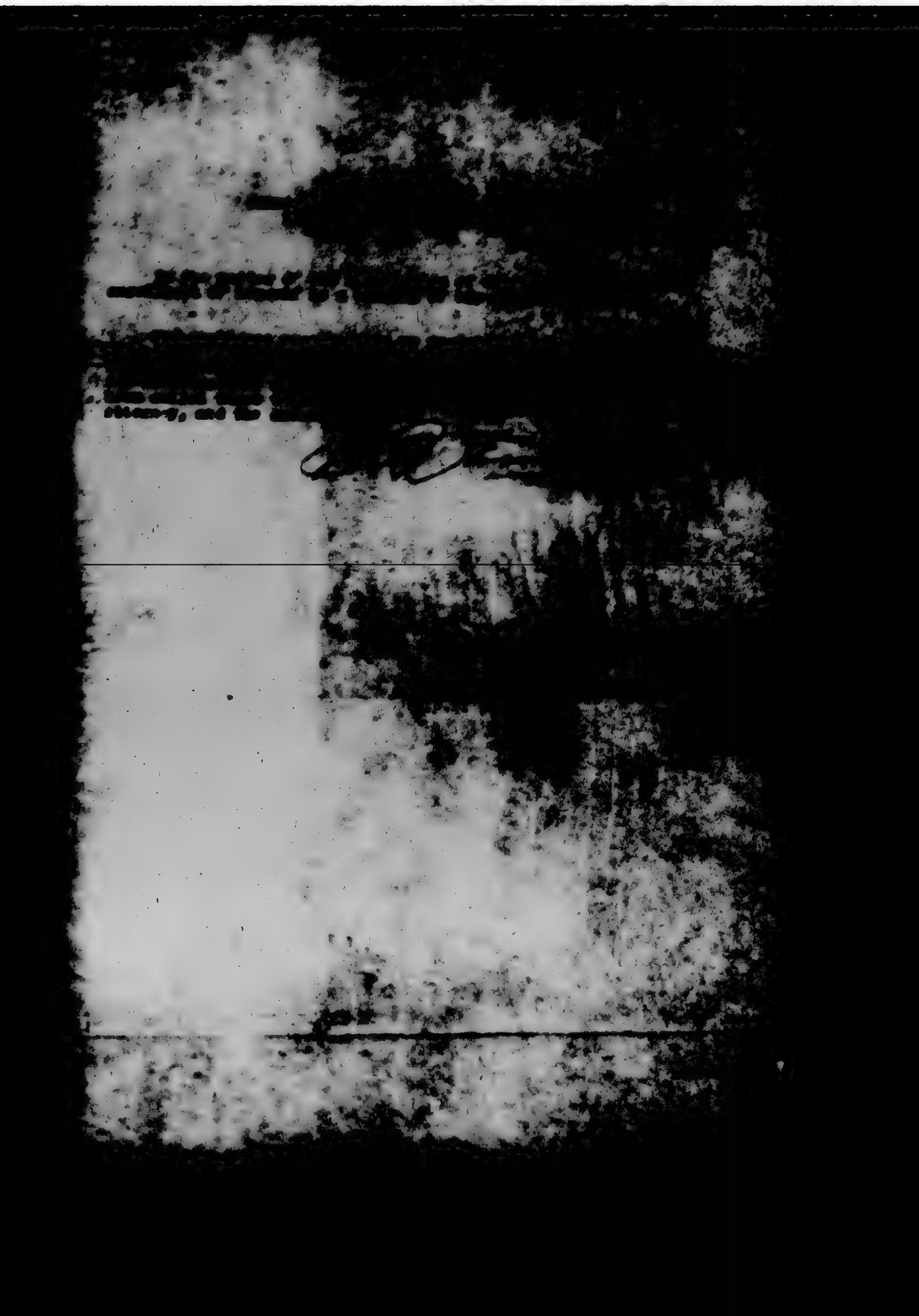
I, the undersigned, Chief Clerk of the Cherokee Enrollment Division of the Commission to the Five Civilized Tribes and custodian of the records of said Division, do hereby certify that the above and foregoing is a true and correct copy of the original on file in the office of the said Division.

[signature] Chief Clerk Cherokee Enrollment

Sworn to and subscribed before me this 29th day of September, 1900.

[signature]

[illegible]





(Revised 5-25).

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., August 30, 1906.

In the matter of the application of Cleo T. Reid for the enrollment of herself and child Thompson Reid as citizens by blood of the Cherokee Nation.

Supplemental to D-151.

Applicant appears by Milton K. Thompson.
Said Thompson, being sworn and examined by the Commission, testified as follows:
Q What is your name? A Milton K. Thompson.
Q What is your age? A 32.
Q What is your postoffice address? A Muskogee.
Q Are you acquainted with the applicant in this case, Cleo T. Reid?
A Yes sir.
Q How long have you known her? A About 23 or 4 years.
Q What relation if any do you bear to the applicant? A A brother.
Q What was the name of her father? A Gilbert T. Thompson.
Q What was her mother's name? A Josephine A.
Q What is the present postoffice address of the applicant? A Charlotte, North Carolina.
Q How long has she been there? A She has been there for about two or three years, I don't know exactly, she is there with her father. About three years since she was there.
Q When was she married? A She was married three years.
Q Has she been living there continuously for the past three years?
A Yes sir.
Q Where was she born? A Born in Tennessee or Georgia; Tennessee I think.
Q When did she first come to the Cherokee Nation? A In '[illegible] or '[illegible].
Q How long did she continue to reside here after that time? A Something like one and a half years or two years.
Q Did she ever [illegible] her home, [illegible] in the Indian Territory since that time? A [illegible] that she goes with him.
Q What prior to her marriage? A Never considered anywhere [illegible] the Indian Territory as her home.
Q Has she ever lived here since that time? A She has been here only just to come for a short time. She has been here several times about her property.
Q How long did she stay during these times? A Probably two or three months some times.
Q Has she ever kept house in the Indian Territory? A No sir, not since they have been married.
Q Did her parents ever keep house here after their admission with the exception of that one year or one and a half years they resided here? A No sir, her father is a preacher and he goes where he has work.
Q Is there anything else you would like to state about the case?
A Except just this, they have always kept up their property [illegible] here and have always considered this as their home, and her husband made application for a school out here this last year I [illegible] he didn't get it and of course had to stay out [illegible]. He expects to come here this fall if he can get [illegible] he is a professional man. He [illegible] to her father [illegible] school continually, and end with her father and be [illegible] with him, who is a minister, and living there on account of [illegible] church work. I believe that is all.



Cherokee Roll.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Cleo T. Reid and Thompson Reid for enrollment as citizens by blood of the Cherokee Nation.

DECISION.

--o0o--

The record in this case shows that on August 26, 1902, Cleo T. Reid appeared before the Commission at Fort Gibson, Indian Territory, and made application for the enrollment of herself as a citizen by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on August 30, 1902. An affidavit was filed in May 16, 1903, showing the birth of Thompson Reid since the date of the original application.

The evidence in this case shows that the applicant, Cleo T. Reid, nee Thompson, was twenty-four years of age at the date of her application herein, and that she, with others, was admitted to citizenship in the Cherokee Nation on September 3, 1883, by the duly constituted authorities of said Nation; and she is identified on the 1894 Cherokee Strip Payment Roll. She was a minor when admitted, and the evidence shows that, about a year and a half after her admission she removed with her parents from the Indian Territory. In December, 1899, applicant was married to one James W. Reid, a white man. The minor child, Thompson Reid, is the issue of said marriage, and he is identified by a birth affidavit, made a part of the record herein.

The evidence further shows that the said Cleo T. Reid left the Indian Territory some time in 1885, and since that time has made infrequent visitations thereto, but has never permanently returned and resided therein. The minor child, Thompson Reid, since birth has lived with his mother, and his residence is governed by hers.

Paragraph nine, Section twenty-one, of the Act of Congress approved June 28, 1898, (30 Stats.,495) provides:

> "No person shall be enrolled who has not heretofore removed to and in good faith settled in the nation in which he claims citizenship."

It is, therefore, the opinion of this Commission that the application for the enrollment of Cleo T. Reid and Thompson Reid, as citizens by blood of the Cherokee Nation, should be denied, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

FEB 2 1905

COMMISSION TO

FILED

AUG 7 1903

Cherokee R-948

Department of the Interior,
Commission to the Five Civilized Tribes,
Cherokee Land Office,
Tahlequah, I.T., July 28, 1903.

In the matter of the application for the enrollment of Cleo T. Reid and her son, Thompson Reid, as citizens by blood of the Cherokee Nation.

SUPPLEMENTAL TESTIMONY.

ALLISON THOMPSON, being duly sworn and examined by the Commission, testified as follows:

Q What is your name? A Allison Thompson.
Q How old are you? A 37.
Q What is your postoffice address? A Cleburn, Texas, for the present; I am down there temporarily.
Q Are you an applicant for enrollment by this Commission as a citizen by blood of the Cherokee Nation? A Yes sir.
Q Do you know Cleo T. Reid? A Yes sir.
Q Are you any relation to her? A Brother.
Q Has she a son named Thompson Reid? A Yes sir.
Q Where does she live now? A She's in Gastonia, North Carolina.
Q What is her husband's name? A His name is Walker Reid; I believe J. W. Reid.
Q He is living? A Yes sir.
Q He is a non-citizen? A Yes sir.
Q She is living with him? A Yes sir.
Q Mr. Thompson, you and the other members of your father's family were readmitted to citizenship in the Cherokee Nation in 1883 were you not? A Yes sir; one of them was born here after the admission.
Q How soon after you were readmitted did you move to the Territory? A We were here when we were admitted.
Q You were living here at that time? A Yes sir.
Q From 1883 how long was it before your sister, Cleo T. Reid, left the Cherokee Nation? A In '84. She went to school in Springfield, Missouri; went to college.
Q Who was she making her home with then, her father? A Yes.
Q She was a minor at that time, was she? A Yes.
Q How long after '83 was it before your father left the Cherokee Nation? A Well he went at the same time, '84; went up there to send her to school, there being no schools here.
Q When did your sister remove to the Nation again? A Well, she has never been back any to live here I guess. Been back, but not to live.
Q Where was she married? A North Carolina.
Q Had she been making her home with her father up to the time she was married? A Yes. She didn't a year I believe but she considered that her home; she taught a year.
Q She considered her father's home her home? A Yes.
Q And that she made her home in the Cherokee Nation until he left here in '84 and before she married? A She had not lived here.
Q She had never kept house in the Cherokee Nation? A No.
Q And since 1884 has never had a home here? A No. If you call her home her residence; she has had property here.

Q What business or profession does her husband follow? He was, until just a short time ago, teaching school; had to quit on account of his health.
Q When Mrs. Reid left here in '84 with her father, did she have any property in the Cherokee Nation? A Not individually; she did as a minor with him.
Q You mean by that she had an interest in the property he had?
A Yes.
Q In other words your father and his family jointly owned property? A Yes.
Q What did that property consist of? A Well, we had property here in Tahlequah, town property; well, it was not all town property then; it was town property and country property at that time. Then we had a ranch in Cooweescoowee District when we left here, several thousand acres, in addition to what we had here.
Q You had then some property in Tahlequah and some farm property near Tahlequah and the ranch in Cooweescoowee District?
A Yes, that is my recollection of it; I don't know whether he had disposed of this in town or not before he left, but he had that other one at the depot and then we had a large ranch near Adair, between Adair and Pryoreroek on both sides of the railroad, extending two or three miles on the west side and probably half a mile on the east side, and several thousand head of cattle.
Q Did you have some cattle on the ranch? A Several thousand head.
Q What was done with that property when your family left?
A We kept it for a while until that break in the prices of cattle came and that kinda swamped us.
Q Was that farm property and the ranch property rented or who had control of it? A I don't know who controlled it just at that time; I think Dr. Pitc. My recollection is that he had charge of it.
Q Did you derive revenue from this property all the time until you parted with it? A I don't know; I was a boy at that time.
Q Do you own that property now? A No. We have another one that we exchanged that for.
Q In what year did you make the exchange? A I don't recollect; about--- somewhere in '92 I think; been 10 or 12 years ago since we made the exchange.
Q What property did you receive in exchange? A We got a ranch near Adair, about two miles and a half, which we now own. We exchanged for the reason that we thought we would take in a body altogether as much land as we could all hold together, and the one we had was too small and we could not get it all in a body, and the one at Adair had enough in it for the whole family to allot together and that is why we got it.
Q Does Mrs. Reid still own an interest in that property?
A Yes sir.
Q She has no personal property or property of any kind except an undivided interest in that ranch? A That's all.
Q But since her readmission to citizenship she has had an undivided interest in farm property and the ranch and cattle, up to the present time? A She has. Her interest in the property has continued unbroken.
Q Either in the property that you owned when you were readmitted or the property that you have acquired by exchange?
A Yes sir.

Examined by J. G. Starr:

Q Who was the father of Cleo T. Reid? A G. T. Thompson.
Q How long had he been living in the Cherokee Nation before he was readmitted in '83? A Well, I don't know just how long; he was here in August a year; I don't know, July or August.
Q When did he leave here? A Just before school commenced at Springfield, Missouri; he went there to send us to school.
Q What year? A '84.
Q What time of the year? A About the last of August or first of September; it was between the 1st and 15th I think when school opened.
Q Did I understand you to say that you came here and stayed about a year during which you were readmitted and then left the country? A No, you see we came from Tennessee here in '83 and as soon as we got here, as soon as we could, we applied for admission; I don't know what was the term; and he came----- We were admitted by act of Counsil in the fall of '83.
Q That was the following autumn? A Yes sir.
Q Then where did he go? A Springfield, Missouri.
Q Now what property did Gilbert T. Thompson own at the time of his readmission to Cherokee citizenship? A I don't know; he just came here, was Pastor of the Presbyterian Church here and didn't have any property when he came here, but he got hold of this ranch up here, part by purchase and part of it he just took like anybody else and put up a house and fences and then purchased cattle and put on and machinery to run it.
Q What is the property he owned in Tahlequah? A Consists of a house, standing up there now by the depot, two-story house and several acres back of it.
Q I mean inside of Tahlequah? A Then he owned a house this side of that about two blocks; that was in town.
Q I believe you stated there was a farm near Tahlequah? A Well, that was the two-story house.
Q What interest did Cleo T. Reid have in all this property? A Well none, except she was a child.
Q She didn't own any property in her own name? A No, she didn't own it in her own name.
Q Did she live with her father in '84? A Yes sir.
Q And has she ever lived in the Cherokee Nation since that date? A No sir.
Q Where wasshe living when she was married? A North Carolina.
Q Where has she lived since that? A North Carolina.
Q Has she owned any property in her own right since she was re-admitted to citizenship? A No , except this property; it was understood among us that she had a common interest in the houses and things of this nature, and the money paid for them.
Q Who controlled this property? A I had charge of it; my father was absent and the boys gave me charge of it and I looked after it until Doctor Thompson came to the Territory and when he came I turned it over to him. Paid taxes on city property here.
Q In whose name were the taxes paid? A G. T. Thompson.
Q In whose name did you collect the rent? A His name, on the Honey Hollow Ranch.
Q What did you do with the money when you collected it? A Divided it up; sent it to him and he divided it among the other children.
Q Who did you send it to? A G. T. Thompson.
Q He has controlled this town property and this farm continuously since '83? A I think so.
Q Then Cleo T. Reid has not property except this property which you think she has a right to in Indian Territory; has she? A No; deeds were never made out; never had deeds made.

By the Commission:

Q Has Cleo T. Reid ever received any of the revenue from this property which you state is owned by your father and the members of your family? A Well, I don't know; I never paid in anything; I sent it to G. T. Thompson.

By J. G. Starr:

Q Did I understand you to say that she has no property in her own name in the Cherokee Nation at this time? A Yes, I suppose so.
Q You mean she does not own any? A She has no deed of any kind; we didn't take deeds.
Q No deed has been made by G. T. Thompson? A No.
Q G. T. Thompson still controls the property does he?
A Yes; I would not say that he stays----
Q No [illegible]gent? A Yes sir. It has always been understood among us that if a division should be made, father and the children----
Q But there has never been a formal division? A No, all hold in common.

GILBERT T. THOMPSON, being duly sworn and examined by the Commission, testified as follows:

Q What is your name? A G. T. Thompson.
Q Gilbert T.? A Gilbert T. Thompson sir.
Q How old are you? A 56.
Q What is your postoffice address? A Tahlequah.
Q Are you the father of Cleo T. Reid? A Yes sir.
Q You have heard the testimony of Allison Thompson I believe, as to collecting revenue from property that was owned by you and your family in the Cherokee Nation and sending it to you. When the revenue from that property was received by you what disposition did you make of it? A Well, daughter, Cleo T. Reid, has always gotten her part; it has always been understood that she did; of course I paid all her expenses even after she got out of school and she considered that her property in common with the son here and the family; they hold the property rather in common.
Q Since she has married, has she received a part of the revenue from this ranch? A Well yes, she has received a part just about like the other boys have; we have not made much off of it really; we had a good deal of expense and had to pay out a great deal and there has been very little coming in. In exchanging ranches, as my son was telling you, we paid several thousand dollars difference between them; we took that by supposed we could allot when the division should come and it was not large enough so we gave considerable difference and took another. But what we made on this place has not been divided; it [illegible] to pay the difference.
Q The first property that you owned here, did you receive revenue from that regularly after you left the nation? A Yes sir, until we sold it.
Q You had it rented, did you? A Yes sir.
Q You never had an accounting with any of your children as to the disposition you made of the revenue from that first place, did you? It was simply used in the support of the family?
A Yes sir, that was the way. When I left here all my children were under age and as their father I held all this property and managed it for them and as they came of age, they did

not divide it; we consider it all ours and when there is anything to divide we divide, and when there was nothing and we had to pay the difference, we just paid it and that is the way the thing has gone.

Q Since your daughter has married, have you accounted to her regularly for any certain proportion of the revenue for that place? A Well, no sir; that is, not as I would to a stranger; we have talked it over and she owns her interest in it, but we have not been as we would be with strangers.

Q The accounting has been all of an informal nature? A Just of an informal nature, yes sir.

Q She knew that there was a balance of the purchase price still owing on the ranch and that the revenue was being applied to the reduction of the debt on the place? A Yes sir.

Q She still owns an undivided interest in that property?

A Yes sir. We have only one that is still a minor; and we have one at Muskogee who has become of age; he is younger than his sister and he owns an undivided interest; all just alike; she has owned it just like the others have owned it.

Q She had an interest as one of your children in all of the property that the family has owned here? A Yes sir, all the time, so it was understood.

Q When you were readmitted, what property did you own?

A None at all here.

Q How soon after you were readmitted did you acquire some property? A Well, I came here in August; I was admitted some time in the fall, I think it was October or November, the assembling of the Council in 1885, and I began to accumulate property a little before I was admitted, August I think, because I was certain I would be and had no trouble whatever, and I had some money and bought several places.

Q When did you acquire that ranch, the first one? A Well, as near as I remember it was in the late fall of '85, about November.

Q You left here about September, '84? A Yes sir.

Q You left that property as well as the Tahlequah property in control of an agent? A Yes sir, rented.

Q When did you acquire the Tahlequah property? A Well, I think it was just a little while before I was admitted that I built this house up here where Mr. Hudson lives. That was in Tahlequah; it was town property at that time.

Q You exchanged the ranch you first bought for the one you now have, did you? A Yes sir.

Q And you still have the ranch that you acquired in exchange for the one you first owned? A Yes sir, we have kept it.

Q And it is understood that Cleo T. Reid owns an undivided interest in that ranch and the cattle? A Just as all the others do, yes sir.

Q Does she own any other property here? A No sir.

Q Has she ever owned any other property? A No, not more than any of the other children.

By J. G. Starr:

Q Who paid for the property you purchased after you were readmitted? A I paid for it.

Q Cleo T. Reid was then Cleo T. Thompson? A Yes sir.

Q Did she own part of the property? A Well, not more than the boys did; they were under age, but she paid for it the same as they did.

Q How did they pay for it? A Through me. She had no idividual money, only what I had for her.

Q And therefore she didn't pay in anything or acquire it only as being your child? A That's it.
Q When did you dispose of your cattle and horses you speak of having on the ranch and how long did you keep them on the ranch?
A I could not tell you.
Q About when did you dispose of them? A Well, I suppose I was about four years disposing of the bulk of them.
Q After you left the Cherokee Nation? A Yes sir. We didn't dispose of them because we didn't want to keep them, but because we had to. We disposed of some of them and some died.
Q Well, say five years after you left the nation, had you disposed of all your horses and cattle, except those that died?
A Well, I suppose we had.
Q Well after you disposed of that property what did you have?
A We had the ranch; we leased out property out for a little while and then we made this exchange paying a large difference and what we got for leasing went to pay this difference, except a few hundred dollars; we got a little revenue.
Q You leased the place out and applied the money on the new place?
A Yes sir.
Q Well, how much money did you put into the new place besides the revenue to pay the difference when you traded places?
A Well, it is a difficult matter to tell; the improvements we had put on the place we considered to be worth about eight or ten thousand dollars and we traded for a place that was worth about fifteen or eighteen thousand so that we paid that difference you know in the rents that we got.
Q How did you pay the balance of the moneythat was due on the price of the new place? A Well, we got $1200.00 rent and there was $5000.00 difference between the two places and we agreed to pay $1000.00 a year on the property that we swapped for and got it out of the rent, and we rented him the place.
Q The point I am trying to make is, did you pay anything for this new place of your own funds? A The new place, that bought the old place.
Q Well, did you put up any money of your own in that deal?
A Why, yes, of course.
Q When you exchanged places? A Well, you see this place, the smaller one, was ours.
Q No money paid whatever for the second place? A No sir. Only our first place went and the difference of a thousand dollars a year.
Q There was no cash involved in the transaction? A No sir. You see we got that place for five thousand dollars difference; we traded the first place for the ranch near Adair; it was considered worth twelve hundred dollars a year rent, which was very little of course; land was worth very little at that time. And now we gave this Squaw Hollow Ranch for the Patten Ranch and this five thousand dollars difference was to be paid annually, a thousand a year, out of the rents of the place; we received no rents you see. Well, we did receive two hundred and fifty dollars every year in money. That is he paid us twelve hundred and fifty and two hundred and fifty of that was in money and the other was the difference between the Squaw Hollow Ranch and this ranch.
Q Mr. Thompson, you exchanged your first ranch for the one you now own and gave five thousand dollars difference boot and the five thousand dollars boot came out of the rents for the ranch you now own, a thousand dollars a year? A Yes sir.
Q And when was this trade made? A That trade was made about five years ago.

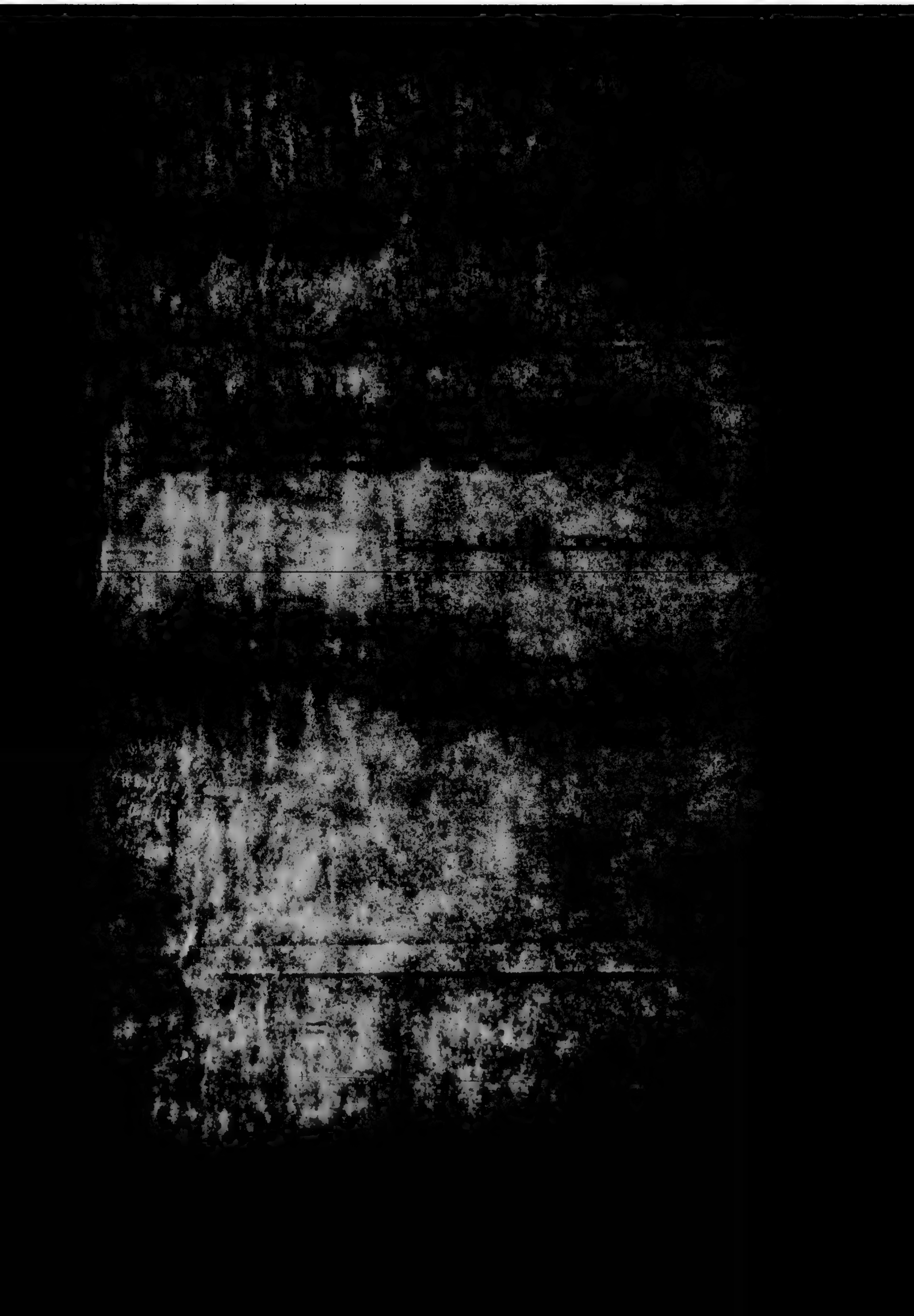
Q Does Dr. Pitts still control that place? A Well, he still has it rented, time is not quite out.
Q When is the time out? A This fall.
Q And have you any other property on that place other than just the place? A No sir, I have no stock, nothing but the houses and barns. All the property I have.
Q Had Cleo T. Reid paid anything into this property herself?
A Yes, she has paid just like the boys have paid. The thousand dollars was considered---- one-seventh of that was considered hers and she has consented for one-half of that to go annually for the payment of this ranch and she owns her interest in the larger ranch just as the boys do and it is so understood.
Q That is to say, she owns it when you get it paid out? A Yes, she owns an interest.
Q And the place is paying itself out? A Yes sir.
Q Well, she has never furnished any cash to pay on that has she?
A Yes, she has furnished a little cash.
Q How much? A Well, I couldn't tell you; we drew the head-right money and a small part of what she drew went in payment for improvements.
Q About how much? A I suppose about fifty dollars, just paid her part of it; I couldn't tell you the amounts; her part as one of the members of the family.
Q Has she ever lived in the Cherokee Nation since 8'4?
A No sir.
Q Where does she live now? A North Carolina.
Q How long has she been living there? A About five years.

By the Commission:

Q Mr. Thompson, you spoke of using some of the strip money you drew for your daughter, Cleo T. Reid, to improve this ranch?
A [illegible]
Q For how many members of your family did you draw strip money?
A For myself and three minors.
Q Was there any money used that was not a part of that strip money? A I paid in $2250---$1250 was money of course that I had---on the improvements of this new larger ranch, and $1000, 1/4 mine and 1/4 daughter's. I remember now that I did put in $1000, or 1/4 of it for each of the children, and when I said $250 I did not remember this.
Q So you think now that, of the $1000 of strip money you paid in for improvements, there was about 1/4 of that amount paid for Cleo T. Reid? A As she and Gilbert E.Jr., and Matthew were still with me at home I drew their money and I used it for them to improve the place. It was for all of them.
Q You used a thousand dollars of the money that you drew for yourself and these three children? A Yes sir.

By J. C. Starr:

Q Have you settled with her for the balance of the strip money?
A Well now, there was mighty little balance. No, I made no settlements.
Q Made no settlement with the other minor children?
A No sir. We have been holding things a little in common.
Q Still holding the property in the same way?
A I suppose you might call it that way.



Cherokee D 181.

(W 548)

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Cleo T. Reid for the enrollment of herself and her minor child, Thompson Reid, as citizens by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on August 24, 1900, Cleo T. Reid appeared before the Commission at Fort Gibson, Indian Territory, and made application for the enrollment of herself as a citizen by blood of the Cherokee Nation. Subsequent to the date of her original application, she filed with said Commission an affidavit as to the birth of her minor son, Thompson Reid, and the same is made a part of the record herein. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, August 26, 1902. The record further shows that on February 2, 1903, the Commission rendered its decision in said case which, on March 11, 1903, was approved by the Department; that thereafter a motion for rehearing was filed by the attorneys for the applicant; that on June 13, 1903, the Department rendered its decision in the matter of said application and remanded the case to the Commission for further proceedings and readjudication; and that further proceedings in the matter of said application were had at Muskogee, Indian Territory, on July 28, 1903.

The evidence shows that the applicant, Cleo T. Reid, was [illegible] years of age at the date of her application herein; that said child, among others, was admitted as a citizen by blood of the Cherokee Nation on September 7, 1896, by the duly constituted authorities of said Nation; that she is identified on the 1896 Cherokee payment roll, under her maiden name, Cleo Thompson, the said Thompson Reid is the son of Cleo T. Reid, born about [illegible], as is shown by a birth affidavit filed [illegible] of this record.

The evidence further shows that about 1898, the said Cleo T. Reid in good faith removed to the Cherokee Nation and located [illegible] in April 1904, at which time, she left said Nation and has never since resided therein; that about 1898, which was during her minority,

[redacted]

[redacted]

[redacted]

D 20181

COMMI[illegible]

FEB 4 1902

ACTING CHAIRMAN

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BREVARD.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 4th 1902

Mrs. Cleo T. Reid,

Muskogee, Indian Territory.

Madam:-

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 20th day of February, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

C herokee D-181

Register.

Yours truly,

Acting Chairman.

COMMISSIONERS:
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

Cherc. D-181.

Muskogee, Indian Territory, May 22, 1902.

Cleo Thompson Reid,

Muskogee, Indian Territory.

Dear Madam:

Receipt is hereby acknowledged of birth affidavit in the matter of the application for enrollment as a citizen of the Cherokee Nation of Thompson Reid, infant child of yourself and James Walker Reid. The affidavit being in due form, it will be filed.

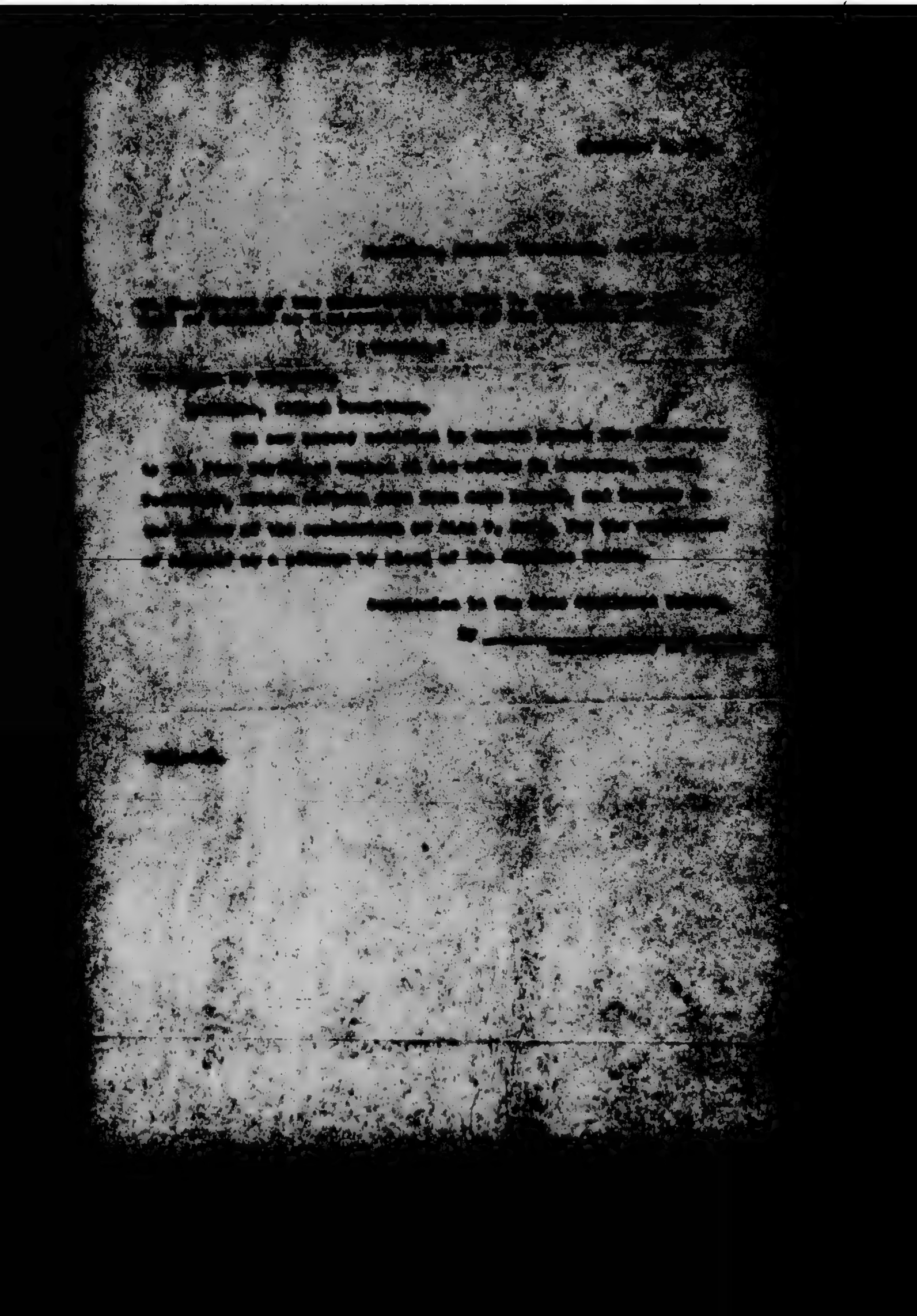
Yours truly,

[redacted]

Acting Chairman.

[illegible]





[illegible]

[illegible], Indian Service, [illegible]

[illegible]

[illegible]

[

COPY

Attorney, Indian Territory, [illegible]

E. C. Hastings,
Attorney for the Cherokee Nation,
[illegible], Indian Territory,

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated February 24, 1900, rejecting the application of Cleo T. Reid for the enrollment of herself and her minor child, Thompson Reid, as citizens by blood of the Cherokee Nation.

Immediately, together with the record of proceedings had in this case, this will be transmitted to the Department for its approval or disapproval, and action by the Department will be withheld for ten days from [illegible] to enable you to [illegible] if you desire to do so.

Respectfully,

[illegible]

Commissioner.

Enc. K-438

COPY

[redacted]

[redacted] Indian Territory, October 24, 1906.

Dan T. Reed,

In re of Mr. Elijah B. Thompson,

[redacted] Territory.

Dear Sir:

There is herewith enclosed a copy of the report of proceedings had in the matter of your application for the enrollment of yourself and other child, Thompson Reed, as citizens by blood of the Choctaw nation, together with a copy of the Commissioner's order, dated February 6, 1906, rejecting your [redacted] application.

The decision, together with the record of proceedings had in this case, has this day been transmitted to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as the decision is received in this office.

Respectfully,

Tams Bixby,
Acting Commissioner.

Enc. 2437

Exhibit.

(Copy)

Refer in reply
to the following:
Land
10237-1903

DEPARTMENT OF THE INTERIOR,

OFFICE OF INDIAN AFFAIRS,

WASHINGTON,

March 3, 1903.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed herewith a report from the Acting Chairman of the Commission to the Five Civilized Tribes dated February 9, 1903, forwarding the record relative to the application of Cleo T. Reid for the enrollment of herself and Thompson Reid as citizens by blood of the Cherokee Nation.

February 2, 1903, the Commission held that the applicants were not entitled to enrollment as citizens of the Cherokee Nation.

The evidence in this case shows that the applicant, Cleo T. Reid, nee Thompson, was 24 years of age at the date of her application, August 24, 1900; that she was admitted to citizenship in the Cherokee Nation September 3, 1888, by the authorities of the nation; and that her name appears on the 1894 Strip Payment roll. She was a minor when admitted, and the evidence shows that about eighteen months subsequent to her admission she removed with her parents from the Indian Territory; that in December 1899 she married James W. Reid, a white man, and that Thompson Reid is the issue of that marriage. He is properly identified by birth affidavit. The evidence shows that this applicant lived with her father until the date of her marriage, and that in 1888 she was

in Virginia attending school. She testified that her father had not voted in any of the states in which he has resided; that she always claimed the Indian Territory as her home; that she kept up a claim and put improvements on it; that her husband resides in North Carolina; and that he has never been in the Indian Territory.

Following the Department's decision of [illegible] (I.T.D. 1244), in the Joseph Ann Hall case in so far as it related to the enrollment of Jessie M. H. Swan and Blanche E. H. Morrison, the applicants are not entitled to enrollment, and the approval of the Commission's decision adverse to them is recommended.

Very respectfully,

A. C. Tonner,
Acting Commissioner.

G.A.W. (S)

D.C. 6974-1903 J.F.

DEPARTMENT OF THE INTERIOR.

WASHINGTON.

I.T.D. 2344-1903

March 11, 1903.

LRS

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

The Department has considered the case involving the application of Cleo T. Reid, for the enrollment of herself and her minor child, Thompson Reid, as citizens by blood of the Cherokee Nation, received with your letter of February 9, and the Acting Commissioner's letter of March 5, 1903.

It appears that the principal applicant was 24 years of age at the date of the application to you for enrollment, August 24, 1900; that she was duly admitted to citizenship in the Cherokee Nation in 1883, and is identified on the 1894 Cherokee strip payment roll; that in 1899 she was married to [redacted] man, who is the father of Thompson Reid.

It is also shown that the principal applicant left the Indian Territory in 1895, and since that time has made infrequent visits thereto, but has never permanently removed to and resided therein.

February 2, 1903, you rejected the application, as paragraph 9, section 21 of the act of June 28, 1898 (30 Stat., 495), provides that

"No person shall be enrolled who has not heretofore removed to and in good faith settled in the nation in which he claims citizenship."

The Acting Commissioner recommends that your decision be concurred in. A copy of his letter is inclosed.

Finding no reason to disturb your decision, it is hereby affirmed.

Respectfully,

(signed) F. L. Campbell,
Acting Secretary.

1 inclosure.

COPY.

Cherokee Roll

Muskogee, Indian Territory, March 19, 1903.

Chas T. Reid,
Care of Fite and Blakemore,
Muskogee, Indian Territory.

Dear Madam:

You are hereby advised that the Commission's decision, dated February 3, 1903, rejecting your application for the enrollment of yourself and your minor child, Thompson Reid, as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on March 11, 1903.

Respectfully,

Tams Bixby,
Chairman.

COPY

Cherokee Roll.

Muskogee, Indian Territory, March 19, 1903.

W. W. Hastings,

Tahlequah, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated February 2, 1903, rejecting the application of Cleo T. Reid for the enrollment of herself and her minor child, Thompson Reid, as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on March 11, 1903.

Respectfully,

Chairman.

[illegible]-1903.

Department of the Interior,
Office of Indian Affairs,
Washington, June 13, 1903.

The Honorable
The Secretary of the Interior.

Sir:

There is transmitted herewith a communication from the Commission to the Five Civilized Tribes dated April 16, 1903, forwarding a motion of Attorneys Hutchings, West and Parker in behalf of Cleo T. Reid et al, asking that a new hearing be had in the matter of their application for citizenship in the Cherokee Nation, on the ground that the decision heretofore rendered rejecting the applicants was erroneous and contrary to the decision recently rendered in the case of the application of Scott Yeargain.

The office has examined the evidence submitted in behalf of these applicants and finds that the same tends to show that the said Cleo T. Reid had at the time her application was heard by the commission, property rights in the Cherokee Nation and claimed said nation to be her home although she had been absent therefrom for a number of years. It appears that under the decision of the Department in the Yeargain case aforesaid, this applicant may be entitled to citizenship in the Cherokee Nation and the office recommends that the case be remanded to to the Commission so that further evidence may be submitted as to her said property rights.

The original record in the case is transmitted herewith.

Very respectfully,

W. A. Jones,
Commissioner.

W.C.B.(B)

D.S. March 1903 JT

DEPARTMENT OF THE INTERIOR,

WASHINGTON.

KTD. 2342 &
5116-1903. 39947 June 27, 1903.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:

April 16, 1903, you transmitted a motion of the [illegible] for the applicants, to reopen Cherokee doubtful case [illegible] Reid et al.

It appears that you rejected the applicants in this case February 2, 1903, referring in your decision to paragraph nine of section 21, act of June 28, 1898. On March 11, 1903, the Department affirmed your decision.

Submitting the motion for rehearing on June 13, 1903, the Commissioner of Indian Affairs recommends that the case be remanded to you in order that further evidence may be submitted as to the property rights of the applicants.

[illegible] testimony and rights, and your decision, as well as the decision of the Department, was rendered, under a [illegible] tation of paragraph nine of said section 21 from that [illegible] the opinion of the Assistant Attorney General dated March 16, [illegible] in the Yeargain case. Therefore the Department rescinds its former action in the matter, and the case is returned to you in order that further testimony may be taken, and that there may be a re-[illegible] tion of the case by you. A copy of the Commissioner's letter is enclosed herewith.

Respectfully,
E. A. Hitchcock, [illegible]

5 inclosures.

Tahlequah, Indian Territory, July 28, 1903.

W. W. Hastings,

Attorney for the Cherokee Nation,

Tahlequah, Indian Territory.

Dear Sir:

You are hereby notified that on June 13, 1903, the Secretary of the Interior remanded for the taking of further testimony the application of Cleo T. Reid, et al, for enrollment as citizens by blood of the Cherokee Nation, Cherokee R.646, (D.181).

Evidence is particularly required as to what property the principal applicant has owned in the Cherokee Nation during her absence therefrom. She has this day been notified that any further testimony she may desire to introduce may be presented before the Cherokee Land Office of this Commission at Tahlequah, Indian Territory, on or before August 21, 1903.

Respectfully,

MH

Commissioner in Charge
Cherokee Land Office.

Tahlequah, Indian Territory, July 22, 1903.

Cleo R. Reid,
Care of Milton K. Thompson,
Muskogee, Indian Territory.

Dear Madam:

You are hereby notified that on June 13, 1903, the Secretary of the Interior remanded for the taking of further testimony the application for enrollment of yourself and family as citizens by blood of the Cherokee Nation.

Evidence is particularly required as to what property you ever owned in the Cherokee Nation during your absence therefrom.

You are advised that any further testimony you wish to introduce may be presented before the Cherokee Land Office at this Commission at Tahlequah, Indian Territory, on or before August 21, 1903. When you appear, please present this letter.

Respectfully,

Commissioner in Charge
Cherokee Land Office.

MH

Cherokee Roll,
#741

Muskogee, Indian Territory, October 10, 1903.

W. W. Hastings,
Attorney for the Cherokee Nation,
Tahlequah, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated October 9, 1903, granting the application of Cleo T. Reid for the enrollment of herself and her minor child, Thompson Reid, as citizens by [illegible] of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which protest you will be required to furnish the applicant. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

Tams Bixby

Chairman.

Reg. D-74

COPY.

Cherokee D-183
(R 618).

Muskogee, Indian Territory, October 28, 1903.

Cleo T. Reid,
Care, Dr. Milton K. Thompson,
Muskogee, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of supplemental proceedings had in the matter of your application for the enrollment of yourself and your minor child, Thompson Reid, as citizens by blood of the Cherokee Nation, together with a copy of the Commission's decision dated October 9, 1903, granting your said application.

The decision, with the record of proceedings had in the cause, has this day been transmitted to the Secretary of the Interior for his review and decision. The action of the Department will be made known to you as soon as [illegible] the same.

Respectfully,

T. B. Needles.

Enc. D-18
Register.

Commissioner in Charge.

COPY.

Cherokee D-183
(D-948).

Muskogee, Indian Territory, October 28, 1903.

The Honorable
The Secretary of the Interior.

Sir:

Referring to Departmental letter of June 27, 1903 (C.L. 944, 5116-1903), there is herewith transmitted the record of proceedings had in the matter of the application for the enrollment of Cleo T. and Thompson Reid as citizens by blood of the Cherokee Nation, including the Commission's decision dated October 9, 1903, granting said application.

T. B. Needles

Commissioner in Charge.

Through the
Commissioner of Indian Affairs.

Rec. D-19.

COPY.

DEPARTMENT OF THE INTERIOR,

Office of Indian Affairs,

Washington, Feb. 10, 1904.

[redacted] a report from the [redacted] dated October 28, 1903, [redacted] relative to the application of Cleo T. and [redacted] enrollment as citizens by blood of the Cherokee Nation.

[redacted] 8, 1903, the Commission held that these applicants [redacted] to enrollment, which decision was approved by the [redacted] 11, 1903. June 27, 1903, the Department [redacted] returned the record in the case to the [redacted] in accordance with the [redacted]

[redacted] 5, 1903, the Commission held that under [redacted] applicants are entitled to enrollment.

[redacted] in this case shows that Cleo T. Reid was [redacted] of the time of her application; that September [redacted] was admitted to citizenship as a citizen by blood by the [redacted] under her maiden name, Cleo Thompson; and [redacted] on the roll of Cleo T. Reid nee Thompson, born [redacted]

[redacted], is properly identified by a birth affidavit. [redacted] appears to have resided in the Cherokee Nation in good faith in 1[redacted] and to have resided there until 1894, when she left the Nation and has not since resided therein. In 1896, when she was a minor, [redacted] received an allotment as a citizen of the Cherokee Nation, from which [redacted] received the rents and profits, and she still [redacted] said land.

[redacted] the Department's decision in the Yeargain case it appears to this office that the decision of the Commission favorable to the applicant is correct, and its approval is recommended.

Very respectfully,

A. C. Tonner.

Acting Commissioner.

COPY

W.C.F.
J.P.
tho

DEPARTMENT OF THE INTERIOR,

Washington,

March 21, 1904.

[redacted] to the Five Civilized Tribes,

[redacted], Indian Territory.

[redacted]

On October 28, 1903, you resubmitted the case involving the application for the enrollment of Cleo T. and Thompson Reid, [redacted] by blood of the Cherokee Nation.

On February 2, 1903, you rejected the applicants in this case, and on March 11, 1903, your decision was approved by the Department. On June 13, 1903, a motion for rehearing having been filed, the Department rescinded its former action in the matter and returned the case to you for readjudication. Further proceedings were had at Muskogee, Indian Territory, on July 28, 1903, and on October 9, 1903, you decided that the applicants should be enrolled as [redacted] them.

Concurring February 16, 1904, the Acting Commissioner of Indian Affairs recommends that your decision in favor of the applicants be approved.

The evidence shows that the principal applicant, Cleo T. Reid, was 6½ years of age at the date of her application; that Thompson Reid is the son of Cleo T. Reid, born since 1896, and is identified by a birth affidavit; that on September 7, 1898, Cleo T.

[redacted], with others, as a citizen by blood of the Cherokee [redacted] is identified on the 1894 Cherokee strip payment roll, [redacted] maiden name, Cleo T. Thompson. It further appears that [redacted] the said Cleo T. Reid in good faith settled in the Cherokee Nation and resided there until 1884, when she left said [redacted] until about 1890 [redacted] either at school or with her father, [redacted], and was living outside of said nation; that in [redacted] she married [redacted] and has since resided [redacted] It also appears that about 1883, [redacted] acquired an interest in a farm in the Cherokee Nation, [redacted] she has received periodically a share of rents and profits, [redacted] has maintained such interest up to and including the date of her application.

Following departmental decision in the case of Joseph D. [redacted] et al., the Department is of the opinion that your decision [redacted] that the applicants should be enrolled, is correct. The [redacted] approved.

[redacted] of the Acting Commissioner's letter is inclosed.

[redacted],

Thos Ryan,

Acting Secretary.

[redacted]

Cherokee

Muskogee, Indian Territory, March 31, 1906.

Mrs. Le Roid,
care Dr. Miller Thompson,
Muskogee, Indian Territory.

Dear Madam:

You are hereby advised that the Commissioner's decision dated October 4, 1905, granting your application for the enrollment of yourself and your minor child, Thompson Reid, as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on March 21, 1906.

Respectfully,

Commissioner.

Muskogee, Indian Territory, March 31, 1904.

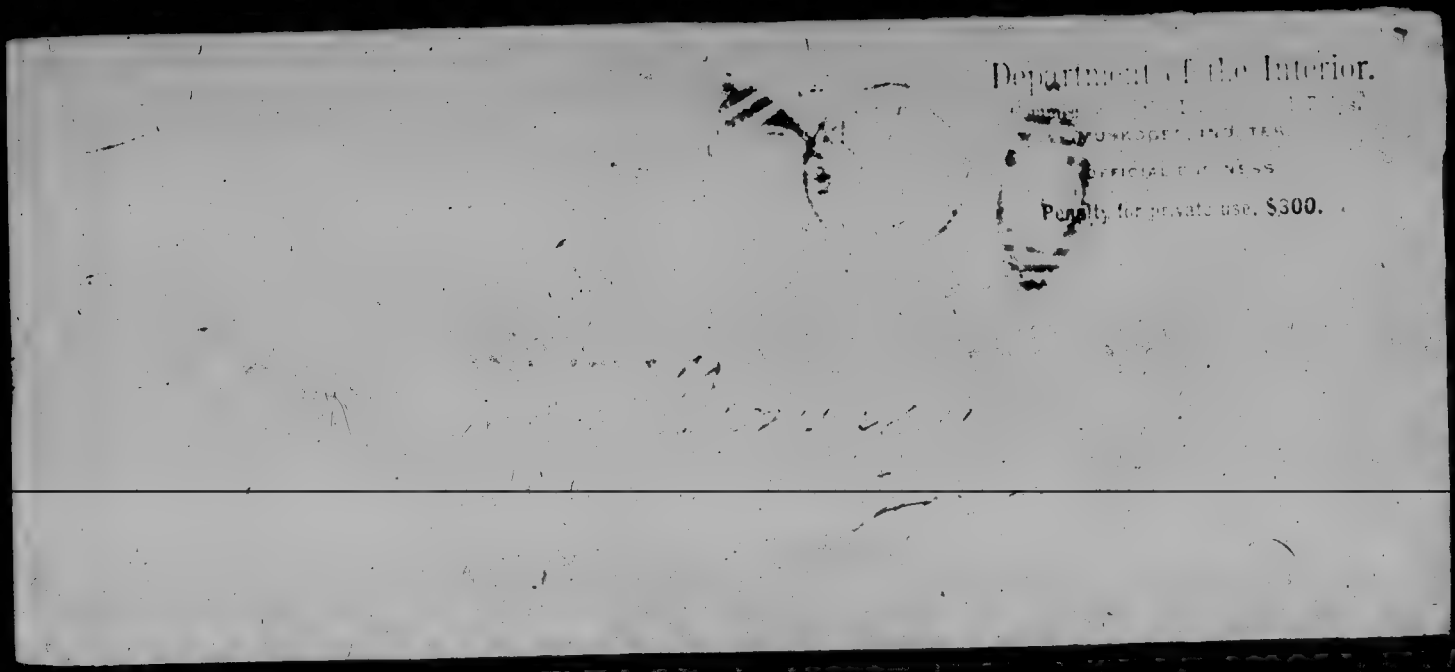
W. W. Hastings,
Attorney for Cherokee Nation,
Tahlequah, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated October 9, 1903, granting the application of Cleo T. Reid for the enrollment of herself and her minor child, Thompson Reid, as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on March 21, 1904.

Respectfully,

Commissioner.


Department of the Interior.
Penalty for private use, $300.

Department of the Interior.

Muskogee, I.T.

OFFICIAL BUSINESS

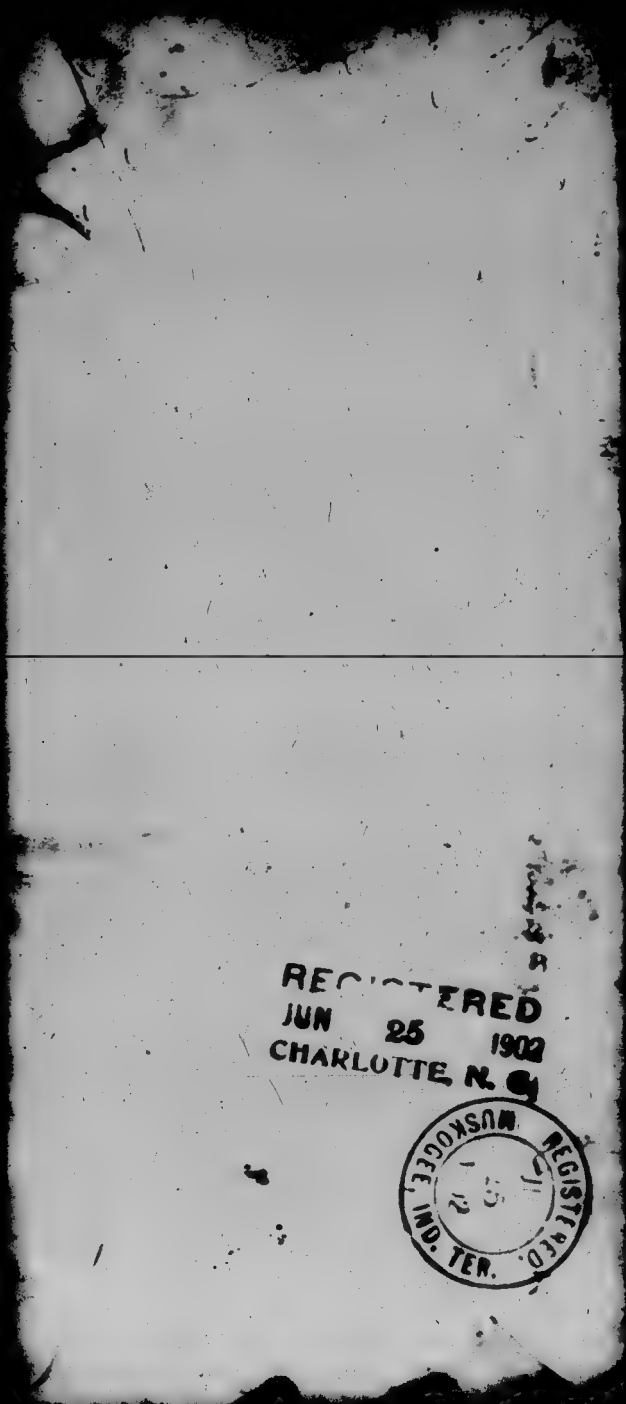
Penalty for private use, $300.

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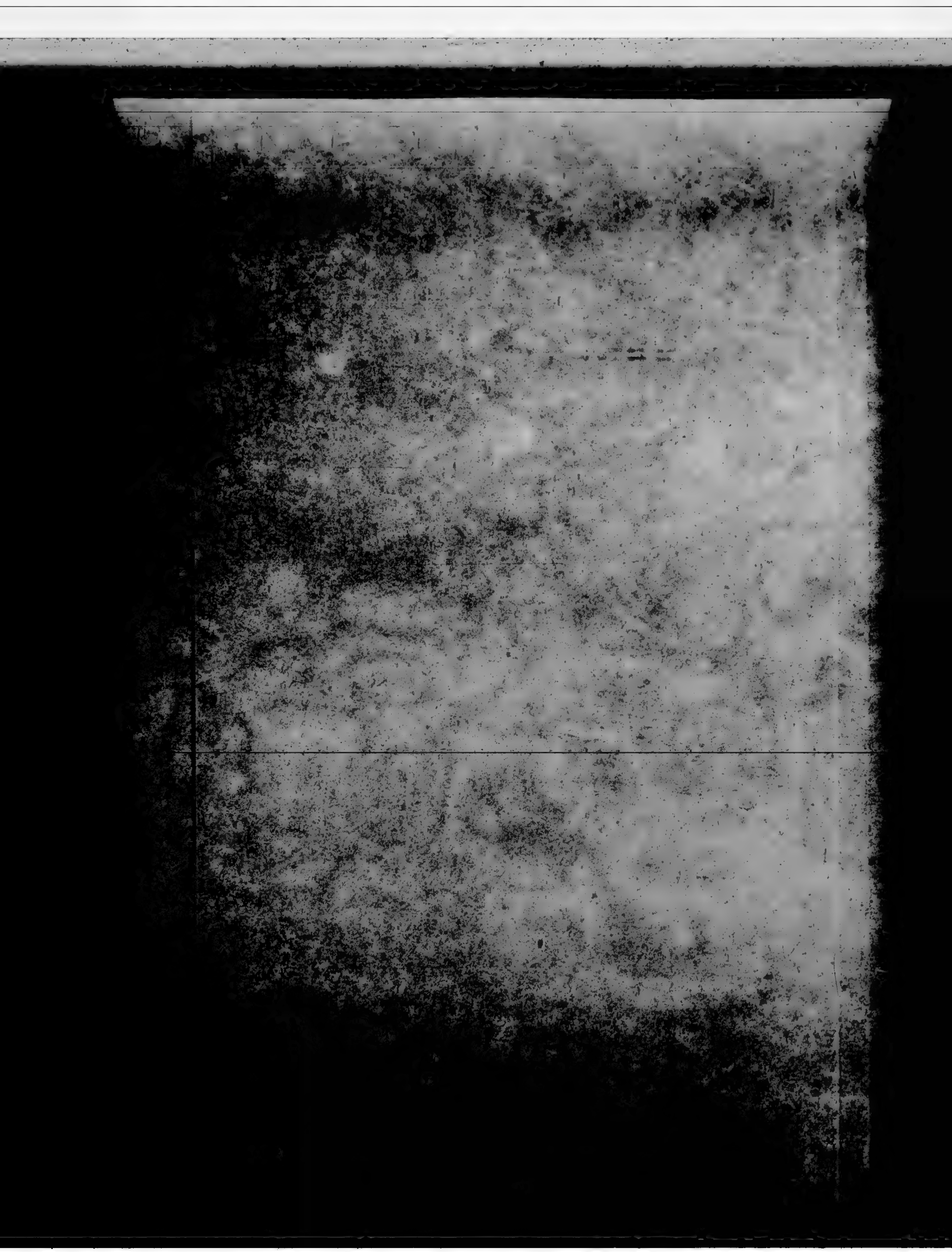


Department of the Interior.

$300.


REGISTERED
JUN 25 1902
CHARLOTTE N. C.
MUSKOGEE, IND. TER.
REGISTERED

REGISTERED
JUL 10 19
CHARLOTTE, N.C.



[illegible]

[illegible] by Mack.

[illegible] of the Interior,
[illegible] the Five Civilized Tribes,
[illegible] Muskogee, I.T., April 19,1901.

[illegible] of the application of George Sanders Chambers [illegible]
[illegible] himself of a Cherokee citizen by blood, [illegible]
[illegible] by Commissioner Breckinridge, he [illegible]

[illegible] your full name? A George Sanders Chambers.
[illegible] certainly.
[illegible] know yourself? A To one.
[illegible] of the rolls of the Cherokee Nation? A In every
[illegible] made since I was born.
[illegible] you ever lived in Oklahoma? A I left this country in
[illegible] I was back and forth until 1891; then I married

[illegible] Nation? A Yes sir.
[illegible] last? A Yes sir.
[illegible] did you live after that? A I have lived there ever

[illegible] Nation? A Yes sir.
[illegible] the Osage Nation now? A Yes sir, to-day; take my
[illegible] I am allowed no privileges on earth.
[illegible] considered yourself a Cherokee citizen? A Yes sir.
[illegible] an Osage of anything of that sort? A No sir,
[illegible] election except the last election.
[illegible] name of your father? A James Chambers.
[illegible] Yes sir, he died three years ago in December.
[illegible] name of your mother? ACatherine.

[illegible] three, are you? A Yes sir, and have three

[illegible] sir,
[illegible] citizenship does she? A She has a perfect right

[illegible] her and the children on the Osage roll? A Yes sir.
[illegible] does she vote in the Cherokee Nation? A In Coo-

[illegible] home? A Yes sir, all my people live there
[illegible] and sisters and my mother.

[illegible] duly authenticated roll of citizens of the Cherokee Nation
[illegible] and applicant identified thereon as follows:
[illegible] Geo. S. Chambers, Tahlequah Dist, native Cherokee

[illegible] roll of citizens of the Cherokee Nation examined
[illegible] and applicant identified thereon as follows:
[illegible] George S. Chambers, Delawaregoowee Dist, native
[illegible], 28 years old.

[illegible] there is a [illegible] of law that I want the full Commis-
[illegible] [illegible] [illegible] on myself.

[illegible] Examination.] The applicant is duly identified
[illegible] of 1880 and 1896 as a native Cherokee, [illegible]
[illegible] lived in the Cherokee Nation all his life, [illegible]
[illegible] went to the Osage country, there he married
[illegible] 1891 he has lived continuously in the
[illegible] claims that his wife is an Osage and that
[illegible] are enrolled as members of the Osage
[illegible] question of residence involved
[illegible] [illegible], no decision will



DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
APR 19 1901

Acting Chairman

CHEROKEES BY BLOOD

Ponca City Oklahoma

Date

Name George S. Chamber

District Tahl. Year 1880 Page 242 No. 233

Citizen by blood Mother's citizenship Parents & James Chamber Cattleman "

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

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Dist. Year Page No. Age

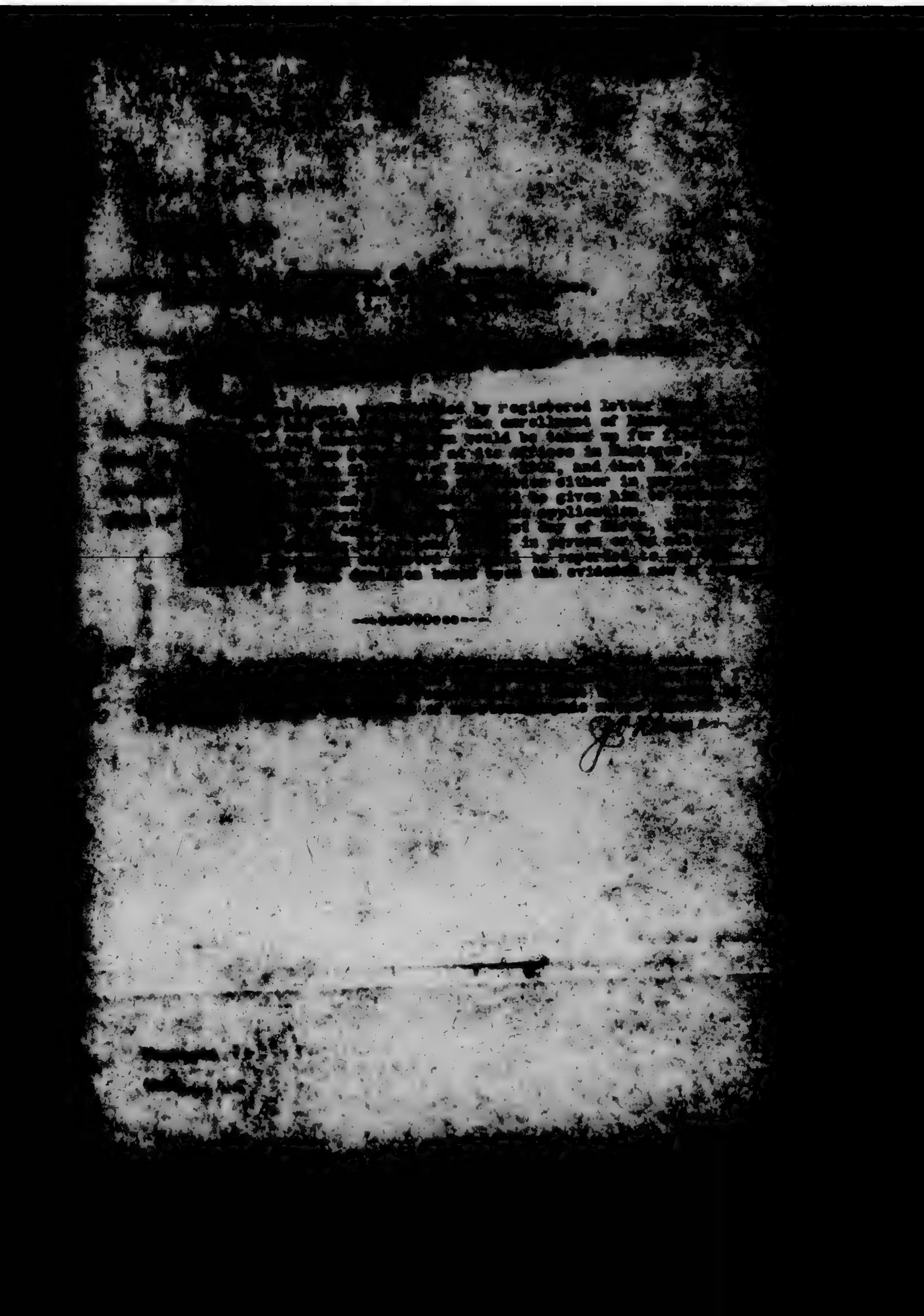
(1) on 80 Roll Ges. S. Ch

(1) - 96 " 136 = 1123 Coo

[redacted]

[redacted]

[redacted]



Cherokee D #1178.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of George L. Chambers as a citizen by blood of the Cherokee Nation.

DECISION.

The record in this case shows that on April 19, 1901, George L. Chambers appeared before the Commission at Fort Gibson, Indian Territory, and made personal application for enrollment as a citizen by blood of the Cherokee Nation.

The evidence shows that the applicant is a Cherokee by blood and that he is identified as such on the 1880 authenticated Cherokee roll and on the Cherokee census roll of 1896.

The evidence further shows that the applicant was a citizen of the Cherokee Nation for some years immediately preceding [illegible] at which time he has lived in the Osage Nation, Oklahoma. It does not appear that he ever removed with his effects from the Cherokee Nation or became a citizen of another government; on the contrary, the evidence shows that he always considered himself a citizen of the Cherokee Nation and has voted in said Nation at every election but one since he became of voting age.

It is, therefore, the opinion of this Commission, following [illegible], that George L. Chambers should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of [illegible] of the Act of Congress, approved June 28, 1898 (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

C. R. Breedlove Jr.
Commissioner.

Commissioner.

Muskogee, Indian Territory,

Date MAR 10 1902

[redacted]

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

[redacted]

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, [redacted] 1902.

[redacted]

[redacted]

[redacted]

You are hereby notified that the application of [redacted]

for enrollment as a citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

[redacted]

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Muskogee, Indian Territory, [illegible]

C. A. Mitchell,
U. S. Indian Agent,
[illegible], Oklahoma Territory.

Sirs:

The Commission has heretofore received an application for enrollment, as a citizen of the Cherokee Nation, of George Rogers Chambers, who gave his age as 45 years and his postoffice as Perry City, Oklahoma Territory.

It appears that the wife and children of this applicant are members of the Osage tribe of Indians, and you are requested to advise the Commission if said George Rogers Chambers has ever been enrolled or recognized as a citizen of the Osage Nation.

Respectfully,

Acting Chairman.

INDEXED

COMMISSION TO FIVE TRIBES

No.	Received	Answered
23469 1902	DEC 4	Book

Kingfisher, O. T.

OSAGE AGENCY,
PAWHUSKA, O[illegible].

December 1, 1902.

COMMISSION

States that George Sanders Chambers is not enrolled on [illegible] roll, but that Belle Chambers and children are on the roll.

Refer to [redacted] in Reply

DEPARTMENT OF THE INTERIOR,

UNITED STATES INDIAN SERVICE,

Osage Agency, Pawhuska, Okla.,
December 1, 1902.

[redacted] Civilized Tribes,
[redacted]

In the matter of [redacted]

[redacted]

Referring to your letter of Nov. 24, 1902, Cherokee D-1178, relative to George Sanders Chambers, who gives his address as [redacted]a., you are informed that he has not been and is not now [redacted] the Osage tribal roll. Belle Chambers and her children are [redacted] Osages.

Very respectfully,

O A Mitscher

U.S. Indian Agent.

Cherokee 2'1179

Muskogee, Indian Territory, March 10, 1904.

W. V. Hastings,
Attorney for the Cherokee Nation,
[illegible], Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the commission to the Five Civilized Tribes, dated March 10, 1904, granting the application of George S. Chambers for enrollment as a citizen by blood of the Cherokee Nation.

You are advised that you will be allowed fifteen days from the date hereof within which to file such protest as you may desire to make against the action of the Commission in this case. If you fail to file such protest within the time allowed this decision will be considered final.

Respectfully,

Encl. V-27

Commissioner in Charge.

COMMISSIONERS.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BREECKINRIDGE.
W. E. STANLEY.

ALLISON L. AYLESWORTH, SECRETARY.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THIS FOLLOWING
Cherokee D-1178

Muskogee, Indian Territory, March 31, 1904.

George S. Chambers,
Ponca City, Oklahoma.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 10, 1904, granting your application for enrollment as a citizen by blood of the Cherokee Nation.

Respectfully,

Commissioner in Charge.

Enc. D-14.

Register.

Department of the Interior.

Commissioner of Five Civilized Tribes,

MUSKOGEE, IND. TER.

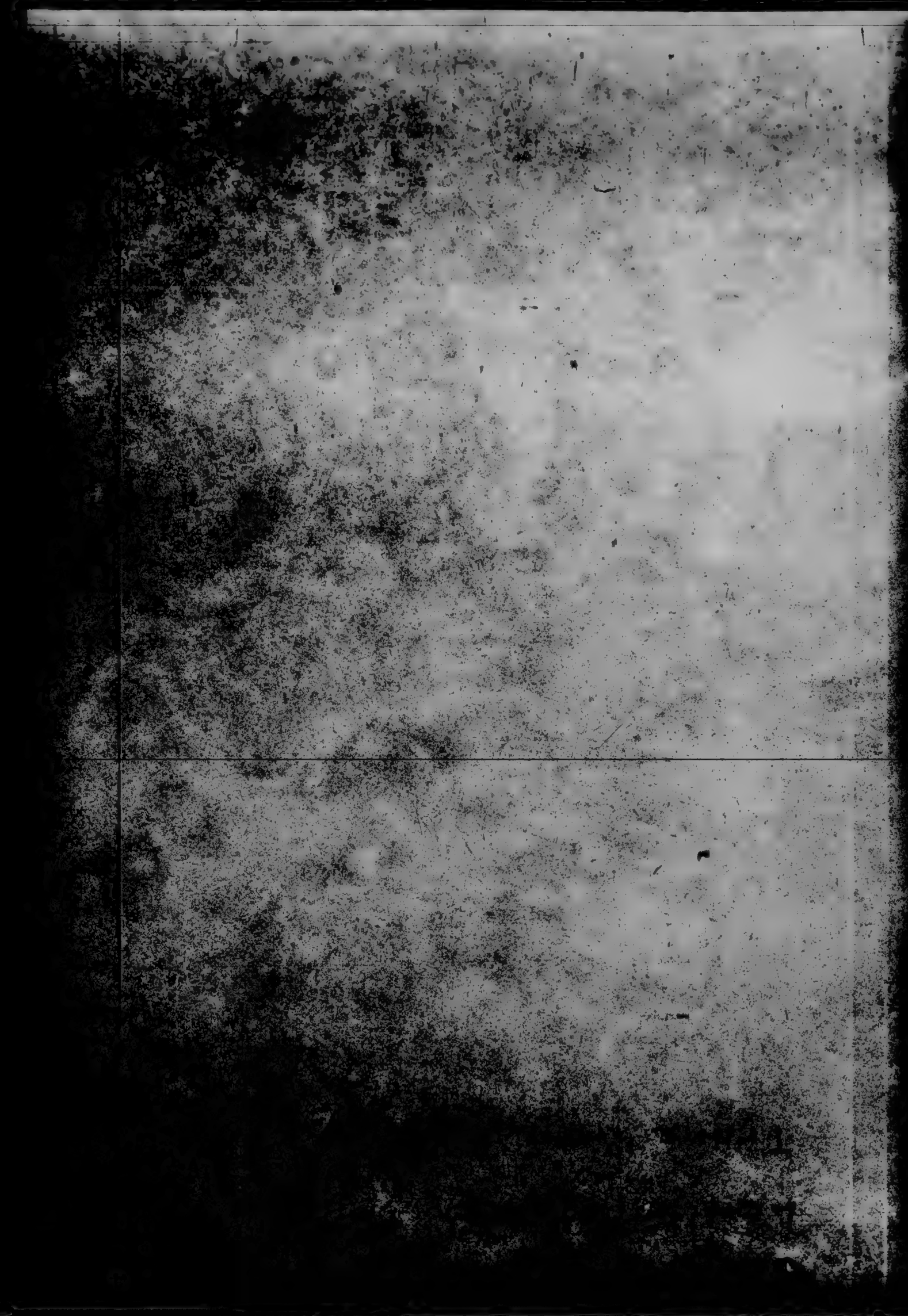
OFFICIAL BUSINESS.

Penalty for private use, $300.

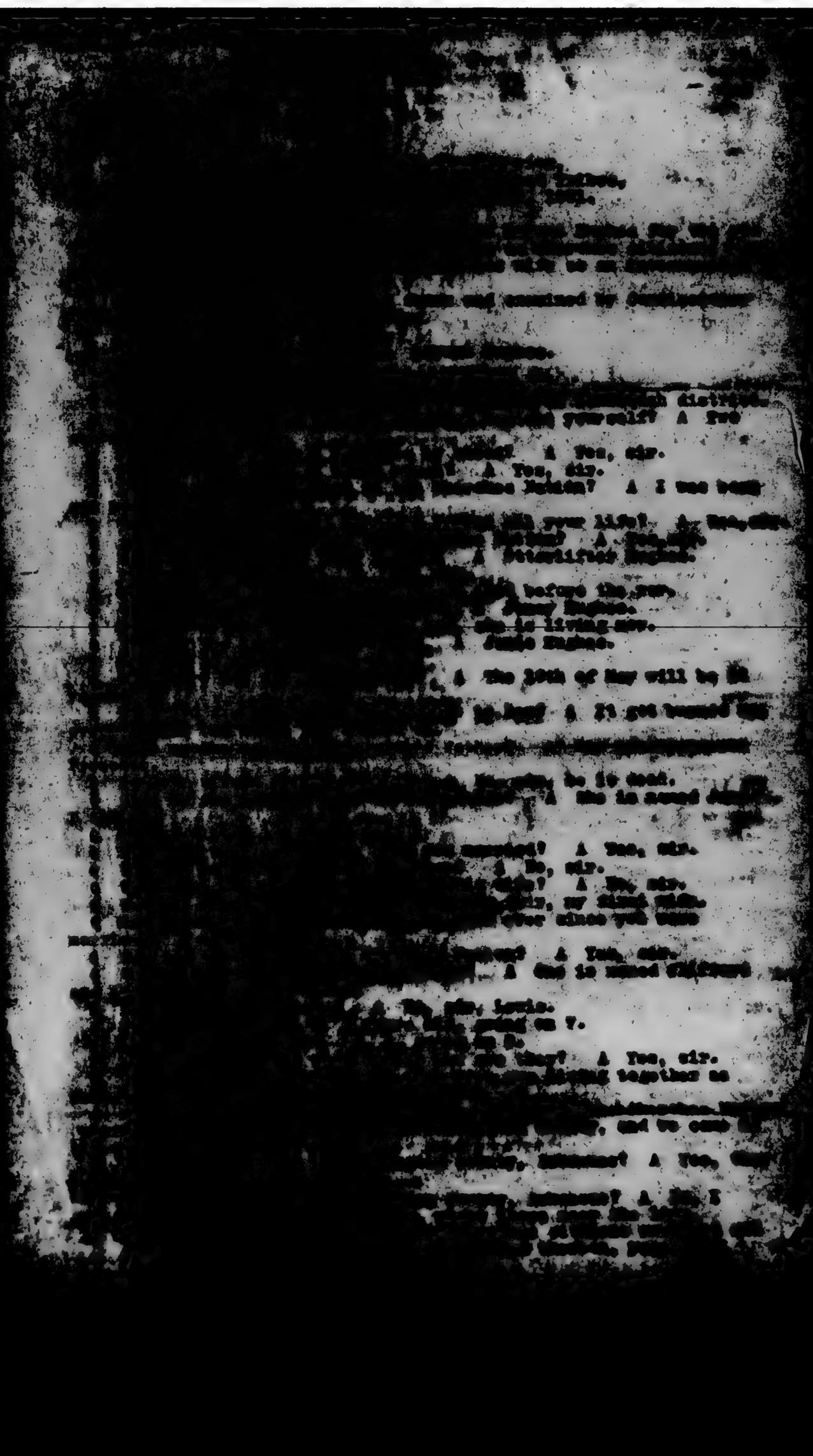


[illegible] Chambers,

Ponca City, Oklahoma.



D1174



Bryant [illegible]

[illegible] examined and the
[illegible]:
[illegible] Chippewa;
[illegible] enrolled, on
[illegible] Pillager district.
to [illegible] certificate of your marriage
bring [illegible] the record at Pillager, or else
together on [illegible] that you and your wife are living

[illegible] is identified
[illegible] and he will be
listed [illegible] blood.
[illegible] will not be on the roll of 1908. He
[illegible] two years ago, that she is a
[illegible] have lived together ever since
[illegible] was previously married. He
[illegible] with a certificate of
[illegible] his testimony by any ad-
[illegible] wife will now be listed
for [illegible] marriage upon a consent
card [illegible] ...ge. The oldest child,
[illegible] duly identified on
the [illegible] listed for enrollment
as a [illegible] ...ved part with its mother, to
avoid the [illegible] ...riage of the child's father.
When [illegible] ...d with a proper certificate of
the birth of the [illegible] Clifford Hughes, this child
also will be [illegible] ...ept as a Cherokee by blood or
a doubtful case [illegible]

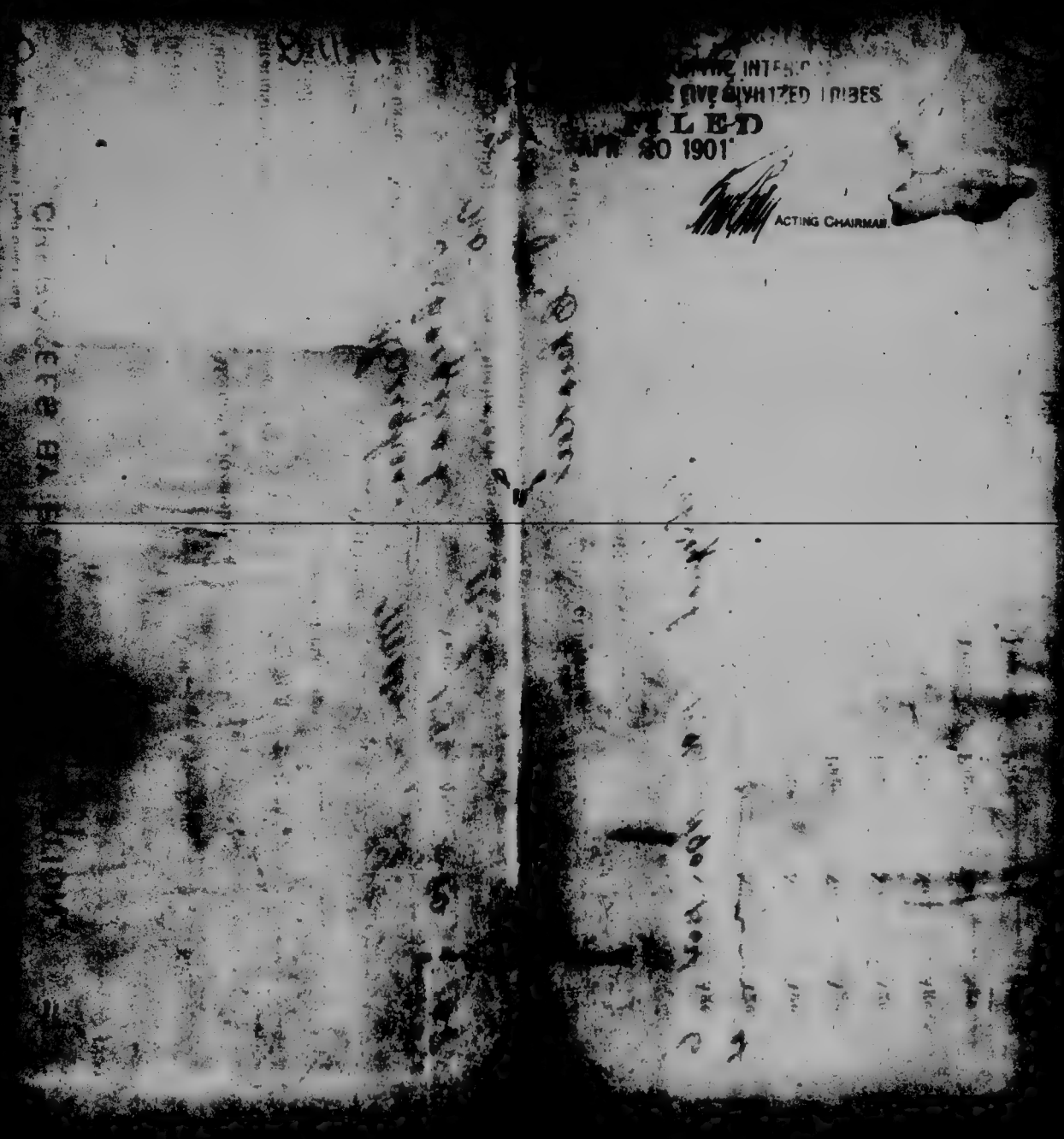
[illegible] ...ge, that an stenographer
the Commission [illegible] ...ript is correctly
ed the proceedings and [illegible] ...d conclusion, and the fore-
is a true and [illegible] ...he stenographic notes thereof.

Marcella Jones

Sworn to and subscribed [illegible] ...th of April, 1908.

C. H. Theurer

Commissioner.


INTER
FILED
APR 30 1901
ACTING CHAIRMAN

CHEROKEES

Date

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name Jamie Hughes Melvin, IT.

District Tahlequah Year 1896 Page 280 No. 128

Citizen by blood no Mother's citizenship

Intermarried citizen Yes

Married under what law Cherokee Date of marriage

License Certificate

Names of Children:

Lewis Hughes	Dist. Tahlequah	Year 1896	Page 190	No. 128	Age 6
Clifford "	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

No 1 on 1896 Roll as Jennie Hughes
No 2 Birth certificate to be supplied.

Marriage license and certificate to be supplied

X Ref

TIMBER.

---oooOooo---

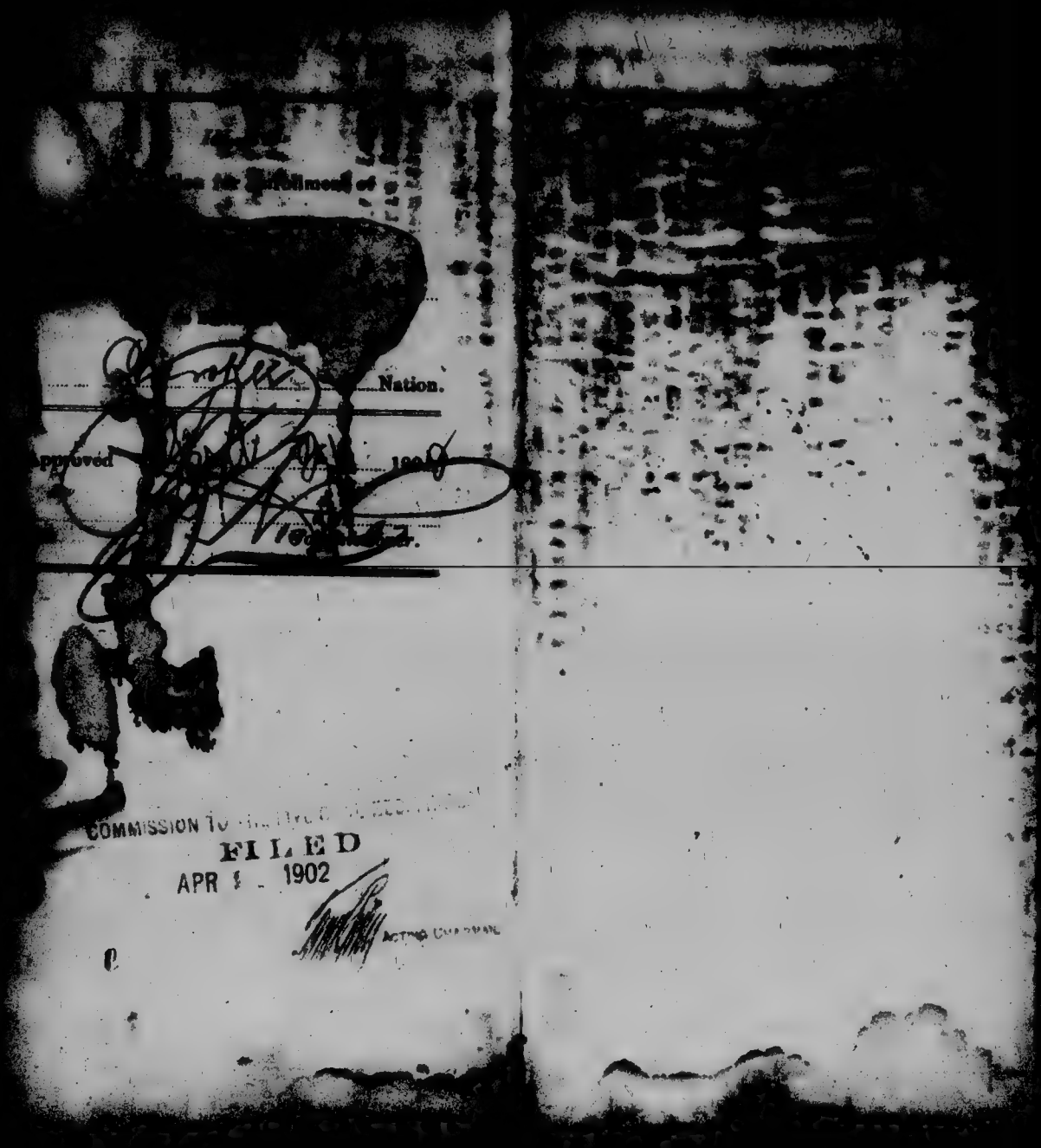
CONSIDERABLE DAMAGE BY FIRE.

[illegible] Letter Written.

[illegible] Chronicle.

[illegible] 1, 1908.

[redacted]


Nation.
COMMISSION TO
FILED
APR 1 - 1902

RTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Application for Enrollment, as a citizen of the Cherokee Nation.

..., born on the 6 day of November, 1898.

Bryant Hughes, a citizen of the Cherokee Nation.

..., a citizen of the United States Nation.

Post-office Melvin, I. T.

AFFIDAVIT OF MOTHER.

..., on oath state that I am 29 years; that I am the wife of Bryant Hughes, of the Cherokee Nation; that my husband, Bryant Hughes, who is a citizen, by ... of the Cherokee Nation; that a male child was born to me on the 6 day of November, 1898; that said child has been named ..., and is now living.

her
Jannie Hughes
mark

Witnesses to mark:
...
...

Subscribed and sworn to before me this 11 day of April, 1900.

Bruce C. Jones
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA,
... District,

I, Cochran, a midwife, on oath state that I attended on Jannie Hughes, wife of Bryant Hughes, on the 6 day of November, 1898; that there was born to her on said day a male child; that said child is now living and is said to have been named ...

her
Isabell J. + Cochran
mark

Witnesses to mark:
C. A. Walkingstick
W. Eubanks

Subscribed and sworn to before me this 16 day of April, 1900.

Bruce C. Jones
NOTARY PUBLIC.

20

IN RE

Application for Enrollment of

INFANT CHILD

Ada B. Hughes

as a citizen of

Cherokee Nation.

Approved [illegible] 1902

[illegible]

Commissioner.

COMMISSION TO THE FI...

FILED

APR [illegible] 1902

[illegible]

10708

DEPARTMENT OF T[illegible]

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the [illegible]

Ada B. Hughes, born on the 13 day of [illegible]

(Give correct name of child.)

Name of Father: Bryant Hughes a citizen of the [illegible]

Name of Mother: Jamie Hughes a citizen of the United States

Post-office Melvin, I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern District.

I, Jamie Hughes, on oath state that I am [illegible] years of age and a citizen, by [illegible], of the Cherokee Nation; that I am the lawful wife of Bryant Hughes, who is a citizen, by blood, of the Cherokee Nation; that a female child was born to me on 13 day of June, 1901; that said child has been named Ada B. Hughes, and is now living.

Jamie her X Hughes
mark

WITNESSES TO MARK:

(Must be Two Witnesses) { Aaron Carey
L. J. Harris

Subscribed and sworn to before me this 17 day of April, [illegible]

Bruce G. Jones
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern District,

I, Isabell J. Cochran, a midwife, on oath state that I attended on Mrs. Jamie Hughes, wife of Bryant Hughes on the 13 day of June, 1901; that there was born to her on said date a female child; that said child is now living and is said to have been named Ada B. Hughes.

Isabell J. her + Cochran
mark

WITNESSES TO MARK:

(Must be Two Witnesses) { A. R. Hallingstick
Wm Lubbuck

Subscribed and sworn to before me this 16 day of April, [illegible]

Bruce G. Jones
NOTARY PUBLIC.



[illegible]
[illegible]'1 to D 1179

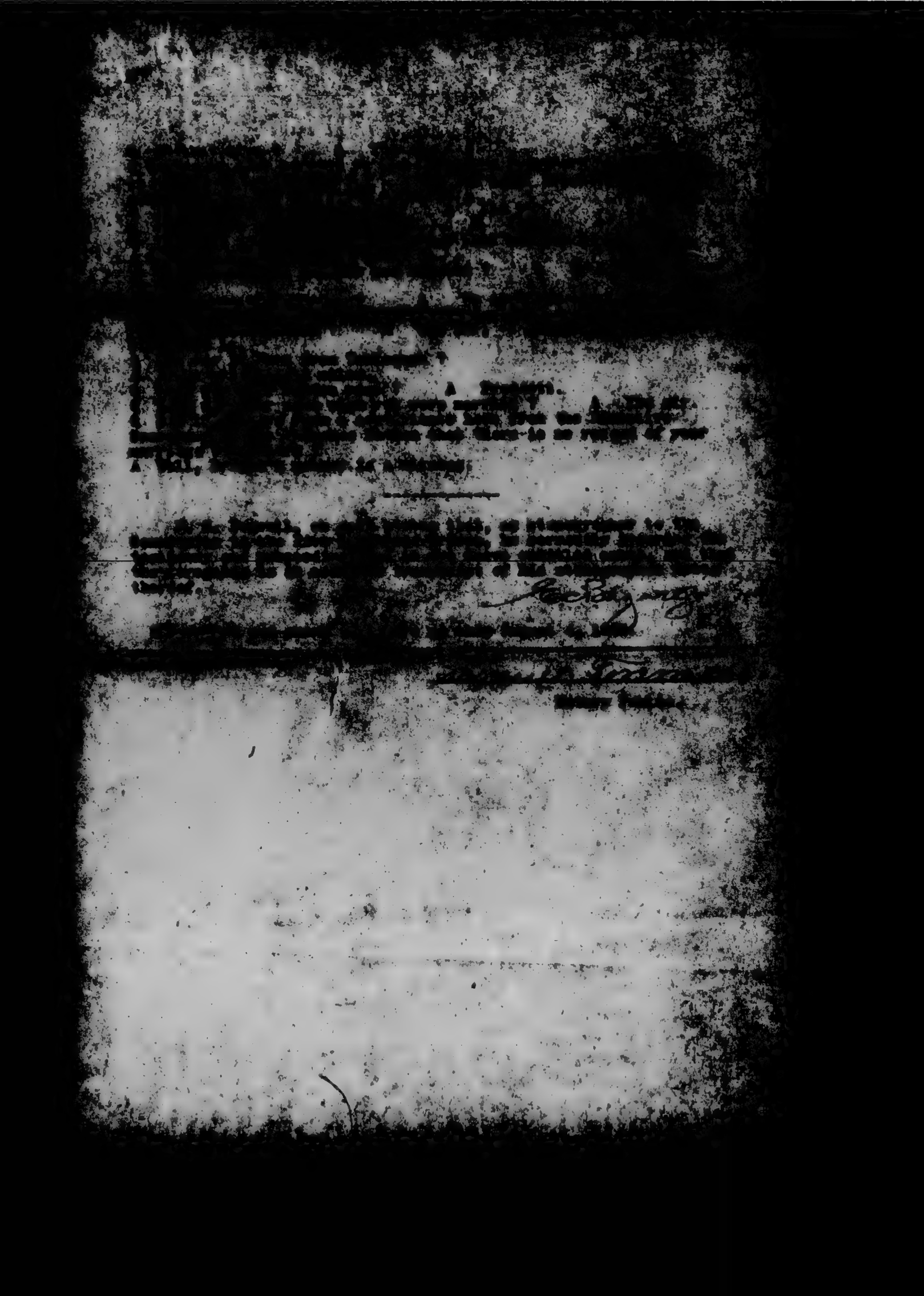
Department of the Interior,
Commission to the Five Civilized Tribes,
Vinita, I. T., April 20, 1906.

In the matter of the application of [illegible], for the enrollment of herself, as a citizen by intermarriage, and her children, LEWIS, CLIFFORD and ADA B. [illegible], as citizens by blood, of the Cherokee Nation:

[illegible], being first duly sworn, and examined, testified as follows:

Examined by the Commission:

Q What is your name ? A Jamie Hughes.
Q How old are you ? A I am twenty nine years old.
Q What is your post office ? A Vera, I. T.
Q You are a white woman ? A Yes sir.
Q Claiming citizenship by marriage ? A Yes sir.
Q What is your [illegible]'s name ? A Bright Hughes.
Q Is he a Cherokee by blood ? A Yes sir.
Q When were you married to him ? A I was married in 1892.
Q Are you sure that was the year ? A Yes sir, I have been married twelve years.
Q Why your husband says you were married in 1895 ?
A Bright aint much of a scholar, he can't count hardly, I was married in 1892.
Q Who married you ? A The clerk.
Q What is his name ? A He's dead now.
Q What was his name ? A I have forget his name now, he was a [illegible] man.
Q [illegible] Cherokee district ? A Yes sir.
Q [illegible] Nation.
Q What was [illegible] ? A Colesquamb.
Q Did you marry a [illegible] ? A Yes sir, our license got burned up, and [illegible] all seen it.
Q You have never married again ? A No sir.
Q The clerk married you ? A Yes sir.
Q And the license was burned up ? A Yes sir.
Q You say the clerk is dead now ? A Yes sir.
Q Was that your first marriage ? A Yes sir. The first time I was ever married, never was married but once.
Q Was your husband married before ? A No sir.
Q Have you been living together ever since that time ?
A Yes sir.
Q Never separated ? A No sir.
Q Has your husband lived in the Cherokee Nation all his life ?
A Yes sir; and I have been here for twelve years.
Q How many children have you ? A Three.
Q What are their names ? A Ada, Lewis and Clifford.
Q You never lived outside the Cherokee Nation since you and your husband were married ? A No sir, never have lived outside the Cherokee Nation, been here for twelve years.
Q You say your marriage license and certificate were burned up ?
A Yes sir, I am part of that.
Q When was that ? A About two years ago.
Q Shortly after you were enrolled ? A No sir, it was after we enrolled; we got enrolled last year, the Dawes Commission came to our house, they came to [illegible].
Q Didn't your husband enroll at Fort Gibson ? A Yes sir.
Q Was it burned up at that time ? A Yes sir, it was burned up.



JUL 10 1903

Cherokee D-1178.

Department of the Interior,
Commission to the Five Civilized Tribes,
Tahlequah, I. T., July 6, 1903.

In the matter of the application of Janie Hughes for the enrollment of herself as a citizen by intermarriage, and for the enrollment of her children, Lewis, Clifford and Ada B. Hughes, as citizens by blood of the Cherokee Nation.

Susan Prescott, being duly sworn, and examined by the Commission, testified as follows:

Q What is your name? A Susan Prescott.
Q How old are you? A I am about fifty-one.
Q Where do you live? A I live in the states.
Q Arkansas? A Yes sir.
Q What place, what postoffice? A I live at Star Hill postoffice; they call it Lincoln, that is the name of the station.
Q And the name of the postoffice is what? A Lincoln.
Q Are you a citizen of the Cherokee Nation? A No sir.
Q Do you know Janie Hughes? A Yes sir, that is my daughter; I ought to know her.
Q What is her husband's name? A Bryant Hughes.
Q He is a citizen of the Cherokee Nation? A Yes sir.
Q When were they married? A I can't hardly tell you, I forget.
Q About how many years ago? A About twelve years ago.
Q Do you remember it was about twelve years ago? A Yes sir.
Q Where were they married? A They were married in Lincoln.
Q At your home? A In Lincoln, on the Cherokee line.
Q Were you present at the marriage? A No sir, I wasn't there.
Q Had your daughter been living with you before she was married? A Yes sir.
Q She was? A Yes sir.
Q I asked you if your daughter had been living with you before she was married? A Of course, she lived with me.
Q Up until the time she was married? A Yes sir.
Q Did Mr. Hughes come to the house to see her? A Yes sir.
Q And you knew they were married? A Yes sir.
Q And have they been living together ever since? A Yes sir.
Q And you have visited them quite frequently? A Yes, I visited them pretty often.
Q How many children have they? A They have three living and two dead.
Q Lewis, Clifford and Ada? A Yes sir.
Q Those are the children living? A Yes sir.
Q You say you weren't at the marriage? A No sir.
Q Did you ever see the marriage license or certificate? A I seen the marriage license.
Q You saw the marriage license? A Yes sir.
Q When did you see that? A They came back on the 17th.
Q And they stayed at your house? A No, not the first night they were married; they didn't.
Q But they came to your house the day after they were married? A No.
Q Well, how did you see the license then? A I seen the license before they were married.
Q Who had it? A They read them to me; I can't read.
Q Who read them to you? A My daughter did.
Q Who married your daughter to Mr. Hughes, do you know the preacher's name? A I can't think of his name; whenever I get bothered I can't recollect his name.
Q You don't remember? A No sir.
Q Married by a preacher, were they? A Yes.

Q Is Mr. Hughes your daughter's first husband? A Yes sir.
Q She never had been married before? A No sir.
Q You say she has been living with him ever since they were married? A Yes sir.
Q Were any of your family at the marriage? A My daughter was, and [illegible].
Q Your two daughters? A One of my daughters. They are both named Cheatham and they are sisters-in-law.
Q Your daughter and who else? A Cheatham's sister.
Q Who is Cheatham's sister, any relative of yours? A He married one of my daughters.
Q He is your son-in-law then? A Yes sir.
Q Where are they living? A They live at Star Hill.
Q In Arkansas? A Yes sir.
Q Why didn't they come over with you and testify? A They couldn't come.
Q Neither your daughter nor your son-in-law, neither one of them? A No sir.

Bryant Hughes, being duly sworn, and examined by the Commission, testified as follows:

Q Your name is Bryant Hughes? A Yes sir.
Q You are the husband of Jamie Hughes? A Yes sir.
Q This witness, Susan Prescott, is your mother-in-law? A Yes sir.
Q She has come over from Arkansas to testify for your wife in this case? A Yes, all what she knowed.
Q Now it appears that she wasn't present at your marriage but that one of her daughters and her son-in-law were; did you try and get them to come over and testify? A It was her daughter and another girl; it was Cheatham's sister. He married her daughter; Cheatham married her daughter, and it was Cheatham sister.
Q Did you ask those other parties who were present at the marriage, did you ask them to come here and testify for you? A She asked them to come here and they said they couldn't come.
Q Is the preacher who married you living? A No, he is dead.
Q All the witnesses who were present at your marriage are living in Arkansas or dead? A Yes.
Q None of them are living in the nation? A One of them is dead.
Q Where are the others? A They are in the states.
Q None of them living in the nation? A None of them living in the nation now.
Q And you tried to get them to come here? A Yes sir.
Q Are they poor people? A Yes, they haven't got much.
Q You were never married but once were you? A That is all.
Q Did the preacher who married you give you a marriage certificate? A He didn't give me no certificate when I gave him the license.
Q Was it sent to be recorded? A I don't know anything about it.
Q What was it burned up? A Our license.
Q Your license? A Yes, when our house got burned.
Q When did you get your license? A I got them at Fayetteville.
Q And where were you married? A I was married on the line.
Q What place? A Right at the Clerk's house on the line.
Q Do you know the name of the place? A Presbyterian Church.
Q Is there a town there? A No, there aint no town there; it is just a church.
Q Hain't the place got a name? A I don't know, that is all I know about it.
Q You know that the preacher is dead? A Yes, he is dead.
Q Where did you go after you were married? A We went back to her house.
Q To whose house, Susan Prescott? A Yes.
Q Did you stay there all night? A We stayed there a week before we came back to the nation.

[redacted] Bennett et.

[redacted] as to her home? A Ten times eight we eighty,

[redacted] number and this other lady to come

[redacted] A They couldn't come, they weren't able to

[redacted] A They are called [redacted]

[redacted] A It is about [redacted]

Lincoln, Arkansas? A Yes sir, ten miles from Prescott.

.....

The undersigned, being duly sworn, states that as stenographer to the commission to the five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

E. L. Rothrock

Subscribed and sworn to before me this 8th day of July, 1903.

Samuel Freeman,
Notary Public.

S 1179

Cherokee Nation.

Enrollment of the [illegible]
Commission to the Five Civilized Tribes,
Muskogee, Indian Territory, July 7, 1896.

In the matter of the application of Sarah Thomas for the enrollment of herself as a citizen by intermarriage, and for the enrollment of her children, Lovie, Milford and Lee B. Smith, as citizens by blood of the Cherokee Nation,

Mary Thornton, being duly sworn, and examined by the Commission, testified as follows:

Q What is your name? A Mary Thornton.
Q How old are you? A I am [illegible]-five.
Q Where do you live? A Near Vian.
Q Attorney? A Yes sir.
Q Do you know Sarah Thomas? A Yes sir.
Q The wife of Bryant Thomas? A Yes sir.
Q She is a white woman? A Yes sir.
Q Do you know when they were married? A Yes sir.
Q When? A They were married the 14th of May.
Q What year? A The 14th I mean.
Q The 14th of May? A They got the license on the 14th and married the 16th.
Q They got the license on the 14th? A I mean the 16th.
Q How many years ago? A [illegible] years.
Q Are you personally [illegible]? A [illegible]
Q Where were they married? A They were married in the Cherokee Nation.
Q [illegible] A At [illegible]
Q [illegible]
Q [illegible]
Q [illegible] A Yes sir.
Q Did you go there with them? A Yes sir, I was present.
Q Where did they go after they were married? A It took them a day to go back home to Muskogee.
Q Did you go with them? A Yes sir.
Q Have they been living together ever since as husband and wife? A Yes sir.
Q Are you related to these parties? A She is my own sister.
Q Which is? A Yes sir.

.....

I, the undersigned, being duly sworn, state that as stenographer to the Commission to the Five Civilized Tribes, I correctly reported the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of my stenographic notes thereof.

E. L. Rothenburger

Subscribed and sworn to before me this 8th day of July, 1896.

Leonard Fremont

Cherokee D-1179.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Lewis, Clifford and Ada B. Hughes as citizens by Blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on April 20, 1901, Bryant Hughes appeared before the Commission at Fort Gibson, Indian Territory, and made application for the enrollment of himself and his three minor children, [redacted] Hughes, as citizens by blood of the Cherokee Nation, and for the enrollment of his wife, Janie Hughes, as a citizen by intermarriage of said Nation. Further proceedings in the matter of said application were had at Vinita, Indian Territory, on April 20, 1903, and at Tahlequah, Indian Territory, on July 6, and July 7, 1903. Said Bryant Hughes is not embraced in this decision, his name being upon the partial roll of Cherokee citizens by blood approved by the Secretary of the Interior on December 23, 1902, at No. 17625. The application for the enrollment of Janie Hughes as a citizen by intermarriage of the Cherokee Nation is not passed upon at this time, nor is she embraced in this decision.

The evidence shows that Bryant Hughes, a Cherokee citizen by blood, and his wife, Janie Hughes, were married in 1892. As a result of that marriage the minor applicants herein were born. The said Bryant Hughes is identified on the Cherokee authenticated roll of 1880 and the Cherokee census roll of 1896; Lewis Hughes is identified on the Cherokee census roll of 1896, and Clifford and Ada B. Hughes are identified by birth affidavits made a part of the record herein.

The evidence further shows that Bryant Hughes has lived in the Cherokee Nation all his life. The minor applicants herein have also lived in said Nation all their lives, and with their said parents.

It is, therefore, the opinion of this Commission that Lewis Hughes, Clifford Hughes and Ada B. Hughes should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of section twenty-one of the act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this MAR 10 1904

Cherokee Nation. Cherokee Roll.

D1179

RECEIVED
MAR 3 1902

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

Muskogee, Indian Territory, March 1, 1902.

Mrs. [redacted]

Kelvin, Indian Territory.

Mrs:

You are hereby notified that the application of Jamie Hughes and her two minor children

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

March 21, 1902

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application, as you may deem necessary.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives are required to notify you of their intention to introduce such testimony before they [redacted] so.

You are required to [redacted] with certificate of your residence by [redacted], also, a certificate as to the birth of your child mentioned herein.

Yours truly,

[redacted]

Muskogee, Indian Territory, March 28, 1906.

Mr. Bryant Hughes,
Melvin, Indian Territory.

Dear Sir:-

The Commission is in receipt of your letter of [illegible] stating that you could not appear before the Commission at the [illegible] for the final hearing of the application for the [illegible] citizens of the Cherokee Nation other wife and children from [illegible] stating that you will appear and give testimony [illegible] 16.

In reply, you are advised that on the [illegible] consideration of the application [illegible] children the same was called and [illegible] of completed.

You are advised that [illegible] tional testimony is applied [illegible] the Commission, but such testimony must be [illegible] Will you please advise the Commission [illegible] testimony which you desire to introduce [illegible] that day you can appear and [illegible] Dawes Commission will not [illegible] application unless good reason is [illegible]



Creek Nation,

Muskogee, Indian Territory, January 4, 1904.

Tams Bixby,
Vinita, Indian Territory.

Dear Sir:

Your communication of yesterday, of yesterday's date, of December 26, received, and in reply would say that you will be expected before the Creek Nation Council in session at Okmulgee on January 11, 1904, to show cause why your application for enrollment as a citizen by intermarriage of the Creek Nation should not be denied. You are further advised to employ and consult counsel in this matter, if you desire to do so, and to be present in person at the time above mentioned.

Should you be advised that under existing treaties and laws you are entitled to enrollment as a citizen by intermarriage of the Creek Nation, you should present your application to the Commission to the Five Civilized Tribes, and file with it the evidence upon which you rely to establish your right to enrollment. Your application will be considered by the Commission to the Five Civilized Tribes, and you will be notified of its decision.

Respectfully,

Acting Chairman.

Muskogee, Indian Territory, March 10, 1

W. W. Hastings,
Attorney for the Cherokee Nation,
Tahlequah, Indian Territory.

Dear Bill:

[illegible] a copy of the decision of the Commissioner to the Five Civilized Tribes, dated March 10, 1906, granting [illegible] of Bryant Hughes for the enrollment of his three minor [illegible] Hughes, Clifford and Ada B. Hughes, as citizens by blood [illegible].

[illegible] will be allowed fifteen days from the date hereof within which to file such protest as you may desire to make against the decision of the Commission in this case. If you [illegible] communication the time allowed [illegible] decision will [illegible].

Respectfully,

Encl. 7-22

Commissioner in Charge.

Cherokee Nation.

Muskogee, Indian Territory, March 21, 1904.

Bryant Hughes,

Melvin, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 10, 1904, granting your application for the enrollment of your three minor children, Lewis, Clifford and Ada E. Hughes, as citizens by blood of the Cherokee Nation.

Respectfully,

Register.

Enc. D-18.

Cherokee 10708

Lewis Hughes, et al.

For complete record in this case see Cherokee D-1179, Janie Hughes.

Lucila Wat[illegible]

Trans. from D[illegible]

37

[illegible]

In the matter of the [illegible] enrollment of himself, [illegible] of his three stepchildren [illegible] Commissioner T. B. Needles, [illegible]

Q What is your name? A [illegible]
Q Have you any middle name? A [illegible]
Q What is your age? A 30.
Q What is your post office address? A [illegible]
Q What district do you live in? A [illegible]
Q Are you a recognized citizen of the Cherokee Nation?
A Yes, sir.
Q Who do you claim to inherit? A Myself and family.
Q Have you a wife? A Yes, sir.
Q How many children? A One of my own and three step-children.
Q What is your wife's name? A Nancy.
Q Is she a Cherokee by blood? A Yes, sir.
Q What was her name when you married her? A Watie, she had been married to Tom Watie.
Q What is her age? A 28.
Q What was her name before she married Watie? A Johnson.
Q That her maiden name? A Yes, sir.
Q What are the names of her children? A Louella. Watie.
Q How old is she? A 13.
Q Next? A Leo Watie.
Q How old? A Seven.
Q Next child? A Ella
Q How old? A Five.
Q What is the name of your child? A Teacher Spaniard.
Q How old? A 15.
Q Just four in all? A Yes, sir.

Upon examination of the 1880 Authenticated Roll of the Cherokee Nation there is found on page 187, #1888, the name of Nilt Spaniard in Sequoyah district.

Q What is your wife's father's name? A William Johnson.
Q Do you know who raised your wife? A Yes, sir, her mother.
Q What was her mother's name? A I don't know her name.
Q Do you know whether her mother married any one except Johnson?
A Yes, sir; she lived with a white man at the time she died.
Q

Upon examination of the 1896 Census Roll of the Cherokee Nation there is found on page 1888, #8848, the name of Thomas Watie, in Tahlequah district. On page 884, #4878, there is found the name of William Spaniard, in Illinois district. On page 1351, #888, there is found the name of Thomas Watie, in Tahlequah district. On page 1348, #8848, there is found the name of Nilt Watie in Tahlequah district. On page [illegible] there is found the name of Fourth Watie, [illegible] trict. On page 1888, number 8748, there is found the name of Nilt Watie, in Tahlequah district, [illegible] found the name of [illegible]

Q Who is the mother of Theodore? A She was a Delaware Indian by name.
Q Was she a white woman? A No, sir, full blood.
Q When did she die? A [illegible]
Q What was her name at the time of her death? A [illegible]
Q Was she her first husband? A [illegible]
Q Was she her first husband? A [illegible] full blood.

William Spaniard, et al.--6.

Upon an examination of the [illegible] Cherokee roll there is found on [illegible] the name of Amanda Spaniard, [illegible]

Q Who was the mother of Lowella, Leo and Ila Waltz? A [illegible].
Q Who was their father? A Tom Waltz.
Q Was he a Cherokee by blood? A [illegible], sir.
Q How long has he been dead? A [illegible].
Q Was Tom and [illegible] married? A [illegible] were.
Q They lived together and [illegible]? A Yes, sir.
Q What degree of blood have these children? A I would call them three-quarters.
Q Tom Waltz was a full blood was he? A [illegible].
Q Did he have any indian name? A Yes, sir, Chesunger (Supposed spelling.)

ZEKE PARRISH, called and sworn as a witness, testified as follows:

Q What is your name? A Zeke Parris.
Q How old are you? A 63.
Q What is your post office address? A Tahlequah.
Q Did you know Tom Waltz? A Yes, sir, knew the that died at Tahlequah.
Q What degree of Cherokee blood did he have? A Passed for a full blood.
Q Did you know his wife? A Saw her didn't know her, said to be one of the Johnson women.
Q This Tom Waltz that you knew was reputed to be a full blood Cherokee was he? A Yes, sir.

EXAMINATION OF APPLICANT continued by W. W. Hastings, Cherokee Representative:

Q Where were you born? A Bates Prairie.
Q What was your father,s name? A W. M. Spaniard.
Q What was he? A He was a mexican.
Q What was your mother's name? A She was a Pennsylvania.
Q Was she a Cherokee? A Yes, sir.

BY THE COMMISSION:

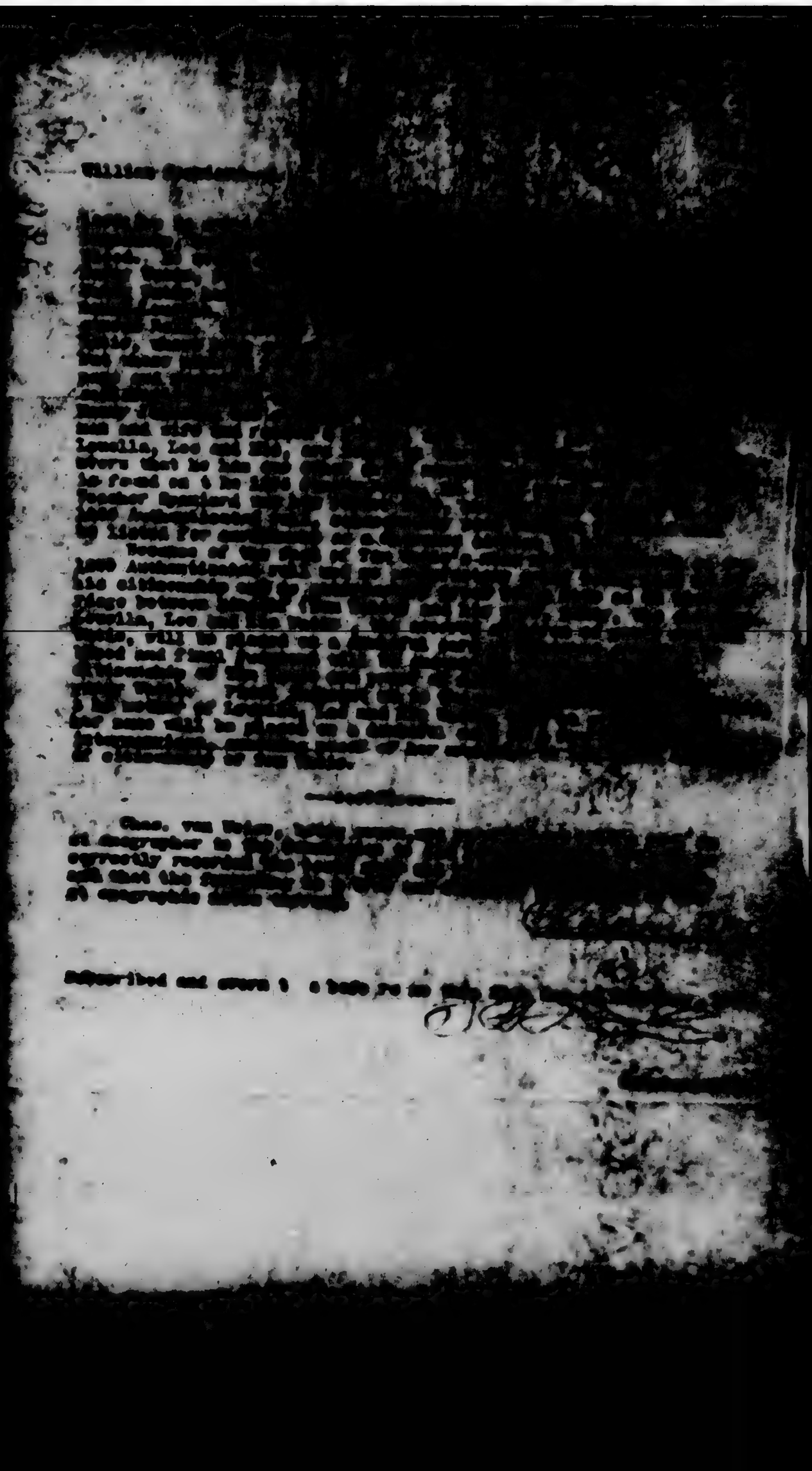
Q Have you any certificate of marriage to exhibit? A Yes, sir.
Q This is not your first wife is she? A Third wife.
Q Were your other two wives dead when you married her?
A Yes, sir.
Q Was she ever married before she married you? A Yes, sir, to Tom Waltz.
Q Was he alive when you married her? A No, sir.

The Applicant presents a certificate of marriage certifying that he was married to one Nancy Waltz according to the laws of the United States on the 16th day of September, 1901.

(Upon examination of the Cherokee Roll it was found that Nancy Waltz, the present wife of this applicant, was there enrolled as an adopted white.)

Q You don't know whether your wife is a Cherokee or white woman there? A No, sir, I married her as a [illegible].

Commissioner Hastings--The name of Nancy [illegible] upon the [illegible] roll of [illegible]



[redacted] testified as follows:

[redacted] applicant before
[redacted] Cherokee Nation?

[redacted] nation? A Yes

[redacted] No sir.
[redacted] it has been

[redacted] that was 21
[redacted] it has been

[redacted] was down
[redacted] lived,
[redacted] can tell
[redacted] house

[redacted] under the
[redacted]

[redacted] for en-
[redacted] the En-

[redacted] been you?

[redacted] No sir,

[redacted] No sir.
[redacted] No sir.
[redacted] and then mar-

[redacted] you are then the first
[redacted] that pres-

[redacted] after
[redacted] the Cabin.
[redacted] this census? A Yes

[redacted]

[redacted] Yes sir, they
[redacted] clock to No.
[redacted] and they? A Yes sir.

testified as

the roll of

did you; he was
15 miles from

wife,
her as

until then
and
here about
at three
as a
that

time, did he say?

know them as
of the

her name other
the name
boys of

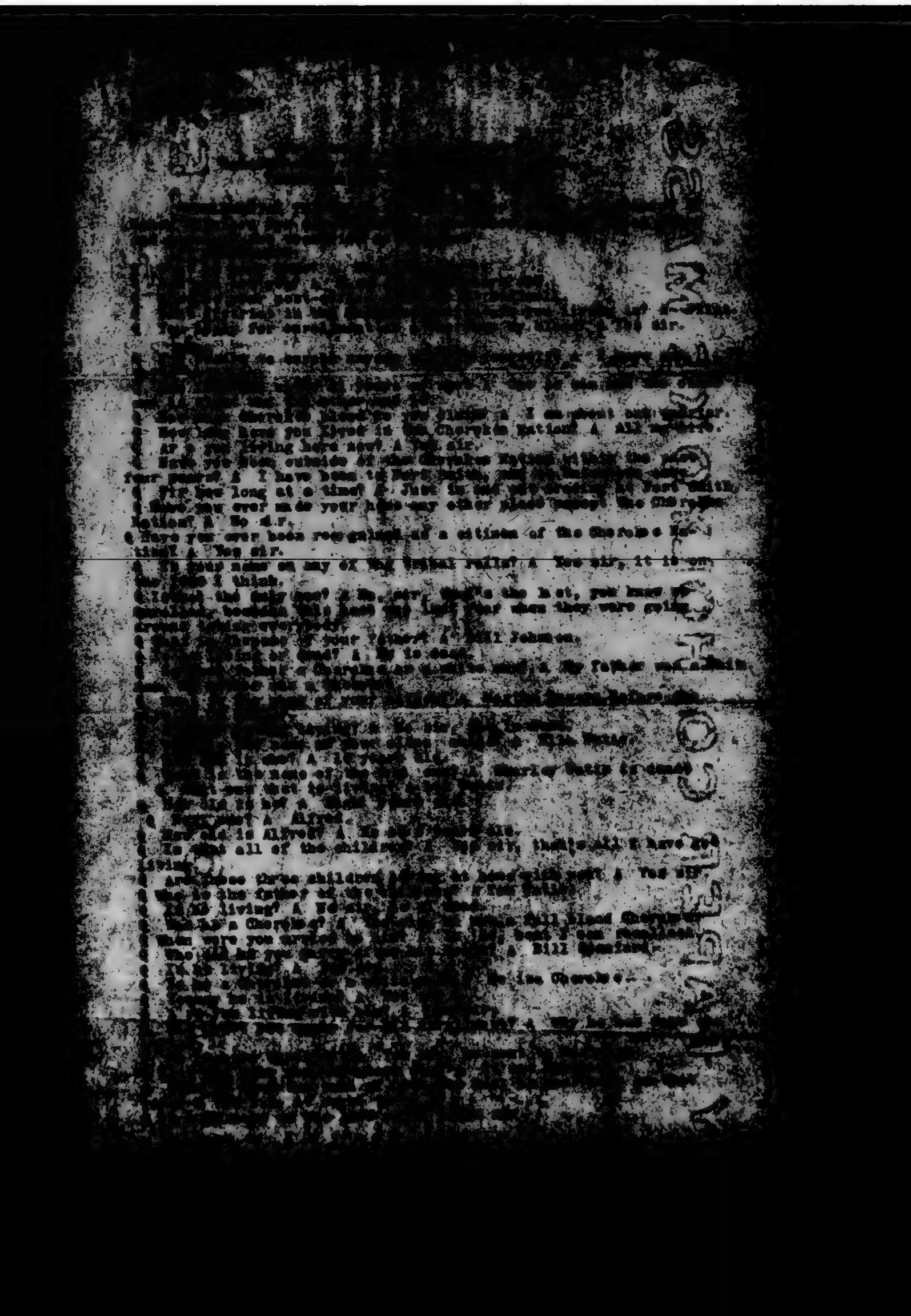
a Roll
56 or 35

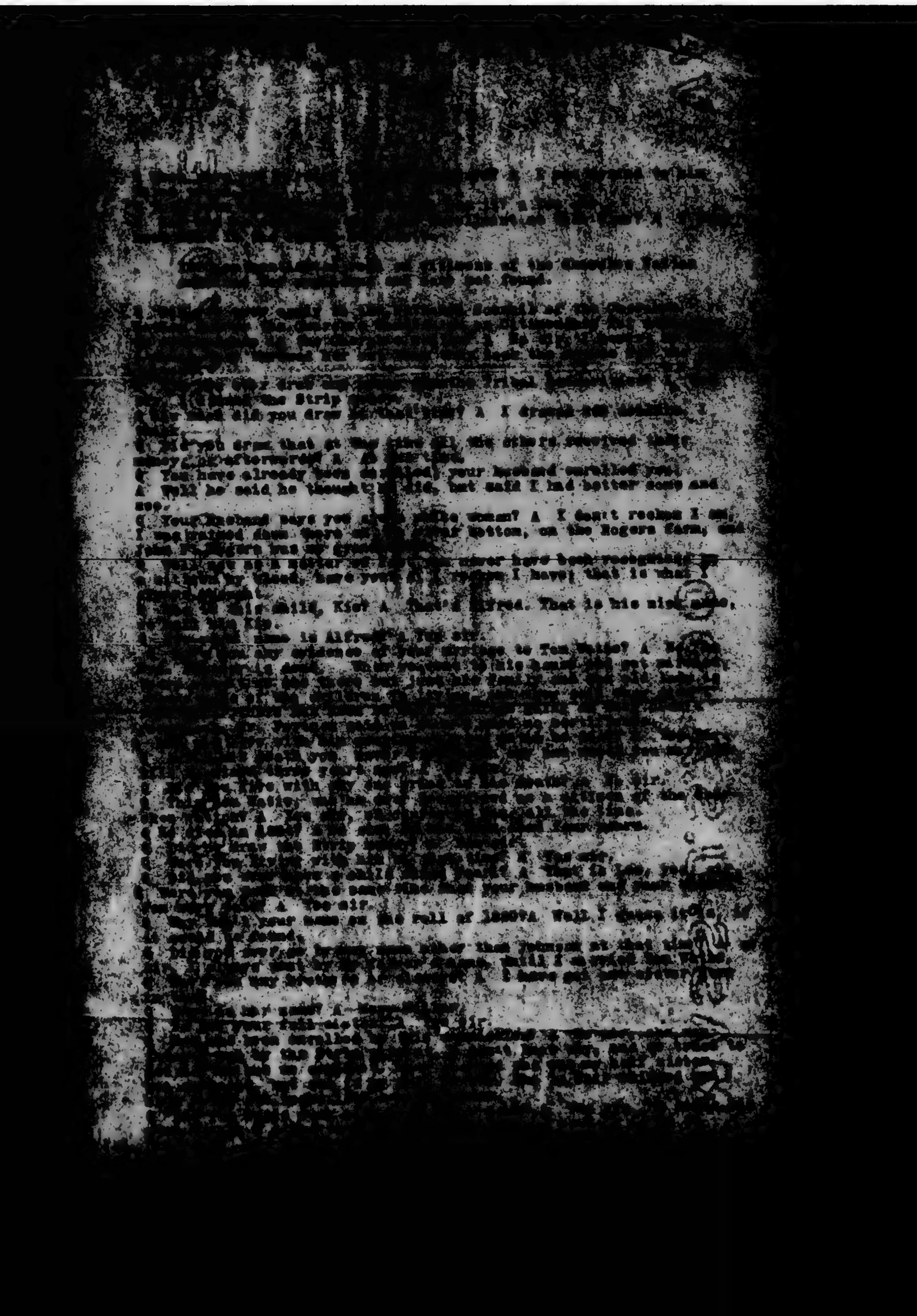
Yes sir, I

sir, I don't.
Cho-chor-gii.

to me, Nancy Spaniard, be-
ized as a citizen by blood

[illegible]





[illegible] Twelve Springs and all

Q Did this Tom Watie [illegible] A Two-shaw-gi, but he [illegible] that way I don't recall

1880 authenticated roll of citizens of the Cherokee Nation examined for applicant and Tom Watie, and names not found.

Q Was Tom Watie ever one of the Cherokee nation that you knew of? A Not as ever I knew of; he couldn't talk enough English to. Q Did he live here where you arrive [illegible] A Yes sir. [illegible]
Q You never heard of him being called any other name between Tom Watie or Henry Watie? A No sir.

BY COMMISSION: You will be required, Mrs. Spaniard, to produce further testimony as to your marriage to Tom Watie, In addition to this you will be required to show that Tom Watie was a Cherokee by blood and that his name is found on the roll of 1880. From the testimony that you have given we cannot identify him on any [illegible] the census roll of 1896.

This testimony [illegible] filed and made a part of the record in the case of [illegible] Spaniard, et al., Cherokee D-1130.

Commission: [illegible] Spaniard applies for the enrollment of herself and three [illegible] Lee and Alfred Watie, but it appears from [illegible] of the Commission that her husband, William Spaniard [illegible] before the Commission at Muskogee, Indian Territory [illegible] day of February 1901, and [illegible] application for the enrollment of himself, his wife, Together Spaniard and his wife Nancy and their three children, Lucille, Lee and [illegible] Watie. The applicant states that the correct name of the child Lee is Alfred, and that she desires him to be enrolled [illegible]

APPLICANT [illegible] and further examined by Commission, states that
Q When did your father die? A He died the next year after the war, he was killed.
Q When did your mother marry [illegible] Rogers? A [illegible] was her maiden name.
Q Did your mother ever marry after the death of your father A No sir.
Q Did she always go by the name of Johnson? A Yes sir, she might have signed her name Rogers, her maiden name.
Q Did your mother ever have any children besides you and your sister, Mary Miller? A No sir, just had the four; Mary Miller, and one brother and two sisters; my sister what is living here is the eldest and I am the youngest; the two between is both dead.
Q Did your mother ever live in Delaware district A No sir, she lived in Sequoyah.

M.D.Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

[illegible]

Subscribed and sworn to before me this December 5, 1901.

[illegible]

CD1130

DEPARTMENT OF THE INTERIOR
FIVE CIVILIZED TRIBES

MUSKOGEE, OKLAHOMA

IN REPLY REFER TO:

Supl.-C.N.#1139.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 20, 1902.

[redacted]

The applicant was notified by registered letter March 1, 1902, that her application for the enrollment of herself and others as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its office in Muskogee, Indian Territory, on the 20th day of March, 1902, and that at said time and place she would be heard either in person or by attorney before the Commission, or an opportunity would be given her to introduce any testimony affecting her application. The applicant having failed to appear on the 20th day of March, 1902, been called and having failed to request either in person or by attorney, the case is now completed and will be reported to the Commission for final decision based upon the evidence now of record.

---oo0OOOoo---

I, J. P. Brown, do hereby certify that as stenographer to the Commission [redacted]

CHEROKEE NATION.
TAHLEQUAH, INDIAN TERRITORY.

This is to certify that I have examined the marriage records of Tahlequah District to find a marriage record of Ida Waldo Nancy Johnson but fail to find a record of

my custody.

Given under my hand and the seal of the Cherokee Nation this the 13th day of June 1902.

B. Ox Abbott

Assistant Executive secretary.
Cherokee Nation.

Cherokee D-1136

[redacted]

In the matter of the application of [redacted] for the enrollment of herself, [redacted] as a citizen by [redacted]

[redacted]

WILLIAM SPANIARD, being duly sworn and examined by the Commission, testified as follows:

Q What is your name? A William Spaniard.
Q How old are you? A About 55 or 56, somewhere along there.
Q What is your postoffice address? A Stilwell.
Q Are you the husband of Nancy Spaniard? A Yes sir.
Q About how old is she? A Well sir, she says she's 55; she's somewheres along there I guess.
Q Does she claim to be a citizen by intermarriage? A Why, she didn't claim that any when she married me. She claimed to be a citizen by blood when she married me.
Q Did she apply as a citizen by intermarriage? A Well, when I went to Muskogee I couldn't enroll the children because I didn't know her husband's name; she give it to me then Wells and it was on the roll as Cherokee-good. That is [redacted] her husband.
Q [redacted]
A [redacted]
Q You are living together on the 1st day of September, 1906, are you? A Yes sir.
Q Are her three children, Lenella, Lee and Ky all living now?
A Yes sir.
Q All living with her? A Yes sir.

****

Mabel F. Murrell, being duly sworn, states that she is stenographer to the Commission to the Five Civilized Tribes, that correctly reported the supplemental testimony in this case, and that the above and foregoing is a true and complete transcript of her stenographic notes thereof.

Mabel F. Murrell

Subscribed and sworn to before me this
22nd day of July, 1908.

[redacted]
Notary Public.

MFM

9113

AUG 1903

Supl. to S-1120.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Tahlequah, I. T., August 12, 1903.

In the matter of the application of Nancy Spaniard for the enrollment of herself as a citizen by intermarriage, and for the enrollment of her children, Luella, Lee and Ivy Webb, as citizens by blood of the Cherokee Nation.

NANCY SPANIARD, being first duly sworn and examined, testified as follows:

EXAMINATION BY THE COMMISSION:

Q What is your name? A Nancy Spaniard.
Q How old are you? A 35.
Q What is your postoffice address? A Stilwell.
Q Are you an applicant for enrollment by this Commission as a citizen by intermarriage of the Cherokee Nation? A Well I claimed to be a Cherokee, but they couldn't find my name on the '80 roll.
Q How did you apply to be enrolled? A As a citizen by blood.
Q You don't claim to be a citizen by intermarriage? A Yes sir, of course I am a citizen by marriage, I married a Cherokee.
Q What is your husband's name at this time? A Bill Spaniard.
Q Is he the same man you were married to when you applied for enrollment? A Yes sir.
Q Are you and he living together at this time? A Yes sir.
Q You have never been separated since you were married? A No not particularly; just have a little words like all other families I guess.
Q For how long a time have you ever been separated? A A day and night.
Q You are living together now as man and wife are you? A Yes sir.

R. Palmer, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings had in the above case, and the foregoing is a true and correct transcript of his stenographic notes thereof.

R. Palmer.

Subscribed and sworn to before me this 12 day of August, 1903.

Lamar Fleming
Notary Public.

[redacted]

[redacted]

In the matter of the application for the [redacted] of
RACHEL SPAINARD, as a citizen by blood of the Cherokee Nation,

LUELLA VATIE, being first duly sworn and examined, testified as follows, to-wit:

Q What is your name? A Luella Vatie.
Q How old are you? A 18.
Q What is your postoffice address? A Stilwell.
Q Did you formerly live at Sallisaw? A No, I live right close to Stilwell.
Q Is your mother named Nancy Spaniard? A Yes sir.
Q Have you got a child named Rachel Spaniard? A Yes sir.
Q That is your own child is it? A Yes sir.
Q Who is the father of it? A Richard Spaniard.
Q When was that child born? A The 9th of last July.
Q That was July, 1902? A Yes sir.
Q Did you ever make an application to have that child enrolled as a citizen of the Cherokee Nation? A Yes sir.
Q What application did you make; did you make a personal application? A Yes sir.
Q Who did you make application to? A Mr. Walkingstick.
Q Mr. Samuel D. Walkingstick? A Yes sir.
Q [redacted] you made out a birth affidavit for the [redacted] enrolled it that way.
Q Is that the Notary Public before whom you made the affidavit?
A Yes sir.
Q Do you remember how you signed that affidavit? A I signed her name Rachel Spaniard.
Q How did you sign your own name? A Luella Vatie.
Q After you made out the affidavit what did you do with it?
A I give it to Mr. Walkingstick.
Q Was the affidavit ever returned to you or did you ever make from it again? A Yes sir, Mr. Bennett written to me.
Q Did he write to you? A Yes sir.
Q What did you do with the letter he wrote you? A I [redacted]
Q You mean this gentleman here, Mr. John G. Brough? A Yes sir.
Q Did he return the birth affidavit to you? A No sir.
Q What did he write about? A He wrote to me and told [redacted] Rachel Spaniard's mother, and I wrote back and told him I was the daughter of Nancy Vatie and a sister to Lee Hill by blood.
Q Have you got that letter Mr. Bennett wrote to you? A No [redacted] letter came to Miss Luella Vatie; they never wrote to me, he wrote to Miss Luella Vatie.
Q Did you [redacted] they got a [redacted] never did; he wrote to Miss Luella Vatie.
Q Did Miss Vatie give the letter to you and did you answer it?
A She answered it for me I don't write.
Q Did you ever hear anything more about the affidavit? A No sir.
Q Is Richard Spaniard a citizen of the Cherokee Nation? A Yes sir.
Q About how old is he? A I don't know how old he is.

[illegible], being first duly sworn and examined, testified as follows:

Q What is your name? A [illegible] Miller is my maid's name, but most of them think it was Minnie Watie.
Q How old are you? A 34.
Q What is your postoffice address? A Stilwell.
Q Do you know Luella Watie? A Yes sir.
Q Do you know whether she has [illegible] Ella Spaniard? A Yes sir.
Q When was that child born? A [illegible] of July.
Q Do you know whether Luella Watie [illegible] made out an affidavit as to the birth of her child, [illegible] and sent to the Commission by any of the Commission's employees? A Yes sir.
Q I wish you would state what you know about that affidavit?
A The affidavit was made out by Mr. Simon Walkingstick, they couldn't write; they told whom it was born and its father and mothers name, and I think its grand-mother's name.
Q Did you attest as a witness to the signature by mark of the mother? A Yes sir, she signed her name by mark and I witnessed it.
Q Do you know what she did with that affidavit? A I suppose
A I suppose Mr. Walkingstick returned it.
Q He took it away with him? A Yes sir.
Q Did you or Luella Watie ever hear anything more from that affidavit? A I did.
Q What did you hear about it? A I just got a letter wanting to know the child's mother's name.
Q Who was that letter from? A Mr. John Rogers.
Q Have you that letter with you? A Yes sir this is it.
(Letter handed Commission Letter. The same is marked Exhibit A.)
Q It came from the Indian [illegible] signed by name Ella Spaniard, and you were asked under that name Ella Spaniard was [illegible] for enrollment? A Yes sir.
Q Did you reply to Mr. Rogers? A Yes sir.
Q What information did you give him as to the mother's name?
A I told him the mother's name was Ella Watie and was a sister to Lee and Ky Watie.
Q Did you ever hear anything more from that affidavit? A No sir.
Q Was it returned to you? A No sir.
Q Do you know whether it was returned to Luella Watie; or not?
A I don't think it was as far as I know.
Q When was it you acted as a witness to the execution of that affidavit? A The 1st of October, 1902, I think.

NANCY SPANIARD, being first duly sworn and examined, testified as follows:

Q What is your name? A Nancy Spaniard.
Q How old are you? A 34.
Q What is your postoffice address? A Stilwell.
Q Are you the mother of Luella Watie? A Yes sir.
Q Has she got a child named Ella Spaniard? A Yes sir.
Q When was that child born? A The 8th of July a year ago.

Q Did Lucilla Watts ever make out a birth affidavit as to the birth of that child and forward it to the [illegible] as one of the Commissioner's employees to Mr. or you, [illegible]
Q What was the affidavit made out? A [illegible] the first of October, [illegible]
Q Was [illegible] present when that affidavit was made? A Yes sir, I was there when it was made.
Q Did you make an affidavit as to that child's birth? A I swore to the birth, yes sir.
Q The letter? A Mr. Walkingstick.
Q Mr. Simon R. Walkingstick? A Yes sir.
Q [illegible] done with that affidavit? A I don't know what was done with it.
Q Was it given to Mr. Walkingstick? A Yes sir.
Q Did you ever hear from that affidavit again? A Yes sir, Miss Nannie Watts got a letter from it.
Q Was the affidavit ever sent back to Lucilla Watts or to you?
A No sir.
Q That child is still living is it? A Yes sir.

SIMON R. WALKINGSTICK, being first duly sworn and examined testified as follows:

Q What is your name? A Simon R. Walkingstick.
Q How old are you? A 38.
Q You are an employe of this Commission are you not? A Yes sir.
Q You have heard the testimony of Lucilla Watts and Nannie Watts and Nancy Spaniard, as to a birth affidavit having been executed before you as to the birth of Hazel Spaniard, have you not? A Yes sir.
Q Have you any recollection of the circumstances of making out that affidavit? A Yes sir, I have, I remember it quite well. [illegible] the latter part of [illegible] and the first [illegible] sent by the Commission to hunt up the new born, and I heard of her having a child born within the time, and I went over there and made out the affidavit.
Q What did you do with the affidavit? A I brought it back to Tahlequah where the Commission was located at the time, and turned it over to Mr. Rosson who was in charge.
Q Do you remember what further was done with the affidavit then?
A No sir, I do not.
Q You lost track of it after it was turned over to Mr. Rosson?
A Yes sir; well I do remember that Mr. Rosson and I talked about it afterwards, but just in what way I can't say.
Q You state though that as Notary Public, you attested an affidavit made by Lucilla Watts and by Nancy Spaniard, as to the birth of Hazel Spaniard sometime about the first of October? A Yes sir.

JOHN O. ROSSON, being first duly sworn and examined, testified as follows:

Q What is your name? A John O. Rosson.
Q How old are you? A 26 years of age.
Q You are an employe of this Commission are you not? A I am.
Q From sometime in August until the last of October, what work were you engaged in for the Commission Mr. Rosson? A I was clerk in charge of a special Cherokee enrollment party stationed at Tahlequah this town.

Q Had you any special instructions relative to [redacted] for infant children born to [redacted] parents? A [redacted] to employ any additional help that I may [redacted] preters, and instructed to direct them [redacted] of the Cherokee Nation inhabited by full [redacted] enrollment of any children born up to [redacted] September, 1902.

Q You have heard the testimony of Lucile Watts, Mannie Watts, Nancy Spaniard and Simeon E. Walkingstick, as to the birth affidavit of this child, Hazel Spaniard, have you? A I have.

Q Have you any recollection of this birth affidavit? A I have

Q State what you know about [redacted] cuted, or what you know about the affidavit? A Mr. Walkingstick, who was one of the interpreters making a canvas of the full blood districts either sent to me or gave to me an affidavit as to the birth of this child, Hazel Spaniard, and I was not able to tell under what name the mother of this child had been listed for enrollment, and was unable to list the child, or identify the child's parents in order to enroll the child. Mr. Walkingstick informed me that one of the persons who had witnessed the signature by mark of the persons executing the affidavit was a school teacher, and I could get reliable information from her, who was Miss Mannie Watts. I wrote her a letter and she wrote back in reply to me, giving the information that I called for.

Q Is this the letter here? A It is.

Q From this letter it appears that the mother signed the affidavit as Eliza Spaniard, and you couldn't identify any such person as Eliza Spaniard as an applicant for enrollment by this Commission, that was the trouble, was it not? A It was.

Q From the reply you got from Mannie Watts, were you able to identify the mother? A I don't remember, but I do remember getting [redacted] I have a [redacted] recollection that the [redacted] time from different [redacted] unable to remember definitely in regard to this particular [redacted]

Q Do you remember if you returned the affidavit to the mother in order that she could sign her name as she is listed for enrollment by the Commission? A I don't have any recollection of having returned the affidavit.

Q Have you any recollection what became of the affidavit after you heard from Mannie Watts? A I have not, more than that I forwarded to the Commission at Muskogee, all affidavits in my possession.

Q As to this particular affidavit you have no distinct recollection? A No sir.

Q This letter written by you to Mannie Watts is dated October 25, 1902, when did you get a reply from her? A As well as I remember it was only a few days after writing the letter.

Q Do you remember of having the affidavit before you wrote this letter? A Yes sir.

Q But you are unable to state now positively what became of the affidavit? A Yes sir.

R. Palmer, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings had in the above case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

R. Palmer

Subscribed and sworn to before me this 12 day of August, 1903.

[redacted]

#C-1180

20

IN RE

Application for Enrollment of

INFANT CHILD.

Hazel Spears

as a [illegible]

Cherokee

Approved Aug

T. B. H[illegible]

[illegible] TO FI[illegible]
[illegible]
AUG 1[illegible]

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE: Application for [illegible]

of Maggie Spaniard

Name of Father: [illegible]

Name of Mother: [illegible]

UNITED STATES OF AMERICA,
INDIAN TERRITORY
Ard District.

I, Lucy Starr, on oath state that I am 18 years of age and a citizen, by blood, of the Cherokee Nation; that I am the lawful wife of Richard Spaniard, who is a citizen, by blood, of the Cherokee Nation; that a female child was born to me on 5 day of July, 1902; that said child has been named Maggie Spaniard, and is now living.

Lucy Starr

WITNESSES TO MARK:

(Must be Two Witnesses) [illegible]

[illegible]

AFFIDAVIT OF ATTENDANT [illegible]

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
Ard District,

I, Mary Spaniard, on oath state that I attended on Mrs. Lucy Starr, wife of Richard Spaniard, on the 5 day of July, 1902; that there was born to her on said date a female child; that said child is now living and is said to have been named Maggie

WITNESSES TO MARK:

(Must be Two Witnesses) [illegible]

Subscribed and sworn [illegible]

In the matter of the application for the enrollment of Luella, Pearl and Alfred Watie and Hazel Spaniard as citizens by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on February 25, 1901, William Spaniard appeared before the Commission at Muskogee, Indian Territory, and made application for the enrollment, among others, of his three stepchildren, Luella, Pearl and Alfred Watie, as citizens by blood of the Cherokee Nation. The other parties to the application

Nancy [illegible] a citizen by blood of the Cherokee Nation, but her status as such is not [illegible] is the embraced in this decision. Further proceedings in the matter of said application were had at Tahlequah, Indian Territory, on November 27, 1901, and thereafter at Tahlequah, Indian Territory, on July 21, and August 12, 1903. There was also filed with the Commission a birth affidavit wherein it is shown that Hazel Spaniard was born on July 2, 1902, to Luella Watie, one of the applicants herein.

The evidence in this case shows that Luella, Pearl and Alfred Watie are the children of one Tom Watie and his wife, Nancy Watie. The said Tom Watie was a native Cherokee and is identified on the Cherokee authenticated tribal roll as "Crawfish Watie." His death occurred about the year 1897. Luella, Pearl and Alfred Watie are identified on the Cherokee census roll of 1896.

The evidence further shows that the mother of Luella, Pearl and Alfred Watie, Nancy Watie, now Nancy Spaniard, has lived in the Cherokee Nation all her life and it is considered that her three children, applicants herein, have lived in said Nation

[redacted]

Lucila [redacted]
be [redacted]

Congress approved June [redacted]
ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

C. R. [redacted]

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this MAR 10 1904

FILED
MAR 1 1902.

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

Muskogee, Indian Territory, March 3, 1902.

Mr. William S Spaniard,

Sallisaw, Indian Territory.

Sir:-

You are hereby notified that the application of Nancy Spaniard, and her three minor children

for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

March 20, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application., that you may deem necessary.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Register.

COMMISSIONERS.
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

Tahlequah, Indian Territory, October 25, 1902.

Miss Nannie Watts,

Stilwell, Indian Territory.

Madam:

On October 1, 1902, Mr. S. R. Walkingstick of the Commission executed an affidavit as to the birth of Hazel Spaniard, infant child of Richard and Ella Spaniard, to whose marks you were a witness. The records of the Commission fail to show that the mother of this child was listed for enrollment under the name of Ella Spaniard, and it is, therefore, unable to ascertain under what name the said Ella Spaniard was listed for enrollment.

The Commission desires to know the name of Ella Spaniard before her marriage to Richard Spaniard, the name under which she was enrolled and also the names of her father and mother.

By supplying this information to the Commission it will be enabled to properly list the child Hazel Spaniard for enrollment as a citizen of the Cherokee Nation, and you will be doing the said Ella Spaniard a favor.

Very respectfully,

Clerk in Charge,
Special Cherokee Enrolling Party.

1 Inclosure.

FILED
AUG 20 1903

AUG 17 REC.

Tams Bixby,
Thomas B. Needles,
C. R. Breckinridge,
W. O. Stanley.
Commissioners.
Alexander L. Aylesworth,
Secretary.

COMMISSION TO THE FIVE CIVILIZED TRIBES

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, August 14, 1902.

Commissioner in Charge,
Cherokee Land Office,
Tahlequah, Indian Territory.

Sir:

Receipt is hereby acknowledged of letter of August 7, requesting that the records of the mailing room of this office be examined for a letter written in September, October or November, to either Richard Spaniard or Louella (or Ella) Watie, in regard to a birth affidavit for the enrollment of Hazel Spaniard or Watie, as a citizen of the Cherokee Nation.

In reply you are advised that the records of the mailing room fail to disclose that such letter was written between [illegible] 1, and December 1, 1902, to either Richard Spaniard [illegible] Ella) Watie.

Respectfully,

Commissioner in Charge.

Cherokee 2.2130

[illegible], Indian Territory, March 10, 1904.

W. W. Hastings,
Attorney for the
[illegible]

Dear Sir:

[illegible] of the
nineteen [illegible] dated March 10, 1904, granting
the [illegible] of William Sheppard for the enrollment of Luella,
Pearl and Alfred Vehlo and Minnie Sheppard as citizens by blood of
the Cherokee Nation.

You are [illegible] days from the
date hereof within [illegible] as you may desire to
make against the [illegible] case. If you fail
to file such protest [illegible] this decision will be
considered final.

Respectfully,

Encl. V-21

Commissioner in Charge.

COMMISSIONERS:
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE,
W. E. STANLEY.

ALLISON L. AYLESWORTH,
SECRETARY.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, March 31, 1904.

William Spaniard,

Sallisaw, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 10, 1904, granting your application for the enrollment of Luella, Pearl and Alfred Webb and Hazel Spaniard, as citizens by blood of the Cherokee Nation.

Respectfully,

Commissioner.

Register

Enc. D-16.

Cherokee 10709

Luella Watie et al.

For record in this case see
Cherokee D-1130, Nancy Spaniard
et al.

Read. [illegible]
8/12/02

[illegible]

Nancy [illegible] 76
Rob[illegible] [illegible] 3643
[illegible]

[illegible]

[illegible]

Watie & Nancy Watie

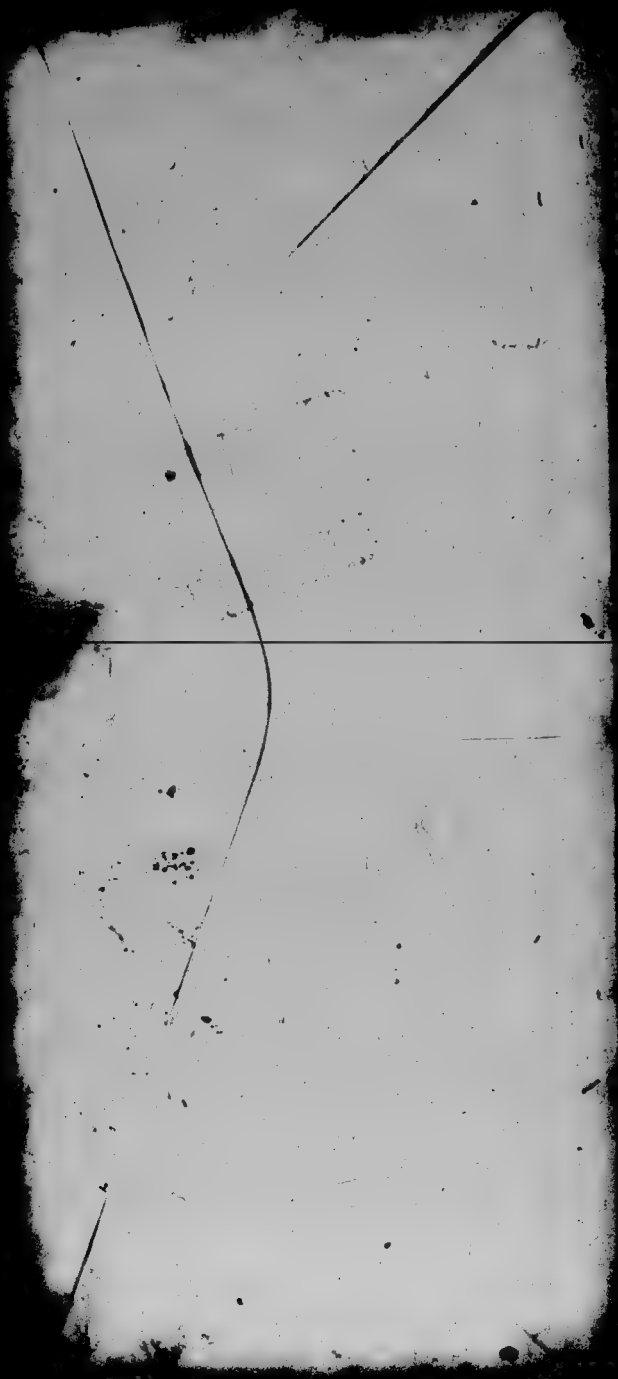
Department of the Interior.

Commission to the Five Civilized Tribes,

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS

Penalty for private use, $3[illegible].



Department of the Interior.

Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

Penalty for private use, $300.

[illegible]

[redacted]

Q [redacted]
Q [redacted]
Q [redacted]

[illegible]

Q Has your wife [illegible] to her?
A [illegible]
Q You [illegible]
[illegible]
Q [illegible]
Q [illegible]
Q [

[illegible]

[illegible]

[illegible]

Roll 1070 6

20

IN RE

Application for Enrollment of

INFANT CHILD

[illegible]

as a citizen of the

[illegible] Nation.

Approved, [illegible] 190..

[illegible]

Commissioner.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Henry W. Wayburn, born on the 21 day of August, 1898

(Here insert name of child.)

Name of Father Robert L. Wayburn, a citizen of the Cherokee Nation.

Name of Mother: Emma Wayburn a citizen of the Cherokee Nation.

Post-office, Vian, Ind. Ter.

UNITED STATES OF AMERICA, INDIAN TERRITORY.
Illinois District.

I, Emma Wayburn, on oath state that I am 28 years of age and a citizen, by adoption, of the Cherokee Nation; that I am the lawful wife of Robert L. Wayburn, who is a citizen by blood, of the Cherokee Nation; that a male child (male or female) was born to me on the 21 day of August 1898; that said child has been named Henry W. Wayburn, and is now living.

WITNESSES TO MARK:

Emma Wayburn

Subscribed and sworn to before me this 11 day of Oct 1900.

B. G. Elliott
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY.
Illinois District.

I, Ella Hilton, a Midwife, on oath state that I attended Emma Wayburn wife of Robert L. Wayburn, on the 21 day of August, 1898; that there was born to her on said date a male child; that said child is now living and is said to have been named Henry W. Wayburn.

WITNESSES TO MARK:

(Must be Two Witnesses)

Mrs Ella Hilton her X Mark

Subscribed and sworn to before me this 11 day of Oct 1900.

B. G. Elliott
NOTARY PUBLIC.

F.

20

IN RE

Application for Enrollment of

INFANT CHILD

William H. Waylum

as a citizen of the

Cherokee Nation.

Approved. Feb 21 1901

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 21 1901

ACTING CHAIRMAN.

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of William F. Wayburn, born on the 26th day of January, 1901

(Here insert name of child.)

Name of Father: Robert L. Wayburn, a citizen of the Cherokee Nation.

Name of Mother: Emma Wayburn, a citizen of the Cherokee Nation.

Post-office, Claremore I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY. Cooweescoowee District.

I, Emma Wayburn, on oath state that I am 29 years of age and a citizen, by Marriage, of the Cherokee Nation; that I am the lawful wife of Robert L. Wayburn who is a citizen, by Blood, of the Cherokee Nation; that a Male (male or female) child was born to me on the 26th day of January 1901; that said child has been named William F. Wayburn, and is now living.

Emma Wayburn

(Must be Two Witnesses)

Subscribed and sworn to before me this 19th day of February 1901.

January 17th 1901 — John M. Tayloe, NOTARY PUBLIC. Claremore I.T.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY. Cooweescoowee District.

I, F. M. Duckworth, a Physician, on oath state that I attended on Mrs. Emma Wayburn, wife of Robert L. Wayburn on the 26th day of January, 1901; that there was born to her on said date a Male (male or female) child; that said child is now living and is said to have been named William F. Wayburn

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 8th day of February 1901.

January 17th 1901 — John M. Tayloe, NOTARY PUBLIC. Claremore I.T.

Joe M. Lahay,
W. W. Hastings, [illegible] for the Cherokee Nation.

BY COMMISSION: The applicant and his attorney were notified by registered letter February 17, 1908, that the application of Robert L. Wagoner, for the enrollment of himself, wife and children as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory on the 7th day of March, 1908. Receipt has been acknowledged of the Commission's letter both by the applicant and by his attorney. The applicant this day to-wit: the 7th day of March, 1908, appears by his attorney, Joe M. Lahay.

The attorney for the applicant and the representative of the Cherokee Nation present submit the case, and same is considered completed and will be reported to the Commission for final decision [illegible] evidence now of record.

The attorney for [illegible] requests and will be granted 15 days in which [illegible] brief in the case, and copy with the Commission [illegible] copy with the representative of the Cherokee Nation.

I, E. D. Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

(Signed) E. D. Green.

[illegible] stenographer to the Commission to the Five Civilized Tribes, do hereby certify that I have compared the above and foregoing copy and that the same is a true and correct copy of the original transcript.

Subscribed and sworn to before me this the 15th day of August, 1908.

[illegible]
Notary Public.

Cherokee-D- 698.

[redacted]

Executive Office Cherokee Nation,

[redacted]

[redacted]

[redacted]

Cherokee-D- 676

MARRIAGE CERTIFICATE.

STATE OF TEXAS, COUNTY OF MONTAGUE.

This is to certify that on the 5th day of Sept. A.D. 1897 there was issued out of the office of the Clerk of the County Court of Montague County, a license for the marriage of Mrs. Ellen Stallsworth and Elgin Thomas Lobdell and on the 6th day of Sept. A.D. 1897 said parties were legally united in Matrimony by the performance of the ceremony and due return thereof made to this office by the officiating minister, all of which is duly entered upon the Marriage Records of my office in Vol. D. Page 238.

(SEAL) Witness my hand and official seal at my office in Montague Texas on this the 9 day of August A.D. 1897.

M. J. Davis,
Clerk County Court Montague County Texas.

By W.C. Streng, Deputy.

I the undersigned stenographer to the Commission to the Five Civilized Tribes do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for enrollment of Robert L. [illegible] as citizen of the Cherokee Nation.

[illegible] Territory,
Nov 23, 1906.

W.S. Kaufman

Cherokee Roll.

Commission to [illegible]
Muskogee, I.T., September [illegible], 1902.

In the matter of the application of Robert L. Waybourn for the enrollment of himself and children, Oscar, Hazel M., [illegible] and William B. Waybourn, as citizens by blood, and for the enrollment of his wife, Emma, as a citizen by intermarriage of the Cherokee Nation; he being sworn and examined by the Commission, testified as follows:

Q What is your name? A Robert L. Waybourn.
Q What is your age? A 35.
Q What is your postoffice? A [illegible] Creek.
Q What is your wife's name? A [illegible] Waybourn.
Q What was her maiden name? A [illegible]
Q [illegible]
Q [illegible]
[illegible]
Q [illegible] A 1901 I believe.
Q [illegible] prior to her marriage to her? A Yes [illegible]
Q How many times? A Once.
Q What was that wife's name? A [illegible] was Emma Thompson.
Q Was she living or dead when you married this wife? A She was dead.
Q Was Emma Waybourn ever married prior to her marriage to you?
A No sir.
Q She claims to be an intermarried citizen by virtue of her marriage to you does she? A Yes sir.

Q Have you and she lived together continuously as husband and wife since you were married? A Yes sir.
Q You have never been separated? A No sir.
Q [illegible] has married any other man since he [illegible]
[illegible] sir.
[illegible] and they were living together as husband and wife on the [illegible]
[illegible]
[illegible] life, you [illegible] for the last [illegible] years.
Q Is your wife [illegible] your children [illegible] Oscar, Hazel M. [illegible] William B. Waybourn by this wife? A Yes sir.
Q [illegible]
Q [illegible] A Yes sir.
Q [illegible]

(SEAL)

Notary Public.

---1---

Edith L. Morey, being first duly sworn, states that she is stenographer to the Commission to the Five Civilized Tribes, that she made the above and foregoing copy, and that the same is a true and correct copy of the original testimony.

Subscribed and sworn to before me this 18th day of August 1906.

Notary Public.

Cherokee D-698.

[redacted]

In the matter of the application for the enrollment of Robert L., Oscar, Reana M., Henry W. and William F. Waybourn as citizens by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on October 25, 1900, Robert L. Waybourn appeared before the Commission at Clarmore, Indian Territory, and made application for the enrollment of himself and his three minor children, Oscar, Reana M. and Henry W. Waybourn as citizens by blood of the Cherokee Nation. The applicant [illegible] embraced in this application. Further proceedings in the said application were had at Muskogee, Indian Territory, on March 7, and September 29, 1902.

The evidence shows that the said Robert L. Waybourn was admitted to citizenship in the Cherokee Nation, by the duly constituted authorities of said nation, on March 26, 1879, and that he was lawfully married to his wife Emma on September 6, 1891. As a result of that marriage the minor applicants herein were born. The said Robert L. Waybourn is identified on the Cherokee census roll of 1896, as are also Oscar and Reana M; Henry Waybourn is identified by a birth affidavit made a part of the record herein. William F. Waybourn was born subsequent to the original application and an affidavit to that effect was filed with the Commission, showing therein that he is the child of Robert L. Waybourn and Emma Waybourn. Said affidavit is made a part of the record herein.

The evidence further shows that said Robert L. Waybourn has resided in the Cherokee Nation continuously since 1894. It is considered that the minor applicants herein, with the exception of Oscar Waybourn, have lived in the Cherokee Nation continuously since birth. The said Oscar's residence in the Cherokee Nation is

considered to have been contemplated [illegible]
Robert L. Wybourn, Chas. Wybourn, Edna E. [illegible]
by blood of the Cherokee Nation, in accordance with the provisions
1898 (30 Stats., 495), and it is [illegible]

Commissioner to the Five Civilized Tribes.

Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,
this MAR 10 1904

#10710

IN RE
THE DEATH OF

William F. Claybrook

a citizen of the

Cherokee -Nation.

Approved May 4 1905

Commissioner.

Enr.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
MAY 4, 1905

DEPARTMENT OF [illegible]

COMMISSION TO [illegible]

In the matter of the death of William F Waybourn (Give name in full)

a citizen of the Cherokee Nation, who formerly resided at or near

Pryor Creek (Give correct name of postoffice), Ind. Ter., and died on the [illegible] day of

November, 1904

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern DISTRICT.

I, Robert L Waybourn, on oath state that I am 38 years of age and a citizen, by blood, of the Cherokee Nation; that my postoffice address is Pryor Creek (Give correct name of postoffice), Ind. Ter.; that I am the father (State relationship or the failure to exist a relative, as) of William F Waybourn (Give full name of deceased), who was a citizen, by blood, of the Cherokee Nation; and that said William F Waybourn (Give full name of deceased) died on the [illegible] day of November, 1904. Robert L Waybourn

WITNESSES TO MARK:

(Sign in Two Witnesses)

Subscribed and sworn to before me this 9 day of March, 1905.

[signature] Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, DISTRICT.

I, , on oath state that I am years of age, and a citizen by , of the Nation; that my postoffice address is (Give correct name of postoffice), Ind. Ter.; that I was personally acquainted with (Give full name of deceased) 38 who was a citizen, by , of the Nation; and that said (Give full name of deceased) died on the day of

WITNESSES TO MARK

(Sign in Two Witnesses)

Subscribed and sworn to before me this day of 1905.

Notary Public.

FILED
FEB. 26

[redacted]
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BREEDLOVE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 17, 1902.

Mr. Robert L. Wayborn,

Pryor Creek, Indian Territory.

Sir:-

You are hereby notified that the application of yourself, your wife and two minor children for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the seventh day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are required to supply the Commission with a certified copy of your record of admission to Cherokee citizenship.

Yours truly,

Acting Chairman.

Copy to Jno. M. [redacted], Chairman, I.T.

[redacted]

Commissioner in Charge.

COMMISSION—STATE PAPERS.

No.	Received	ANSWERED	
		Book	Page
31556			
1909			

Chevalier Land Office,
Tallahassee, Fla.,
Nov. 12, 1909.

CHIEF LAW CLERK.

COMMISSIONERS.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BREEDLOVE.
W. E. STANLEY.

ARTHUR L. AYLESWORTH, SECRETARY.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING
Chor. D-698.

Tahlequah, Indian Territory, November 18, 1903.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

There is enclosed herewith the complete record in the matter of the application of Robert L. Waybourn, et al, for enrollment as Cherokee citizens, Cherokee D-698.

There is a note attached, by Mr. Bixby, to the decision heretofore prepared, that residence in the Cherokee Nation on June 28, 1898, has not been satisfactorily established. Neither of the applicants have yet appeared at the Cherokee Land Office so that testimony could be taken, and it is believed that under the recent holdings of the Department further testimony as to residence is unnecessary.

Inasmuch as one of the applicants is an intermarried white, the record is transmitted for your consideration and appropriate action.

Respectfully,

T. B. Needles

Commissioner in charge
Cherokee Land Office.

Enc. C-80.
JCC.

Muskogee, Indian Territory, [illegible]

W. W. Hastings,
Attorney for the Cherokee Nation,
[illegible]

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 16, 1901, granting the application Robert L. Weybourn for the enrollment of himself and his minor children, Oscar, Emma M., Henry W. and William F. Weybourn, as citizens by blood of the Cherokee Nation.

You are advised that you will be allowed fifteen days from the date hereof within which to file such protest as you may desire to make against the action of the commission in this case. If you fail to file such protest within the time allowed this decision will be considered final.

Respectfully,

Encl. W-22

Commissioner in Charge.

Cherokee 2 888

Muskogee, Indian Territory, March 10, 1904.

W. W. Hastings,
Attorney for the Cherokee Nation,
Tahlequah, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 10, 1904, granting the application Robert L. Waybourn for the enrollment of himself and his minor children, Oscar, Emma M., Henry W. and William F. Waybourn, as citizens by blood of the Cherokee Nation.

You are advised that you will be allowed fifteen days from the date hereof within which to file such protest as you may desire to make against the action of the commission in this case. If you fail to file such protest within the time allowed this decision will be considered final.

Respectfully,

Encl. V-22

Commissioner in Charge.

Cherokee D-698.

Muskogee, Indian Territory, March 31, 1904.

Joe M. Lally,

Tahlequah, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 10, 1904, granting the application for the enrollment of Robert L., Oscar, Reena M., Henry W. and William F. Waybourn as citizens by blood of the Cherokee Nation.

Respectfully,

Register

Commissioner in Charge.

Enc. D-18.

Cherokee D-[illegible]

Muskogee, Indian Territory, March 31, 1904.

Robert L. [illegible],

[illegible]

Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 10, 1904, granting your application for the enrollment of yourself and four minor children, Oscar, Reana M., Henry W. and William F. Waybourn, as citizens by blood of the Cherokee Nation.

Respectfully,

[illegible]

Commissioner in Charge.

Enclosure.

Enc. D-17.

Cherokee 10710

Robert L. Waybourn, et al.

For complete record in this case
see Cherokee D-698, Emma Waybourn.

Transa

[illegible] sir.

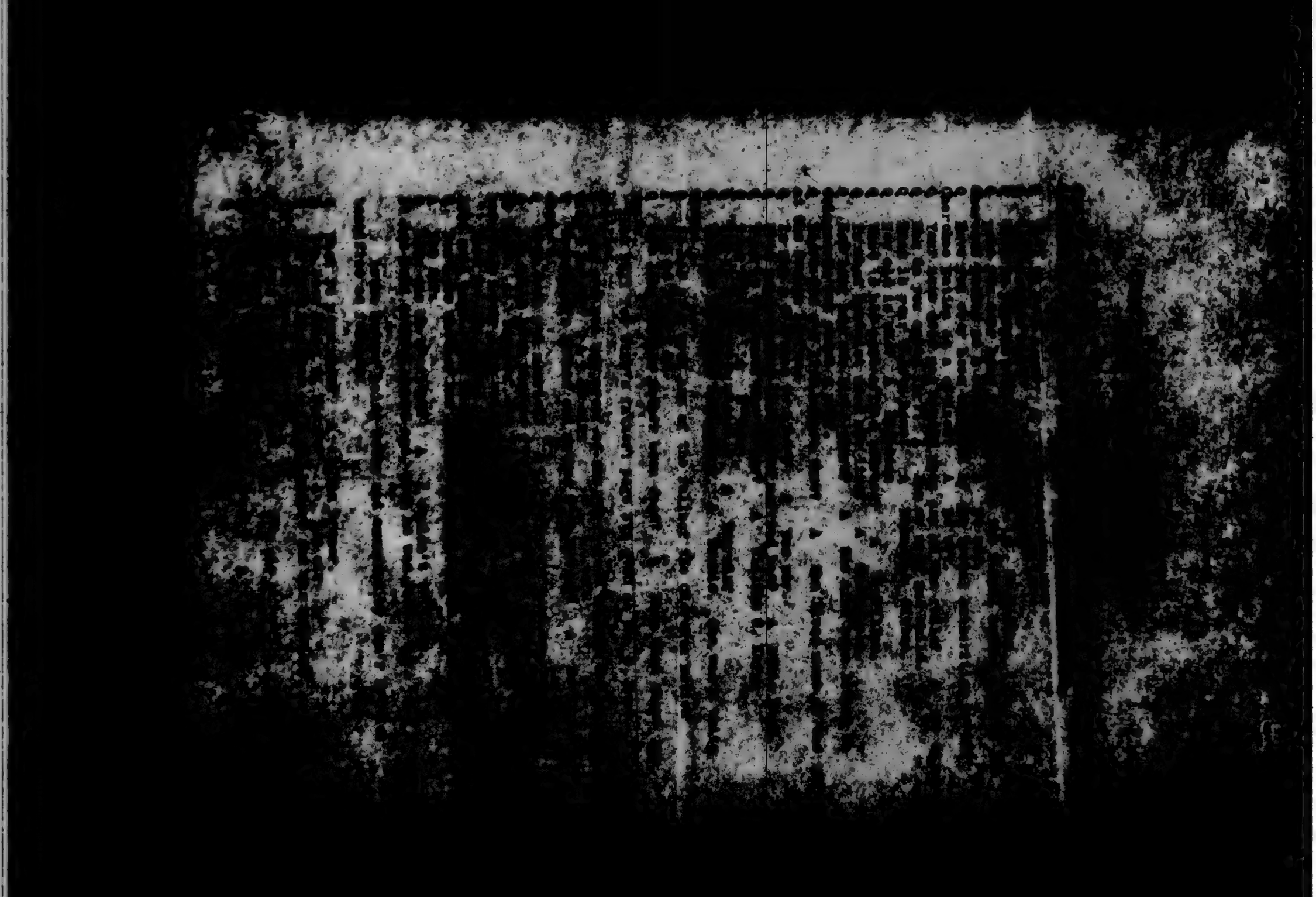
[illegible] Where's Father come from North Carolina here?
A No sir, he come from Alabama, Jackson County, right where I come from.

Q How was he admitted to citizenship? A I don't know.
Q He was admitted in 187[illegible] you say? A Yes sir. He [illegible] in 18[illegible].

Com'r Needles:
He is dead is he? A Yes sir.
Q How long ago did he die? A Ten years. -Applicant recalled
Q Have you got any children? A Yes sir, I have got a baby.
Q What is its name? A Mary C. Sitton.
Q Have you got any certificate or license? A No sir, I have not [illegible]

[illegible] you married? A The third day of Last September.
[illegible] A Jim Orr.
[illegible] A Yes sir.
[illegible] a certificate? A No sir.
[illegible] license? A Yes sir I had a license [illegible] and that have never been returned [illegible]

[illegible] marriage when? A 4th day of last September.
[illegible] and took them to Muskogee for? A They went [illegible] recorded.
[illegible] Clerk's office? A Yessir.
Q There is a certificate on the license I suppose? A Yes sir.



[redacted]

N.B.Green, being first duly sworn, states that as stenographer to the examination of the five defendants herein he reported the foregoing case and that the above and foregoing is a full true and complete transcript of his stenographic notes in said case.

Subscribed and sworn to before me this 3rd day of March 1926.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
AUG 3 1900

CHAIRMAN

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND [illegible]

(21)

Date [illegible]

Name

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage AUG 8 1900

License (18) ..... Certificate .....

Wife's name Naomi A Sitton Mauhillan AUG 7 1900

District — Saline — Year 1896 Page 104 No. 24

Citizen by blood Cher Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License [illegible] Certificate .....

Names of Children:

Mary C Sitton Dist. ..... Year ..... Page ..... No. ..... Age 2 yrs

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

..... Dist. ..... Year ..... Page ..... No. ..... Age .....

Non 1896 roll as Naomi A Keys - Orphan Roll —

D76

A Eighteen.
Q [illegible] A Wauhillau.
Q What district do you live in? A [illegible].
Q Are you a recognized citizen of the Cherokee Nation by blood?
A Yes sir.
Q What is your father's name? A [illegible] Keys.
Q Is he living? A No sir.
Q What is your mother's name? A [illegible] Keys.
Q Is she living? A No sir.
Q Whom do you want to enroll? A [illegible].
Q Are you married? A Yes sir.
Q What is your husband's name? A Cicero Sitton.
Q Have you any marriage certificate? A Yes sir.

By Commissioner T. B. Needles: The applicant presents a marriage certificate, certifying that she was married on the 3rd day of September, 1899, to one, C. S. Sitton.

(1880 Roll, Page 375, #750, Wm. C. Keys, Flint District)
(1880 Roll, Page 378, #751, Fannie Keys, Flint District)

By Commissioner T. B. Needles: It is found upon an investigation of the records that the name of William C. Keys, father of Naomi E. [illegible] Fannie Keys, mother of Naomi A. Sitton are found on the Cherokee Census Roll of 1880, as indicated in the testimony. The applicant Annie Sitton is fully identified with the child of William C. and Fannie Keys: Consequently, she is entitled to enrollment as a Cherokee citizen by blood, and her name will be taken [illegible] A straight card.

2. Card 874.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I.T., DECEMBER 3rd, 1900.

IN THE MATTER OF THE APPLICATION OF Mamie Annie Sitton - purporting to be the applicant on Tentative Roll of the Cherokee Nation, and for the enrollment as a citizen by blood of the Cherokee Nation; also examined by Commissioner, T. B. Needles, for identification.

That is your name? A Mamie Annie Sitton.
How old are you? A Eighteen.
What is your postoffice? A Eastville.
What district do you live in? A Tahlequah.
Are you a recognized citizen of the Cherokee Nation by blood?
A Yes sir.
What is your father's name? A William Keys.
Is he living? A No sir.
What is your mother's name? A Fannie Keys.
Is she living? A No sir.
Whom do you want to enroll? A Just myself.
Are you married? A Yes sir.
What is your husband's name? A Okera Sitton.
Have you any marriage certificate? A Yes sir.

By Commissioner T. B. Needles: The applicant presents a marriage certificate, certifying that she was married on the 3rd day of September, 1899, to one, S. S. Sitton.

(1896 Roll, Page 874, #930, Wm. C. Keys, Flint District)
(1896 Roll, Page 874, #931, Fannie Keys, Flint District)

By Commissioner T. B. Needles: It is found upon an investigation of the rolls that the name of William C. Keys, father of Mamie A. Sitton, and Fannie Keys, mother of Mamie A. Sitton appear upon the authenticated roll of 1896, as indicated in the testimony.

The applicant, Mamie Annie Sitton is fully identified as the child of William C. and Fannie Keys: Consequently, she is entitled to enrollment as a Cherokee citizen by blood, and her name will be taken from Tentative Card 874, and placed upon a straight card.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me this 3rd day of December, 1900.

COMMISSIONER.

D 76

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
DEC 3 1900

ACTING CHAIRMAN

I [illegible] hereby certify that
S. S. Sitton and [illegible]
Keys [illegible] Marshall Co

Tahlequah Dist Ind Ter
Dec 3rd 1894

[illegible]
[illegible]
[illegible]

J. A. [illegible]

[illegible]

My Credentials is recorded
in the Book of marriage records
in mtge D 5 page 166

Orig 3

FILED
NOV 25 1991
CLERK, SUPREME COURT OF NORTH CAROLINA

[redacted] D vs.

[redacted]

[redacted] Plaintiff for her [redacted]

[redacted]

[redacted], Agent of Defendants and Solomon S. Sitton, her [redacted]

[redacted] OF AGENT OF THE DEFENDANTS.

SOLOMON S. SITTON, being sworn and examined testified as follows:

BY [redacted]:

Q What is your name? A Solomon S. Sitton.

Q Have you any evidence of your marriage to your wife, Naomi A. Sitton? A I have if I could get them here, but I couldn't get no witnesses here.

Q Have you got a marriage license? A No sir, they went back to this [redacted]'s office, and he sent them to Muskogee, and I never could get [redacted] of it.

Q [redacted] certified copy of them? A No sir, they [redacted]

Q [redacted] was [redacted] with you here [redacted]

[redacted] A No sir.

[redacted] there is plenty of them here [redacted] is miles from here, but I couldn't get [redacted]

[redacted], being sworn and examined testified as follows:

BY [redacted]:

Q [redacted] your name? A Sarah L. Price.

Q [redacted] old are you? A 46.

Q [redacted] residence? A Bromeville.

Q [redacted] acquainted with Naomi A. Sitton? A Yes sir, she is [redacted]

Q [redacted] how long did you? A Yes sir.

Q [redacted] daughter of her father? A No sir.

Q [redacted] daughter of her mother.

Q [redacted] A Yes sir, of her mother, but of her [redacted] daughter.

Q [redacted] her mother was your niece?

Q [redacted] her mother's name? A Mamie Keys.

Q [redacted] was recognized as a citizen of the Cherokee Nation?

Q [redacted] born here in the Cherokee Nation? A Yes sir, she was [redacted] but when her father was Cherokee, Bill Keys was not [redacted]

Q [redacted] mother was a Delaware woman? A Yes sir, she was [redacted] her mother was a Cherokee.

Q [redacted] a Cherokee? A No sir, she was [redacted] but [redacted] was a Cherokee.

Q [redacted] her father's name? A William Keys.

Q [redacted] was recognized as a citizen? A Yes sir, [redacted] here in [redacted] about forty years.

Q [redacted] Cherokee citizenship? A I think so.

Q [redacted] A Yes sir, I [redacted]

Q [redacted] A [redacted]

8 D76.

IN RE
THE DEATH OF
Mary C. Tatum,
a citizen of the
Chickasaw Nation.

Approved Nov 26 1901
Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
NOV 26 1901
ACTING CHAIRMAN

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Mary C. Sitton (Here insert name of deceased) a citizen of the Cherokee Nation, who formerly resided at or near Marshilla (Here insert name of post office.), Ind. Ter., and died on the 21 day of November, 1901

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, (INDIAN TERRITORY,) Nocheni District.

I, Solomon F. Sitton, on oath state that I am 22 years of age and a citizen, by ——, of the U. S. Nation; that my post office address is Hanson (Here insert name of post office.), Ind. Ter.; that I am Father (State relationship, as: the father; an uncle; a cousin, etc.) of Mary C. Sitton (Here insert name of deceased.), who was a citizen, by blood, of the Cherokee Nation; and that said Mary C. Sitton (Here insert name of deceased.), died on the 21 day of November, 1900

his
Solomon F. Sitton
mark.

WITNESSES TO MARK.

(Must be Two Witnesses) { W. T. Shuler, Edward L. Smith }

Subscribed and sworn to before me this 26 day of November 1901

M. D. Green
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, (INDIAN TERRITORY,) Nocheni District.

I, Naomi A. Sitton, on oath state that I am 19 years of age, and a citizen, by blood, of the Cherokee Nation; that my post office address is Hanson (Here insert name of post office.), Ind. Ter.; that I was ~~personally acquainted with~~ Mother of Mary C. Sitton (Here insert name of deceased.), who was a citizen, by blood, of the Cherokee Nation; and that said Mary C. Sitton (Here insert name of deceased.) died on the 21 day of November, 1900

Naomi A. Sitton

WITNESSES TO MARK.

(Must be Two Witnesses) { }

Subscribed and sworn to before me this 26 day of November 1901

M. D. Green
Notary Public.

In the matter of the application of [redacted] for enrollment as Cherokee Citizen.

Order.

There was filed with this Commission on the 26th day of November, 1906, the affidavit of Solomon S. Sitton, duly executed on the 24th day of November, 1906, from which it appears that Mary Sitton, the daughter of Solomon S. and Rebecca A. Sitton died on the second day of February, 1906.

It is therefore the opinion of this Commission that the testimony in the above case

[redacted]

IN RE

Application for Enrollment of

INFANT CHILD

Theodore L. Sitten

as a citizen of

Nation.

Approved [illegible] 1907

[illegible] Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
APR 17 1902

ACTING CHAIRMAN

BIRTH AFFIDAVIT. 20

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation.

Theodore L. Sitten, born on the 30th day of September, 1901.
(Give latest name of child.)

Name of Father: Solomon L Sitten, a citizen of the U. S Nation.

Name of Mother: Naomi A Sitten, a citizen of the Cherokee Nation.

Post-office, Tahlequah I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY. } ss.
Northern District. }

I, Naomi A. Sitten, on oath state that I am 19 years of age and a citizen, by blood, of the Cherokee Nation; that I am the lawful wife of Solomon L Sitten, who is a citizen, by ..... of the U. S. Nation, that a male (male or female) child was born to me on the 30th day of September 1901; that said child has been named Theodore L. Sitten, and is now living.

Naomi A. Sitten.

WITNESSES TO MARK

(Must be Two Witnesses) 1 .....

2 .....

Subscribed and sworn to before me this 26 day of November 1901.

M D Greene
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY. } ss.
Northern District. }

I, E.P. Greene, a Physician, on oath state that I attended on Mrs. Naomi A. Sitten, wife of Solomon L Sitten, on the 30 day of September, 1901; that there was born to her on said date a male (male or female) child; that said child is now living and is said to have been named Theodore L Sitten.

E.P. Greene

WITNESSES TO MARK:

(Witnesses) .....

.....

Subscribed and sworn to before me this 15 day of Nov 1901.

.....

Cherokee Nation not represented;
Principal applicant present in person.

NAOMI A. SITTEN, being duly sworn and examined by the Commission, testified as follows:

Q What is your name? A Naomi A. Sitten.
Q How old are you? A 21.
Q What is your postoffice address? A Maple, I.T.
Q Did you have a child named Mary C. Sitten? A She died.
Q When did she die? A 2nd day of November, 1900.
Q You have a child named Theodore L., have you? A [illegible]
Q Your maiden name was Keyt, was it? A Yes sir.
Q When you can first remember, where were you living?
A In Sequoyah District.
Q Have you lived all your life in the Cherokee [illegible]

Q Never lived out of it at all?
Q When were you married? A 3rd day of September, [illegible].
Q Your husband is named Solomon S. Sitten? A Yes sir.
Q Where was he living when you married him? A He was living in Flint District, I think it was.
Q In the Cherokee Nation? A Yes sir.
Q Has he lived out of the Cherokee Nation since you and he married? A No sir.
Q You have been living with your husband continuously then in the Cherokee Nation ever since you were married?
A Yes sir.

E. P. Keeler ********** [illegible]

[redacted]

Cherokee 2-96

Department of the Interior,
Commission to the Five Civilized Tribes,
[redacted]
Tahlequah, I.T., September 5, 1906.

In the matter of the application of Naomi A. Sitten for the enrollment of herself and her children, Mary C. and Theodore L. Sitten, as citizens by blood of the Cherokee Nation.

SUPPLEMENTAL TESTIMONY.

Cherokee Nation not represented;
Principal applicant present in person.

NAOMI A. SITTEN, being duly sworn and examined by the Commission, testified as follows:

Q What is your name? A Naomi A. Sitten.
Q How old are you? A 21.
Q What is your postoffice address? A Maple, I.T.
Q Did you have a child named Mary C. Sitten? A She died.
Q When did she die? A 2nd day of November, 1900.
Q You have a child named Theodore L., have you? A Yes sir.
Q Your maiden name was Keys, was it? A Yes sir.
Q When you can first remember, where were you living?
A In Sequoyah District.
Q Have you lived all your life in the Cherokee Nation?
A Yes sir.
Q Are you living in the Cherokee Nation now? A Yes sir.
Q Have you ever lived out of the Cherokee Nation for any length of time? A No sir.
Q Never lived out of it at all? A No sir.
Q When were you married? A 3rd day of September, '99.
Q Your husband is named Solomon S. Sitten? A Yes sir.
Q Where was he living when you married him? A He was living in Flint District, I think it was.
Q In the Cherokee Nation? A Yes sir.
Q Has he lived out of the Cherokee Nation since you and he married? A No sir.
Q You have been living with your husband continuously there in the Cherokee Nation ever since you were married?
A Yes sir.

****

Mabel F. Maxwell, being duly sworn, states that, as stenographer to the Commission to the Five Civilized Tribes, she correctly recorded the supplemental testimony in this case, and the above and foregoing is a true and complete transcript of her stenographic notes thereof.

Mabel F. Maxwell

Subscribed and sworn to before me
this 2nd day of September, 1906.

Samuel Foreman
Notary Public.

Cherokee D-76

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Naomi A., Mary C. and Theodore L. Sitten as citizens by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on August 3, 1900, Solomon S. Sitten appeared before the Commission at Bunch, Indian Territory, and made application for the enrollment of his wife, Naomi A. Sitten, and their minor child, Mary C. Sitten as citizens by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Tahlequah, Indian Territory, on December 3, 1900, November 26, 1901 and August 27, 1903. On November 26, 1901, there was filed with this Commission an affidavit wherein it is shown that Mary C. Sitten died on November 2, 1900. Thereafter on April 17, 1902, there was filed with this Commission an affidavit wherein it is shown that Theodore L. Sitten, minor child of Naomi A. Sitten, was born on September 30, 1901.

The evidence shows that Naomi A. Sitten is a citizen by blood of the Cherokee Nation and was married on September 3, 1899, to Solomon S. Sitten, a white man. As a result of that marriage the minor applicants were born. The said Naomi A. Sitten is identified on the Cherokee strip payment roll of 1894 and the Cherokee census roll of 1896; Theodore L. Sitten is identified by a birth affidavit made a part of the record herein. Mary C. Sitten is shown to have died subsequent to the application for her enrollment, prior to September 1, 1902. An affidavit to that effect is made a part of the record herein. The evidence further shows that Naomi A. Sitten has lived in the Cherokee Nation all her life.

Section twenty-five of the act of Congress approved July 1, 1902 (32 Stats., 716), provides:

"The roll of citizens of the Cherokee Nation shall be made as of September first, nineteen hundred and two, and the names

of all persons duly living and entitled to enrollment on that date shall be placed on said roll by the Commission to the Five Civilized Tribes.

It is, therefore, ordered by this Commission that the application for the enrollment of Mary C. Sitton as a citizen by blood of the Cherokee Nation be, and the same is hereby dismissed. It is further ordered that Frank A. Sitton and Theodore L. Sitton be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of section twenty-one of the act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this MAR 10 1904

Tahlequah, Indian Territory.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

In response to the Commission's letter of [illegible] the lessee and [illegible] at this office in the matter of [illegible] Lyon et al., for enrollment as [illegible] Cherokee orphan, Cherokee Nation, is transmitted herewith.

Respectfully,

Encl. K-158

[redacted]

Tahlequah, Indian Territory, June 6, 1902.

[redacted]

Hosea Ah Sikes,

Wahilla, Indian Territory.

Dear Sir:

You are hereby directed that, before your application for the enrollment of yourself and child as citizens by blood of the Cherokee nation will be completed, it will be necessary that you furnish before the Commission further testimony as to the residence of yourself and husband.

This testimony can be presented before the Cherokee Land Office at Tahlequah, on or before September 5, 1902.

Respectfully,

[redacted]

INDEXED.

D 76

COMMISSION TO FIVE TRIBES.

NO.	Received	ENTERED Book	Page
24684 1903	SEP 9		

Cherokee Land Office,
Tahlequah, I. T.,
Sept. 8, 1903.

Transmits original record in case of Naomi A. Sitten, et al., Cherokee D 76.

COMMISSIONERS
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BREECKINRIDGE.
W. E. STANLEY.

ALLISON L. AYLESWORTH.
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING
Cherokee D-76

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Tahlequah, Indian Territory, September 8, 1903.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

I have the honor to transmit herewith the original record in Cherokee case D-76, Naomi A. Sitten et al. The record in this case was returned to this office that further testimony might be taken as to the residence of the principal applicant and her husband.

Testimony taken upon this point, on August 7, 1903, is enclosed herewith.

Respectfully,

W. J. Cook

Clerk in Charge
Cherokee Land Office.

MFM

Enc. M-2138

Muskogee, Indian Territory, March 26, 1906.

W. W. Hastings,
Attorney for the Cherokee Nation,
Tahlequah, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 16, 1906, granting the application of Solomon S. Sitton for the enrollment of his wife, Mamie A. Sitton, and their minor child, Theodore L. Sitton, as citizens by blood of the Cherokee Nation, and dismissing the application for the enrollment of Mary S. Sitton, she having died on November 5, 1906.

You are advised that you will be allowed fifteen days from the date hereof within which to file such protest as you may desire to make against the action of the Commission in this case. If no protest is filed within the time allowed this decision will be considered final.

Respectfully,

Encl. W-80

Commissioner in Charge.

Cherokee D-19

Muskogee, Indian Territory, March 31, 1906.

Solomon S. Sitten,

Wauhillau, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 10, 1906, granting your application for the enrollment of your wife, Nannie A. and your minor child, Theodore L. Sitten, as citizens by blood of the Cherokee Nation, and dismissing your application for the enrollment of your minor child Mary C. Sitten, as a citizen by blood of said nation, she having died on November 2, 1900.

Respectfully,

Register

Commissioner in Charge.

Enc. D-19.

Maud Hu

Trans from D

consideration of the Commission, or shall submit hereafter.

By Mr. W. W. Hastings, Cherokee Representative:

Q Where were you during the payment of 1894? A Claremore.
Q Did you draw the money for your wife then? A Yes sir.
Q You were there present yourself and drew it? A No sir, I was not present myself; I turned it over to Mr. Neilson; had traded it out.
Q Have you been back to Texas since 1894? A I have been back on visits; not over a month at a time.
Q How long has your wife been there? A She was just there when I was.
Q Has she ever remained over a month on a visit since 1894?
A I do not know; not over two months; her father lives in Denton.
Q Where is your home here? A Cooweescoowee District.
Q Have you a farm and improvements there? A I have a claim there
Q How did you acquire it? A When my wifes grand mother died, after she died, they got in a squabble about it; I let it go; I never have been there; I left my furniture and everything at Clareo
Q When did you get it? A About six months ago.

R. R. Graves, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported the foregoing case and that the foregoing and above is a true, full and correct transcript of his stenographic notes in said case.

R. R. Graves

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskogee, I. T., JULY [illegible], 1900.

IN THE MATTER OF THE APPLICATION of Charley P. Hunter et al, for enrollment as citizens of the Cherokee Nation, and he being sworn by Commissioner, T. B. Needles, testified as follows:

Q What is your name? A Charley P. Hunter.
Q What is your age? A Thirty two.
Q What is your Postoffice address? A Clarmore.
Q Where do you live? A I am here now; moving around.
Q What is your residence? A Clarmore.
Q How long have you lived at Clarmore? A I came there in 1898.
Q Where did you live prior to that time? A In the Cherokee Nation.
Q Are you a Cherokee? A No sir, adopted citizen.
Q You make application there as an intermarried citizen? A Yes sir.
Q How long have you lived in the Cherokee Nation? A Three years.
Q You have lived in the Cherokee Nation three years?
Q I so that lived right in it.
Q What year was it you came to the Cherokee Nation, Mr. Hunter?
A 1894., I have not been out of the Territory since 1894, more than just across the river and back again; I have really been in the Territory since 1896.
Q Does your name appear on the rolls of 1880? A No sir, mine does not.
Q Does it appear on the roll of 1896? A Yes sir.
(Identified on the roll for 1896, Page 200, #182, Charley P. Hunter)
Q Did you live in Sequoyah District in 1896; Have you ever applied to the tribal authorities for citizenship? A No sir.
Q Have you ever applied to the Dawes Commission before? A No sir.
Q Are you married? A Yes sir.
Q What is your wife's name? A Maud Hunter., her name was Williams before I married her.
Q When did you marry her? A In 1896 I think.
Q What was her name before you married her? A Maud Williams.
Q Was that her maiden name? A Yes sir.
Q Did she have any name but Maud? A Her christian name was Maud Roberts.
Q Have you been married twice? A Yes sir; under the laws of the Cherokee Nation, and under the laws of the State.

By Mr. W. W. Hastings, Cherokee Representative:
Q Where were you living when you married under the laws of the State? A I was living in the Territory, but went to Texas to marry.

By the Commission:
Q You were first married in the State of Texas? A Yes sir.
Q Your wife's name was Williams then? A Yes sir.
(Identified on the roll of 1896, Page 175, #2809, Maud Hunter, Sequoyah District)
(Identified on the roll of 1894 as Maude Hunter, Page 214, #2809)
Q Have you any children? A Yes sir; one., Florence Isabelle Hunter.
Q How old is Florence Isabelle? A She will be four years old next birth day.
Q The child is living and living with you? A Yes sir.
Q Did you ever applied for citizenship to the Dawes Commission? A No sir.

By Mr. W. W. Hastings, Cherokee Representative:
Q Do you know where your wife was born? A [illegible]
Q [illegible]
Q [illegible]
Q [illegible]
Q [illegible]

left there.
Q When she was not in the Cherokee Nation in 1880? A She was in Texas in 1880, but her grand mother was there.
Q What is her grand mothers name? A Mrs. [illegible]

By the Commission.
Q What is her mother's name? A Florence [illegible]
Q Where did she live in 1880? A I think [illegible] died in 1879.
Q What would her name be in 1880; your wife's mother? A Her name would be Mrs. Florence Isabelle Williams.

By Mr. W. W. Hastings, Cherokee Representative:
Q Whereabouts were you married the first time? A Henrietta, Texas.
Q When? A In 1893.
Q You met your wife down there? A Yes sir.
Q She lived there from the time she had been taken there until the time you married her? A Yes sir., I brought her here.
Q When? A In 1894.
Q Then from 1879 to 1894, she lived in Texas, according to your testimony? A Yes sir.
Q She has never been readmitted here? A Yes sir.
Q How; by act of council? A Yes sir.
Q Have you a certificate of her readmission? A No sir.
Q When did you say your wife was born? A In 1876.

By the Commission.
(Roll of 1880 examined, and on Page 353 thereof, #2815, appears the name of applicant's wife, as "Manda Williams", Delaware District)
Q She returned here with you in what year? A 1894.
Q And she has been living here continuously ever since 1894?
A Yes sir.
Q Do you apply for citizenship yourself? A As an adopted citizen, yes sir.

The name of Charles P. Hunter is found on the census roll of 1896, according to the page and number as given on the [illegible] applied for citizenship as an intermarried citizen; he [illegible] marriage license duly authenticated and returned [illegible] ried him on the 2nd day of May, 1896; that [illegible] tion, providing that all persons other [illegible] marrying after December 12th, 1895, shall not be entitled to [illegible] ship: The proofs show that said Charles P. Hunter was [illegible] Mrs Hunter, nee Williams on the 2nd day of May, 1896; consequently his marriage was not solemnized within the time prescribed by the Cherokee law, permitting him to become a citizen by intermarriage, and his application for citizenship is hereby rejected.

His wife, Maud Hunter, nee Williams, appearing on the [illegible] ticated rolls of 1880; also upon the census roll of 1896 [illegible] pay roll of 1894, as per page and number mentioned in the [illegible] now taken; it appears from the testimony that [illegible] removed to Texas with him father in the year 1879, [illegible] resided there until 1894, when she was married to [illegible] and returned to the Indian Territory with him; the testimony shows that she has lived continuously in the Indian Territory since [illegible] Because of her absence from the Territory between the dates [illegible] her name will be placed upon a doubtful card; [illegible] child, Florence Isabelle Hunter, four years of age. [illegible] enrollment for Mrs. Hunter to date present to this Commission [illegible] certified certificate and proof as to the [illegible] Isabelle Hunter. As to the qualification of the said [illegible] ter himself, he will be permitted to file any [illegible] the form of written statements, or testimony to be [illegible] papers he may desire to present to the Commission for [illegible] ation, in connection with his application for [illegible] in the event that this Commission denies the application [illegible]

[illegible]

Q [illegible]
A [illegible]
Q [illegible]
A [illegible]
Q [illegible]
A [illegible]

18-

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JUL 18 1900

RAI

ACTING CHAIRMAN

6

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
JUL 18 1900

ACTING CHAIRMAN

CHEROKEES BY BLOOD

Date July 16, 1902

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name Maud Hunter, Lawrence, Kans.

District Delaware Year 1880 Page 333 No. 2815

Citizen by blood CHEROKEE Mother's citizenship CHEROKEE

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

#1 Florence I Hunter	Dist.	Year	Page	No.	Age 4
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

#1 On 1880 Page as Maude Williams.
#2 Affidavit of birth to be supplied

D #41

Muskogee, I. T., February 15, 1905.

Examiner in the Five Civilized Tribes,

SUPPLEMENTAL In the matter of the application of Reed Hunter, et
for enrollment as a citizen of the Cherokee Nation:

On the 30th day of January, 1905, Charles B. Hunter, the
father, by attorney and the case is closed.

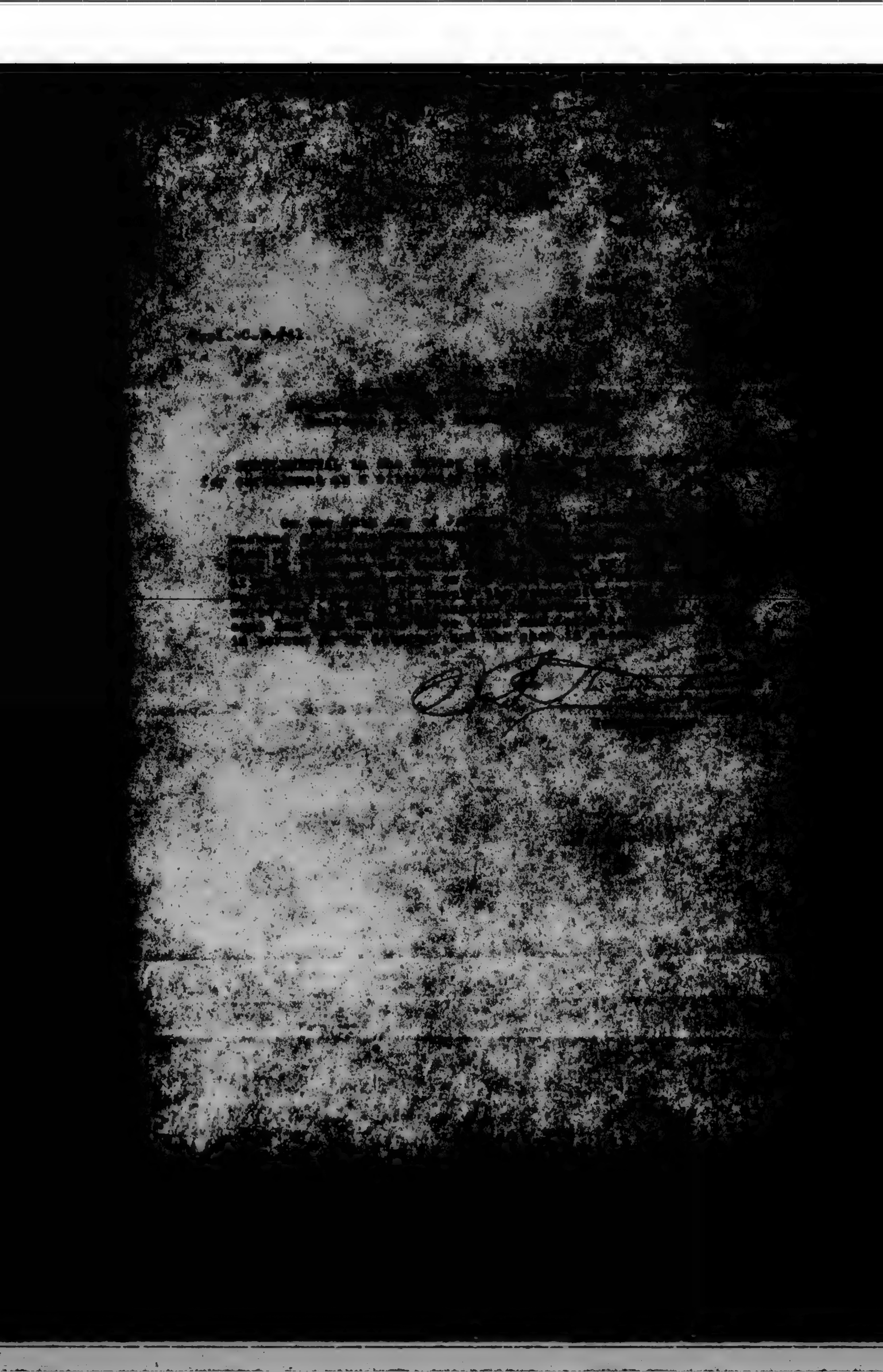
In person or by attorney and the Commission on the 15th day of February, 1905.

Appellant.

Florence I. Hunter, a minor, by her father, Charles B. Hunter, her next friend,

Appellee.

Now on this day this cause coming on to be heard and it appearing to the Commission that the petition of appellant herein was filed in the Commission on the 15th day of February, 1905, and that the appellee herein was duly notified to appear on the 30th day of January, 1905, and that the appellant has failed to appear and prosecute said petition, and it appearing to the Commission



20 Orl

IN RE

Application for Enrollment of

INFANT CHILD

Florence I Hunter

as a citizen of the

Cherokee Nation.

Approved, Oct 27 1902

T. B. Needles

Commissioner.

1072

IN RE

Application for Enrollment of

INFANT CHILD

Florence I. Hunter

as a citizen of the

Cherokee Nation.

Approved, Oct 27 1902

T. B. Needles

Commissioner.

OCT 27 1902

Department of the Interior,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,
of Florence Isabel Hunter (Here insert name of child.) born on the 21st day of February, 1897
Name of Father: Charles P. Hunter, a citizen of the Cherokee Nation.
Name of Mother: Maud Hunter a citizen of the Cherokee Nation.
Postoffice. South McAlester

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY. }
Central District. }

I, Maud Hunter, on oath state that I am 26 years of age and a citizen, by Blood, of the Cherokee Nation; that I am the lawful wife of Charles P. Hunter, who is a citizen, by Adoption, of the Cherokee Nation; that a female (male or female) child was born to me on the 21st day of February 1897; that said child has been named Florence Isabel Hunter, and is now living.

WITNESSES TO MARK:

Mrs. Maud Hunter.

(Must be Two Witnesses) }

Subscribed and sworn to before me this 21st day of October 1902.

C. F. Norman.
NOTARY PUBLIC.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
INDIAN TERRITORY. }
District. }

[illegible], a Physician, on oath state that I attended on Mrs. Maud Hunter, wife of Charles P. Hunter, on the 21 day of February, 1897 that there was born to her on said date a female (male or female) child; that said child is now living and is said to have been named Florence Mabel Hunter.

WITNESSES TO MARK

Catharine Deshee

(Must be Two Witnesses) }

Subscribed and sworn to before me this 21 day of October 1902.

[illegible]

Cherokee D 41.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Maud Hunter and her minor child, Florence I. Hunter, as citizens by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on July 18, 1900, Charles P. Hunter appeared before the Commission at Claremore, Indian Territory, and made application for the enrollment, among others, of his wife, Maud Hunter, and her minor child, Florence I. Hunter, as citizens by blood of the Cherokee Nation. The application also included the said Charles P. Hunter, but he is differently classified and is not embraced in this decision.

The evidence shows that the said Maud Hunter is identified by the name of Manda Williams on the 1880 authenticated Cherokee roll that she is also identified on the 1894 Cherokee strip payment roll and the 1896 Cherokee census roll. It further appears that the applicant, Florence I. Hunter, who is identified by a birth affidavit made a part of the record herein, is the child of said Maud Hunter, and was born since 1880.

The evidence further shows that the said Maud Hunter has resided in the Cherokee Nation continuously from 1894 up to and including the date of her application herein; and it is considered that the residence of her said minor child has always been in the Cherokee Nation.

It is, therefore, the opinion of this Commission that Maud Hunter and Florence I. Hunter should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of section twenty-one of the act of Congress, approved June 28, 1898 (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
this MAR 10 1904

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, January 30, 1902

Mr. Charles P. Hunter,

Claremore, Indian Territory.

Sir:

You are hereby notified that the application of Maud Hunter and Florence D. Hunter, your wife and minor child,

for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 15th day of February, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

You are requested to supply the Commission with affidavit as to the birth of Florence I. Hunter, and there is enclosed you herewith a blank affidavit for that purpose.

Yours truly,

Acting Chairman.

Cherokee D-41
Register
Encl. 1 b.c.

INDEXED.

COMMISSION TO THE FIVE TRIBES
No. 19893
1903

Cherokee Land Office,
Tahlequah, I. T.
July 22, 1903.

Transmits jacket and record in case of Maud Hunter, et al., Cherokee D 41.

CHIEF LAW CLERK.

COMMISSIONERS
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE,
W. E. STANLEY

ALLISON L. AYLESWORTH,
SECRETARY

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING
Cherokee D-41

Tahlequah, Indian Territory, July 22, 1903.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

Receipt is hereby acknowledged of the Commission's letter of July 17, requesting that affidavit as to the birth of Florence I. Hunter, on file with the application of Maud Hunter et al., as citizens of the Cherokee Nation, Cherokee D-41, be forwarded to the office at Muskogee.

The original jacket and record in this office in this case is enclosed herewith. With the record enclosed is the birth affidavit referred to.

Respectfully,

C. R. Breckinridge.

Commissioner in Charge
Cherokee Land Office.

MFM

Enc. M-61

COMMISSIONERS
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.
W. E. STANLEY.

ALLISON L. AYLESWORTH,
SECRETARY.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

Cherokee D-41.

Muskogee, Indian Territory, March 31, 1904.

Maud Hunter,

South McAlester, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 10, 1904, granting the application for the enrollment of yourself and minor child, Florence I. Hunter, as citizens by blood of the Cherokee Nation.

Respectfully,

Commissioner in Charge.

Register

Enc. D-20


APR 1
10 AM
REC'D.

Department of the Interior.

MUSKOGEE, IND. TER.

OFFICIAL BUSINESS

Penalty for private use, $300.

Melvina [illegible]

Trans [illegible]

OF THE INTERIOR
FIVE CIVILIZED TRIBES.

18[illegible]00

[redacted]

filed July 16. 1900

CHEROKEES BY BLOOD AND ADOPTION.

Date July 16 1896

Name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name Malvina Citteuton

District G. S. Year 1896 Page 738 No. 579

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Dated marriage

License Certificate

ENROLLMENT REFUSED

ENROLLMENT REFUSED

ENROLLMENT REFUSED

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

See testimony of Israel Citteuton

Cor Blind as Malvina Citteuton

(Mare Cruz reference)

R 15

Commandant to the Alien Citizens,

Monroe, N. Y., March 28, 1803.

Gentlemen:

In the ... of the Alien Law ... [illegible] ... the Government ... [illegible] ... the Constitution ... [illegible] ... the Union.

In the matter of the application of [redacted] for enrollment of Malvina Patterson as a citizen of the Cherokee Nation.

It appears from the evidence in this case that Malvina Patterson is the illegal child of Indian Citizens, a Cherokee Indian, and one Pamelia [redacted], a white woman, and that the [redacted] never [illegible] with the said Pamelia [redacted]. Upon the [illegible] Malvina Patterson, [illegible] upon the [illegible] Cherokee Indian roll of 1880 and her name will not [illegible] Malvina Patterson, does not appear upon the [illegible] Cherokee Indian roll of the Cherokee Nation and is not [illegible] Malvina Patterson. Hence it appears that she has [illegible] in the Cherokee Nation by the [illegible]

The records of the Commission show [illegible] the act of Congress approved June 10, 1896, have been [illegible] roll of those that any application was ever made to the Commission by Malvina Patterson for admission to citizenship in the Cherokee Nation.

The testimony was listed by the examining officials for [illegible] in the field, and her name placed upon Cherokee roll card No. [illegible].

In view of the fact that she is not identified upon any of the tribal rolls of the Cherokee Nation, and for the further reason that she has never been admitted to citizenship by the [illegible] subdivision or by the Commission to the Five Civilized [illegible] Court on appeal, it is [illegible] [illegible] ted by the Commission for rejection under the [illegible] Congress approved July 1, 1902, as follows:

"That all [illegible] such persons by [illegible] authority have taken [illegible] as by law, [illegible] persons, entitled to make any record of any [illegible] the names for enrollment as members of [illegible] Nation, and the [illegible] recorded citizens [illegible] only by [illegible] or admitted to [illegible] of such additional [illegible] be final when approved by the Secretary of the Interior."

Commissioner.

Q Did you hold this form out to the community all the time--did the people think she was your wife? A Yes, sir, everybody knows it that we were living together.
Q Kept house, did you? A Yes, sir.
Q Do you recognize this child as being the child of this woman?
A I have always believed it, and always went by that name.
Q Have you any reason to doubt it? A No, sir.
Q Did this woman, Cornelia, live with any other man? A No, sir, not that I know of.
Q Stayed at your house all the time? A Yes, sir, we lived there until we separated.
Q She kept house for you? A Yes, sir.
Q How many rooms did you have in your house? A About three rooms.
Q Any one else live there with you? A No, sir.
Q You are satisfied then that this is your child by this woman?
A Yes, sir.

Crittenden is regularly enrolled as a citizen by blood of the Cherokee Nation on Cherokee card #625, and his name appears upon the roll of citizens approved by the Secretary of the Interior, No. 691.

He is identified upon the 1880 authenticated roll of citizens of the Cherokee Nation from Going Snake District, No. 507.

I, George, R. Smith, being first duly sworn, state that, [redacted] as stenographer to the Commission to the Five Civilized Tribes, I recorded the above and foregoing testimony and that the same is a true and correct transcript of my stenographic notes thereof.

[illegible]

[illegible] OF THE [illegible]
[illegible] FIVE CIVILIZED TRIBES.
[illegible]

Tahlequah, I. T., September 11, 1903.

In the matter of the application of Melvina Crittenden for enrollment as a citizen by blood of the Cherokee Nation.

Israel Crittenden, appearing in person, and being first duly sworn and examined, testified as follows:

Cherokee Nation represented by J. C. Starr.

Q What is your name? A Israel Crittenden.
Q How old are you? A I couldn't tell how old. I was on the old cattle's roll.
Q You are a citizen by blood of the Cherokee Nation, are you?
A Yes, sir.
Q What is your post office address? A Westville, I. T.
Q You have got a daughter named Melvina? A Yes.
Q How old is she? A About fifteen I think, sir.
Q Who is she living with? A She is staying with her mother now.
Q What is her mother's name? A Cornelia Crittenden.
A [illegible] the mother of this child, Melvina. [illegible]
[illegible] we never married. We lived together [illegible] fifteen years. There was no marriage [illegible]
Q How was you living together when this child, Melvina, was born?
A That is all.
Q How long did you live together after Melvina was born? A About three years ago now, I reckon. Since we separated.
Q You and Cornelia lived together from [illegible] before Melvina was born until about three years ago, is that right?
A Yes, sir.
Q And when you seperated Cornelia took the child [illegible] did she? A Yes. She wanted me to go with her, [illegible] and she wanted to stay with me, and I let her [illegible]
Q Where has Cornelia lived for the last three years? A [illegible] the place where we have lived for [illegible]
Q Is the Cherokee Nation? A Yes, sir, she [illegible] She came in to the Territory before I ever [illegible]
Q How long had you and Cornelia been living together before this child was born? A About two years, I reckon. There would [illegible] more or less if she had been born the first time.
Q Do you claim to be the father of this child, Melvina? A [illegible]
Q Was this child's mother living with any other man before you lived together? A Before we had [illegible] together? A Well, she had been married once, but [illegible] never of him. He never did [illegible] we went to.

[redacted] living with [redacted] as man and wife for about two years before [redacted] here, and you continued to live [illegible] as man and wife until about three years ago? Is that correct? A Yes, sir.

Q You lived together just the same as man and wife, although you were never lawfully married, is that right? A Yes, sir.

[redacted]:

Q Did you hold this form out to the community all the time--did the people think she was your wife? A Yes, sir, everybody knows it that we were living together.
Q Kept house, did you? A Yes, sir.
Q Do you recognize this child as being the child of this woman?
A I have always believed it, and always went by that name.
Q Have you any reason to doubt it? A No, sir.
Q Did Child woman, Cornelia, live with any other man? A No, sir, not that I know of.
Q Stayed at your house all the time? A Yes, sir, we lived there until we separated.
Q She kept house for you? A Yes, sir.
Q How many rooms did you have in the house? A About three rooms.
Q Any one else live there with you? A No, sir.
Q You are satisfied then that this is your child by this woman?
A Yes, sir.

[redacted]: The [redacted] and [redacted] who was [redacted] citizenship is [redacted] as a [redacted] by blood of the [redacted] and [redacted] on [redacted] were [redacted], and his name appears upon the [redacted] of [redacted] approved by the Secretary of the Interior, [redacted].

He is identified upon the [redacted] roll of citizens of the Cherokee Nation from [redacted] District, No. 889.

I, George R. Smith, being first duly [redacted], [redacted] [redacted] [redacted]

Cherokee R-18

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Melvina Crittenden as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on July 16, 1900, Israel Crittenden appeared before the Commission at Vestville, Indian Territory, and made application for the enrollment of his minor daughter, Melvina Crittenden, as a citizen by blood of the Cherokee Nation. The application also included himself as a citizen by blood of the Cherokee Nation, but he is differently classified and is not embraced in this decision. Further proceedings in the matter of said application were had at Tahlequah, Indian Territory, on September 11, 1903.

The evidence shows that Melvina Crittenden is the daughter of Israel Crittenden, a Cherokee citizen by blood, and one Cornelia Crittenden, a white woman. The said Israel Crittenden is identified on the Cherokee authenticated tribal roll of 1880 and the Cherokee census roll of 1896.

The evidence further shows that Israel Crittenden has resided in the Cherokee Nation continuously since 1880 and that Melvina Crittenden has resided therein continuously since birth.

Section twenty-one of the act of Congress approved June 28, 1898 (30 Stats., 495), provides for the enrollment of all persons now living whose names are found upon the 1880 authenticated roll, and their descendants born since the date of said roll.

The evidence further shows that Melvina Crittenden was born since the date of said roll.

It is, therefore, the opinion of this Commission that Melvina Crittenden should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of law above quoted, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

C. R. Breckinridge.
Commissioner.

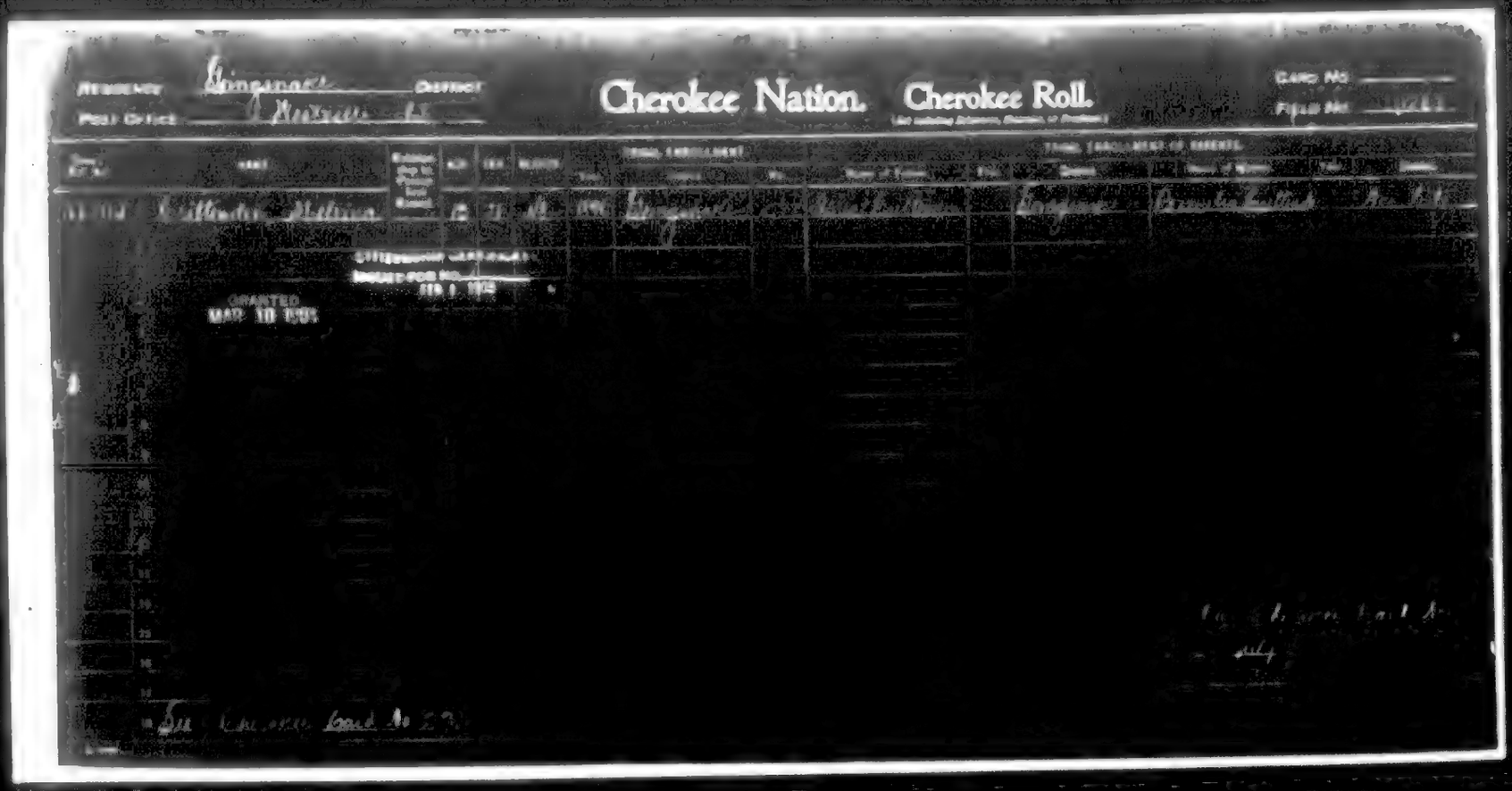
W. E. Hanley
Commissioner.

Dated at Muskogee, Indian Territory,

this MAR 10 1900

Cherokee Roll, Indians By Blood.

No.	Name	Age	Sex	Blood	P. O.
31702	Crittenden, Melvina	13	F	1/8	10713


Cherokee Nation.
Cherokee Roll.
GRANTED
MAR 10 1905

Nation. Roll 15

COPY OF DECISION FORWARDED
APPLICANT
MAR 31 1904

CANCELLED

Muskogee, Indian Territory, December 8, 1902.

Israel Crittenden,

Westville, Indian Territory.

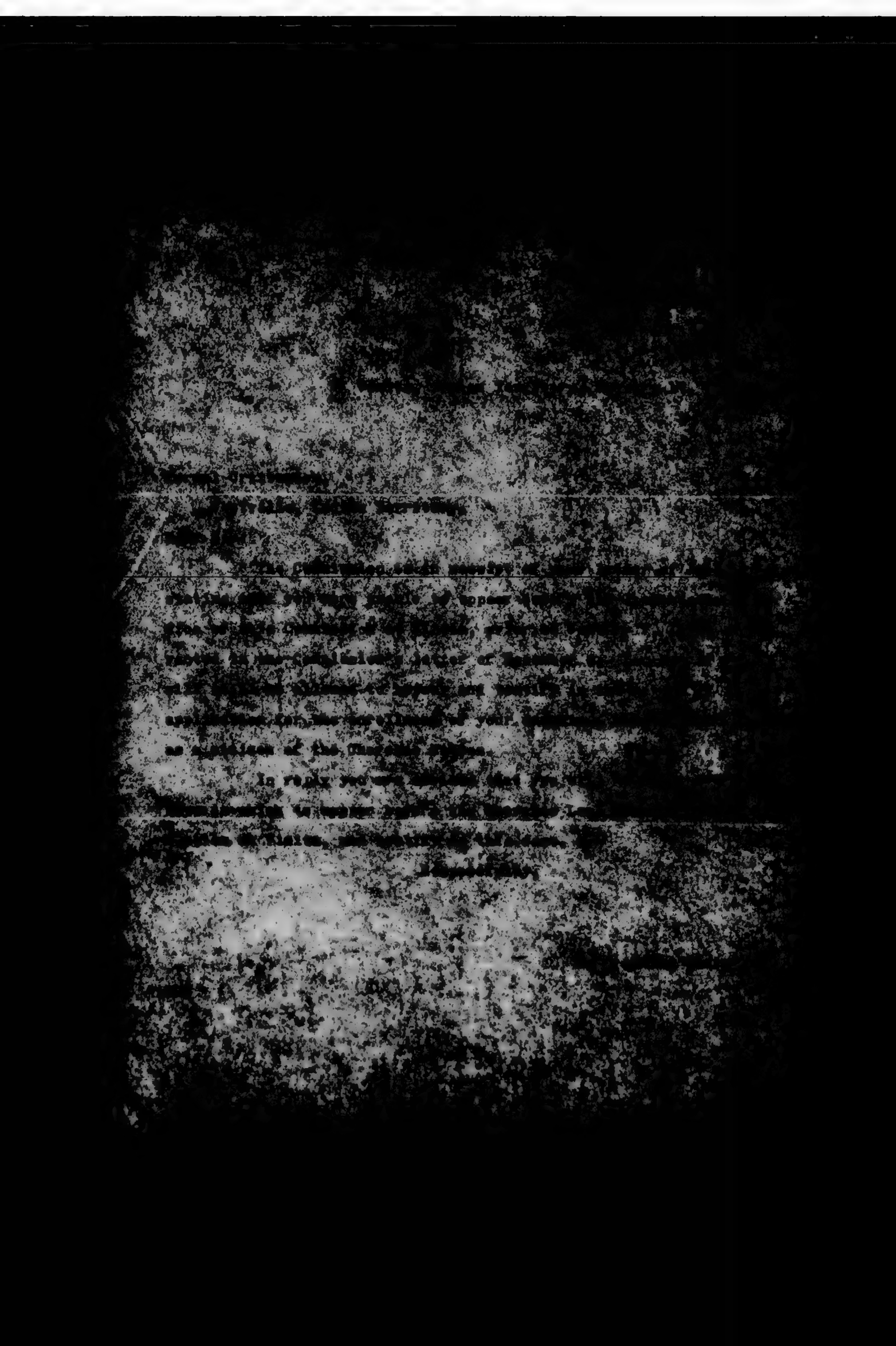
Dear Sir:-

On July 16, 1900, you applied to this Commission for the enrollment of yourself and your daughter, Melvina Crittenden, as citizens of the Cherokee Nation.

You are hereby notified that, before the application for the enrollment of your child will be complete, it will be necessary for you to appear before the Commission for the purpose of giving further testimony as to the rights of this child to be enrolled. You will be permitted to appear at Muskogee at any time prior to December 24, and at Vinita, Indian Territory, at any time after said date to January 5, and prior to December 1, 1903.

Respectfully,

Acting Chairman.



Cherokee 2-15

Tahlequah, Indian Territory, September 18, 1902

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

I have the honor to transmit herewith the original journals and records in the matter of the application for the enrollment of Melvina Crittenden as a citizen of the Cherokee Nation.

The record in this case now appears to be complete and is transmitted that a decision may be prepared therein.

Respectfully,

Enel-8-10

Cherokee # 13

Muskogee, Indian Territory, March 10, 1904.

W. W. Hastings,
Attorney for the Cherokee Nation,
Tahlequah, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 10, 1904, granting the application of Israel Crittenden for the enrollment of his minor child, Melvina Crittenden, as a citizen by blood of the Cherokee Nation.

You are advised that you will be allowed fifteen days from the date hereof within which to file such protest as you may desire to make against the action of the Commission in this case. If you fail to file such protest within the time allowed this decision will be considered final.

Respectfully,

Encl. V-13

Commissioner in Charge.

Cherokee Nation

Muskogee, Indian Territory, March 31, 1906.

Israel Crittenden,

Westville, Indian Territory.

Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 10, 1906, granting your application for the enrollment of your minor child, Melvina Crittenden, as a citizen by blood of the Cherokee Nation.

Respectfully,

Commissioner in Charge.

Register

Enc. D-Z1.

Cher [illegible]

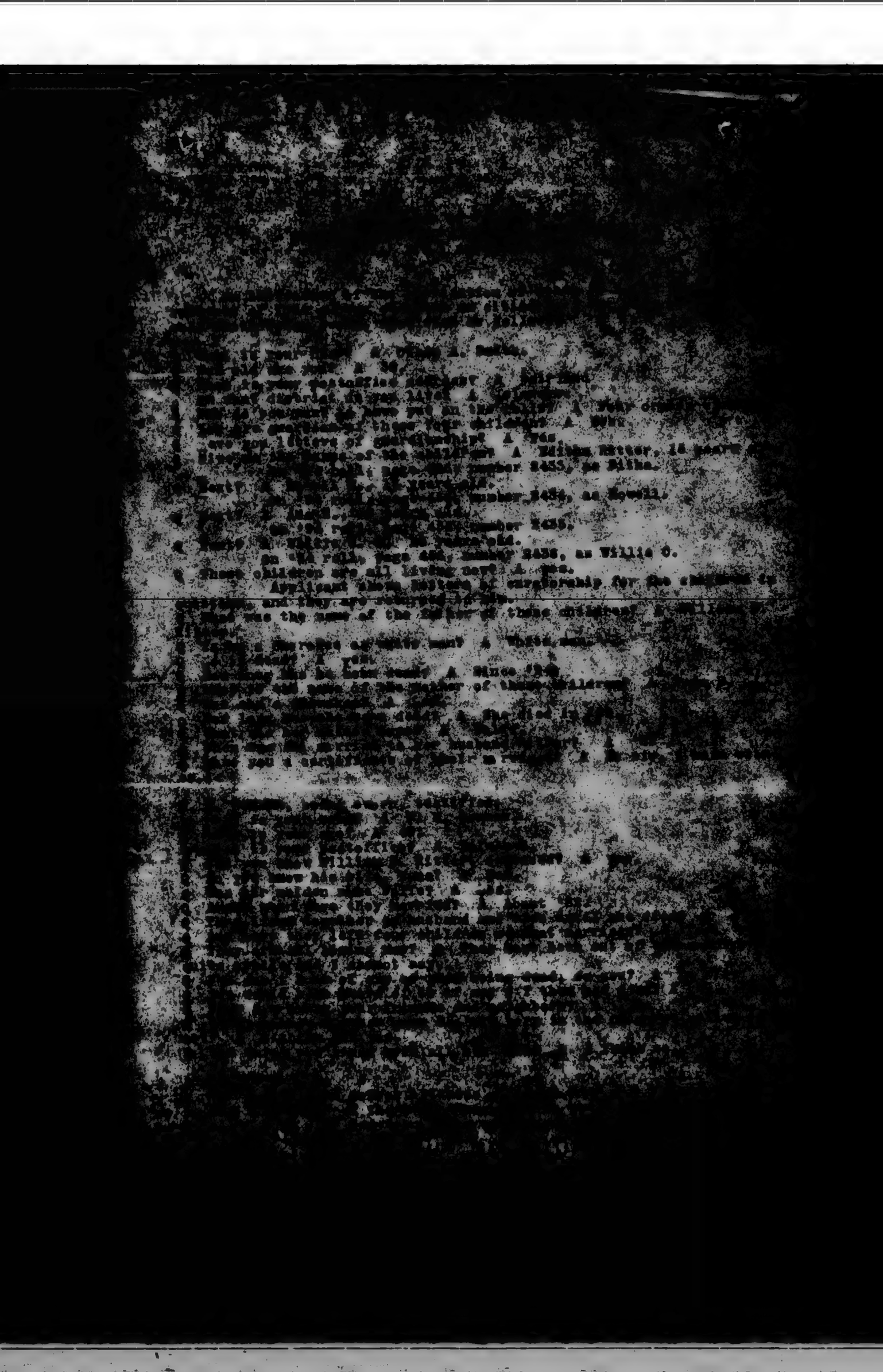
Editha Ritter

Trans. from D623

was about 7 or 8 years before her death.
Q You think she was born here? A I think she was-- I am not sure of that.
Q Was the mother of these children ever married except to Ritter? A No. Not that I know of, I think not.

EDITHA RITTER, being duly sworn, testified:

Q What is your name? A Editha Ritter.
Q What is your age? A 15 last November.
Q You are a daughter of Nana B. Ritter, deceased? A I am.
Q Have you any aunts or uncles? A I have.
Q Living in the Cherokee Nation? A No sir.
Q Ever live in the Cherokee Nation? A I know none of my mother's relatives whatever.
Q Who would your mother have been enrolled with in 1902? A I don't know.
Q Was she ever married except to your father? A No sir.
Q Was your mother an orphan at an early age? A She was.
Q Where were you born? A Fairland, Indian Territory. All of us were born there.
Q You are off at school now? A I am living in Kentucky.
Q Are you attending school in Kentucky? A I am attending college in Kentucky.
Q Lived here all your life until? A The age of six.
Q And live now with your relatives where? A In Louisville, Ky.
Q Have you relatives there? A I have on my father's side; I am [illegible] my father's.



[illegible] about [illegible] of [illegible] her death.
[illegible] their [illegible] Court. A [illegible]
[illegible]
[illegible] children ever married [illegible]
[illegible] [illegible] of [illegible]

[illegible] Freedmen [illegible] identified.

Q What is your name? A [illegible] Mayes.
Q What is your age? A [illegible] November.
Q You are a daughter of Emma B. Ritter, deceased? A I am.
Q gave you any sister or uncles? A I have.
Q Living in the Cherokee _ation? A No sir.
Q Ever live in the Cherokee _ation? A I knew some of my mother's relatives whatever.
Q Who could your mother have been enrolled with in '80? A I [illegible] know.
Q Was she ever married except to your father? A No sir.
Q Was your mother an orphan at an early age? A She was.
Q Where were you born? A Fairland, Indian Territory. All of us were born there.
Q You are off at school now? A I am living in Kentucky.
Q Are you attending school in Kentucky? A I am attending college in Kentucky.
Q Lived here all your life until? A The age of six.
Q And live now with your relatives where? A In Louisville, Ky.
Q gave you relatives therein A I have on my father's side; I am living with a sister of my father's.

The applicant applies for the enrollment of four orphan children. They are identified on the roll of '94, but not upon the roll of '80. They are at present living in Louisville, Ky., where they are attending school. Their mother is said to be a Natural Cherokee and is thought to have lived in the Cherokee nation all her life, but she cannot be identified on the roll of '80. She was an orphan at an early age and cannot be traced through her own father and mother. These four children are all living at this time. At present their application will be placed upon a deferred card to await satisfactory identification of their mother, with reference to her rights at the time of her death.

The undersigned, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereon.

B Meserve

Subscribed and sworn to before me this 5th day of October, [illegible]

C. R. Breece

Commissioner.

95

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
OCT 4 1900

ACTING CHAIRMAN

CHEROKEES BY BLOOD AND ADOPTION

Date OCT 4 1909

Name Parkland D.

District ... Year ... Page ... No. ...

Citizen by blood ... Mother's citizenship ...

Intermarried citizen ...

Married under what law ... Date of marriage ...

License ... Certificate ...

Wife's name Parents / Mrs D. Ritter - w - d / Nana L. " - c - d

District ... Year ... Page ... No. ...

Citizen by blood ... Mother's citizenship ...

Intermarried citizen ...

Married under what law ... Date of marriage ...

License ... Certificate ...

Names of Children:

1 Editha Ritter	Dist. DELAWARE.	Year 1894	Page 456	No. 1433	Age 15
2 Howell N. "	Dist. "	Year "	Page 456	No. 1434	Age 14
3 Ada L. "	Dist. "	Year "	Page 456	No. 1435	Age 12
4 Willie C. N. "	Dist. "	Year "	Page 456	No. 2436	Age 10
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

1 On 1894 Roll as Editha Ritter
2 " " " " Howell " "
4 " " " " Willie N "

D525

Q Were they recognized as Cherokee citizens? A Yes sir.
Q Natives? A Yes sir.
Q Do you know of any reason why Elizabeth Wolfe, as you know her was not put on the roll of 1880? A No sir, I can not tell you that. She was carried away, and her parents died.
Q You think it was from no lack of being a Cherokee? A It might have been from neglect of some of the clerks.

George W. Roach, being sworn and examined, by Commissioner, C. R. Breckinridge, testified as follows:
Q What is your full name? A George W. Roach.
Q What is your age? A Forty one.
Q What is your Postoffice? A Welch.
Q How long have you lived in the Cherokee nation? A Ever since 1870.
Q Did you know Elizabeth Ritter, or Elizabeth Wolfe, the mother of the four children who applied here? A I knew her by the name of Lizzie.
Q How long did you know her? A Since about 1876, or 1877; when she went to the orphan asylum she was in my class.
Q In the same class you mean? A Yes sir.
Q She was recognized there as a Cherokee by blood? A Yes sir.
Q They did not take any other kind? A No sir.
Q You knew afterwards as Lizzie Wolfe? A Yes sir.
Q Did you know her husband, Ritter? A Yes sir.

not?



[illegible] being sworn, testified as follows:

Q What is your name? A Lucian B. Bell.
Q How old are you? A 62.
Q What is your postoffice? A Vinita.
Q How long have you lived in the Cherokee Nation? A About 60 years.
Q You appear to give supplementary testimony in the application of four orphan children, do you not-- the Ritter children? A That is what I understand.
Q Their mother was Nana E. Ritter? A yes. I cannot say about the "Nana" part of it; we called her Lizzie Wolfe.
Q Now in taking the application for the enrollment of these children there seems to be trouble about finding their mother on the roll of '80. did you know her all her life? A I guess she was as much as 12 years old when I first saw her.
Q What name did she go by as a school-girl? A Lizzie Wolfe. Her maiden name was Wolfe-- that is my understand-- she was an orphan.
Q Do you know whether she was born in the Cherokee Nation? A No sir. I don't know.
Q Did you know her mother before her? A No sir.
Q Did you know her from the time she was 12 years old until her death? A yes, pretty much all the time. She was an orphan and went to the Orphan asylum during Duncan's management and was taken out by some charitable institution and sent to school out of the country and then she was back here and taught school and next thing she was married to Ritter and settled in 14 miles of where I live.
Q You think she might have been entitled to school in '80? Yes, I think that is why she does not appear on that roll, [illegible] she was married she [illegible]

Supplementary [illegible]

[illegible] being sworn, [illegible]

[illegible] name? A [illegible]

[illegible] you? A 62.

[illegible] your postoffice?

[illegible] long have you lived [illegible]

[illegible] appear to give application [illegible] orphan children, do you want [illegible] that I understand.

A Their mother was named M. Ritter [illegible] "Mame" part of it; we called her [illegible]

Q Now in taking the application [illegible] there seems to be trouble about [illegible] did you know her all her life? A [illegible] old when I first saw her.

Q What name did she go by as a [illegible]? A Lizzie Wolfe. maiden name was Wolfe-- [illegible] and-- she was an [illegible] Cherokee [illegible]

Q Do you know whether [illegible] sir.

A I don't know.

Q Did you know her mother before [illegible] years old until [illegible]

Q Did you know her from the time she [illegible] She was an orphan [illegible] death? A Yes; pretty much [illegible] went to the Orphan asylum [illegible] [illegible] school out of [illegible] out by some charitable institution [illegible] [illegible] and then [illegible] country, and then she was back [illegible] [illegible] she was married to Ritter and [illegible] [illegible] Q Why think she might have [illegible] think that is why she does not [illegible] Q Before she was married she [illegible] Q relation of hers, about 6 miles [illegible] Q How old was she when she [illegible] she was counting this family [illegible] Q How long after she came [illegible] cannot state when she came [illegible] when she got married to Ritter.

Q She was recognized by everybody [illegible] by the law too by taking her [illegible] and taking care of her.

The undersigned, being first [illegible] reporter to the Commission to the [illegible] recorded the testimony and proceedings had [illegible] foregoing is a true and complete [illegible] thereof.

Subscribed and sworn to [illegible]

[illegible]

Commissioner.

graphic notes thereof.

I, C. Bagwell, on oath do hereby state, as stenographer to the Commissioner to the Civil Rights Tribunal, be correctly recorded the testimony and proceedings had in the above entitled cause, and that the above and foregoing is an accurate transcript of my stenographic notes thereof.

Subscribed and sworn upon the evidence now of record.

D 429

Department of the Interior,
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 1, 1902.

In the matter of the application of Edith A. Ritter, for the enrollment of herself, brother and sisters as citizens of the Cherokee Nation ;

Applicants were notified by registered letter on February 12, 1902, that their application for enrollment as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 28th day of February, 1902.

Receipt was acknowledged of the Commission's letter, and applicants on the said day appeared by their curator O. L. Conner, of Fairland, Indian Territory, and by agreement between the said O. L. Conner and the representative of the Cherokee Nation present, the case was continued until the 1st day of March, 1902.

The same being this day called, to-wit: on the 1st day of March, 1902, applicants appear by their curator O. L. Conner.

There is offered in evidence letter of curatorship showing that Clemmo Conner was, on the 7th day of January, 1901, appointed curator by the United States Court in Probate, in and for the Northern District of the Indian Territory, for Newell Ritter, Edith Ritter, Ada Ritter and William Ritter.

Is there any statement you desire to make to the Commission Mr. Conner ?

Mr. Conner: Nothing only I have a couple of witnesses.

J. R. PRICE, being sworn and examined, testified as follows:

Q What is your name ? A J. R. Price.
Q How old are you ? A 56 last January.
Q Where do you live ? A Tahlequah.
Q Are you acquainted with the applicants in this case, Edith Ritter and her brother and two sisters ? A I am.
Q Did you know their mother ? A I don't know their mother, I don't know the children, but I am acquainted with their mother.
Q What was her name ? A N. B. Wolfe. Nancy Elizabeth Wolfe.

Examined by Mr. Hastings:

Q You knew the mother of these children ? A Yes sir.
Q Who was she ? A She was a daughter of Tom Wolfe.
Q That was Lizzie Wolfe, the mother of these children: Ritter's children ? A Yes sir. She was the mother of Ritter's children.
Q Who did Ritter marry ? A N. B. Wolfe.
Q Had she ever been married before ? A No sir.
Q How when did you know N. B. Wolfe. A I knowed her ever since she was a little child.
Q Where was she born ? A Up somewhere near the neutral lands.
Q When ? A Before the war.
Q Did you know her before the war ? A I knowed her shortly after the war when they brought her back from the south. They took her away somewhere during the war.
Q Did you know her before the war ? A Yes sir, I knew of her. I knew of three, Dennis, Minnie and Lizzie.
Q Was she born up in the Neutral lands ?
A Up there near Shoal Creek some place.
Q When did you see her ? A When she was a little bit of a thing.
Q She was about three or four years ? A I couldn't tell.

Q Was that before or after the war ? A A little after the war. I saw her after the war at Honey Springs.

Q Where did you live then ? A On Grand River.
Q Did you ever know her after they married ?
A Yes sir.
Q [illegible] A Yes sir.
Q [illegible] A Yes sir.
Q [illegible] got a letter from
[illegible] is me that she was dead.
Q Your information is that she is the mother of these children ?
A Yes sir.
Q Was her father or mother a Cherokee ? A Her father was a first cousin of mine.
Q Was her mother a Cherokee ? A My understanding was that she was. I didn't know her mother, personally. Her mother talked Cherokee. She understood Cherokee herself.
Q Do you know where she was in 1880 ? A At school at [illegible].
Q Who sent her to school there ? A I paid her tuition there.
Q Do you know who taught her ? A Mrs. Ritter's sister-in-law of this Ritter. Don't know what her husband's name was. She was Ritter's brother's wife.
Q Do you know if there was other children ?
A Two to my knowledge, Dennis and another girl.

By the Commission:

Q Were the mother and father of this N. E. Ritter Cherokees ?
A Her father was.
Q Was her mother a white woman ?
A Her mother, to the best of my knowledge was a Cherokee. Her father was a Cherokee, he was a first cousin of mine.
Q You say you don't know these children ?
A I have saw two of them, when they were little fellows.

GEORGE W. WALKER, being sworn and examined, testified as follows:

Q What is your name ? A George W. Walker.
Q Where do you live ? A I live on Cabin Creek, Cherokee Nation.
Q What is your post office address ? A Kinnison.
Q You know Tom Wolfe ? A Yes sir.
Q Where did he live when you knew him ?
A The first time I knew him he lived in the Neutral Lands with his father
Q Do you know who he married ? A I always took it to be an Abberty or a Nix.
Q Do you know his wife ? A Yes sir.
Q You met her after her marriage ? A Yes sir.
Q You stayed all night at their house ? A Yes sir.
Q Did you know of any children being born to them ?
A There was two. One was Dennis and the other Lizzie.
Q You knew Lizzie Wolfe's mother to be a Cherokee ? A Yes sir.
Q Did you know Lizzie Wolfe's mother, the wife of Tom Wolfe to be a Cherokee ? A That's what she went by, to be a Cherokee. I don't know exactly who the mother was, but she went by that.
Q She was always considered as a Cherokee; recognized as a Cherokee ? A Yes sir.

Examined by Mr. Hastings.

Q You didn't know her did you ? A I saw her.
Q You didn't know what her name was did you ?
A I don't recollect now; I did once.

D 928 —5

Q Didn't know her father and mother did you ? A No sir.
Q Didn't know any of you ? A No sir.
Q Can you tell whether to her citizenship ?
A You have heard what I told you.
Q Anything you know ? A No other than I could.
Q Where was the [illegible] these children born ? A I don't know.
Q Have told you first you her, the mother of these little children ?
A I saw her before the war.
Q How long before the war ? A I can't tell you that.
Q Where did you see them ? A Down on Grand River.
Q At whose place ? A Jake Alberty's place.
Q Where did he live ? A Down on Grand River too.
Q What were they doing there ? A They lived there.
Q On Jake Alberty's place ? A I don't know those place they were living on.
Q How long before the war was that ? A I can't tell you how long before the war. I don't know.
Q Ten years ? A No, I guess not quite that long.
Q Your best judgment; about five years ?
A About five years I guess.
Q Did you ever see them after that and up to the time of the war ?
A No sir. They went south somewhere.
Q I mean during that five years that intervened just before the war? What became of Tom Wolfe in that time ?
A I don't know what became of him.
Q How far was Alberty's place from Locust Grove where John Price lived before the war ? A That was; it must have been 40 miles.
Q Near what place on Grand River was that Alberty place, near that town now ? A Nearer Prairie City.

The Commission: The curator for the applicants in this case and the representative of the Cherokee Nation present, submit this case to the Commission for final consideration, and the case is ordered closed, and reported to the Commission for final decision based upon the evidence now of record.

E. C. Bagwell, on oath states that, as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings had in the above entitled cause, and that the above and foregoing is an accurate transcript of his stenographic notes thereof.

E C Bagwell

Subscribed and sworn to before me this March 3, 1902.

M D Faucett
Notary Public

Commissioner.

0525

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
JUN 27 1902

ACTING CHAIRMAN

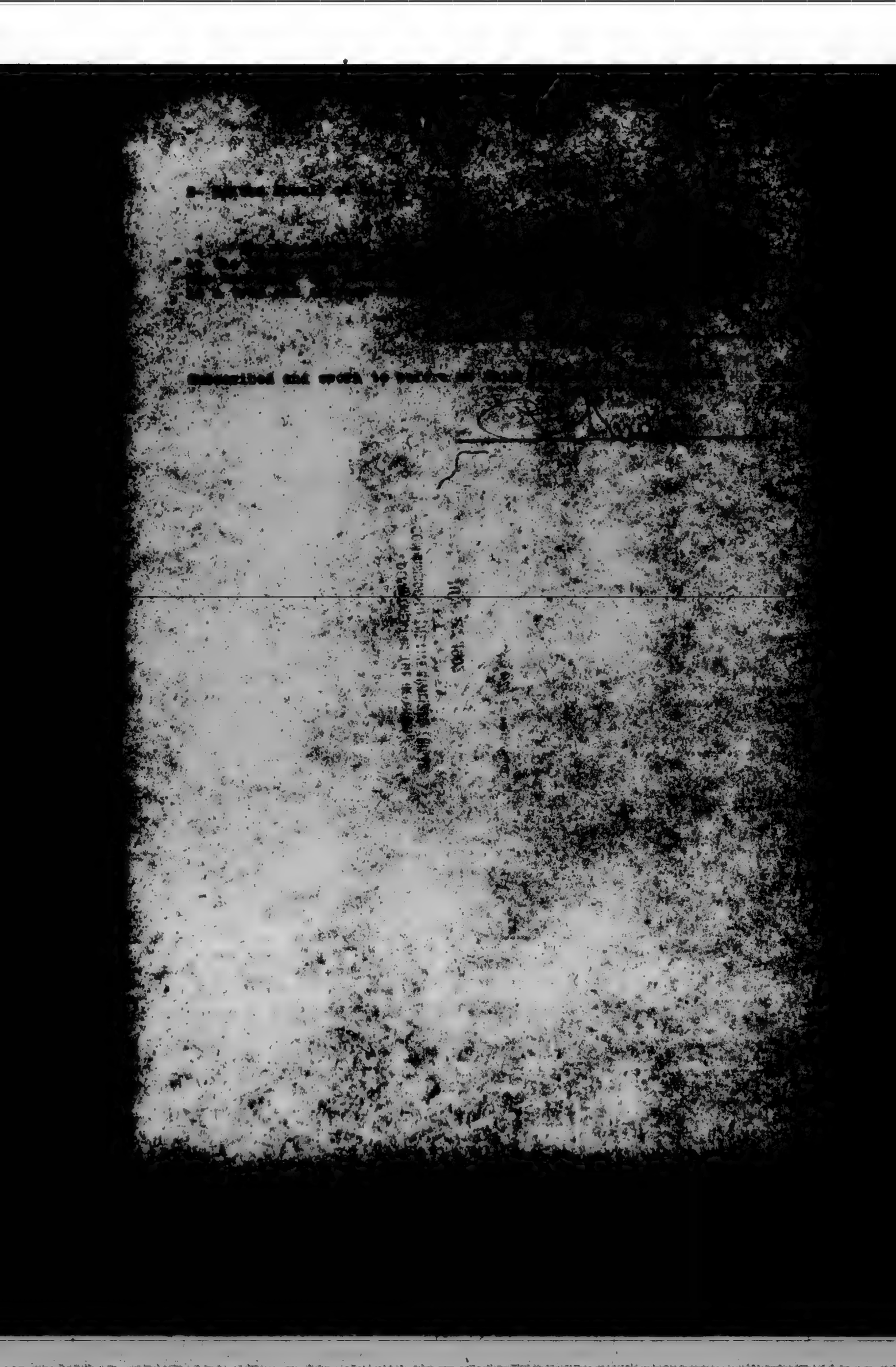
Chero. 1-68.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., June 17, 1902.

In the matter of the application for the enrollment of Edith Ritter, Howell E. Ritter, Ada E. Ritter and Willis C.W.Ritter as citizens by blood of the Cherokee Nation.

The applicants' counsel, Alonzo Connor, was notified by registered letter May 26, 1902, to appear before the Commission at its offices in Muskogee, Indian Territory, within fifteen days from said date in which to submit further testimony with reference to the residence of the above named applicants. On this date, to-wit: the 17th day of June, 1902, appears in person; Cherokee Nation by W. W. Hastings.

Alonzo L. Connor, being sworn and examined by the Commission, testified as follows:
Q What is your name? A Alonzo L. Connor.
Q How old are you? A 25.
Q What is your postoffice address? A Fairland.
Q You are the counsel for the applicants in this case? A Yes sir.
Q How long have you known them A Ever since from the time they were born.
Q From the time the eldest one was born? A Yes sir, I have been with them all the time.
Q Where were they living when you first learned to know them? A What is now Fairland.
Q Were they born there? A Yes sir.
Q Were they all born in the territory? A I believe they were all born at that place.
Q Where have they been living since you learned to know them? A After their parents died I haven't seen any of them but Edith; since their parents died the two eldest were at Louisville, Kentucky, and the other ones were at Hopkinsville, Kentucky.
Q When did the father of the applicants die? A It was in June, '94 I think.
Q When did the mother die? A She died prior to that, I don't know when exactly.
Q And since that time the children have been making their home in Kentucky? A Yes sir.
Q Who have they been living with? A With their aunts Mrs. Bush and Mrs. Boulder.
Q Have these children been here since 1894? A Not only except on visits.
Q How often have they been here since that time? A I don't know, I was through here a year and Edith has been here since then.
Q Now these children, do they own any property in the Cherokee Nation? A Yes.
Q Where? A Fairland.
Q What does it consist of? A They have some town lots and they have three or four hundred acres of farm land.
Q Do they derive any revenue from the farm land? A Yes sir.
Q Did these children go to Louisville before the death of the father? A After his death.
Q How long after that? A They did, the three younger ones stayed in Louisville and Hopkinsville until he died in '94.
Q About how long before the death of the husband did the death of his wife occur? A I can't say, it was something like a year, about that. I wouldn't say positively.
Q Do you know where these children were living four years ago, June this month? A At the same place.
Q Hopkinsville and Louisville, Kentucky? A Yes sir.
Q They have been living there about four years prior to that time, that is since? A Yes [illegible] I paid in the way of [illegible] lots I got the [illegible] Judge is will that for the benefit of [illegible] and children.



LETTERS OF CURATORSHIP.

United States of America, :
Indian Territory, : SS
Northern District. :

TO ALL WHOM THESE PRESENTS SHALL COME - GREETING:

KNOW YE, That whereas Alonzo Conner has on this day, by the United States Court in Probate in and for the said Northern District of the Indian Territory, been appointed Curator for William Ritter, Howell Ritter, Edith Ritter and Ada Ritter, minors, under the age of 21 years, by his entering into bond to the United States of America for the use of said minor in the sum of Five Hundred Dollars, and whereas the said Alonzo Conner has this day filed his bond in such sum to the United States of America for the use of said minor , which said bond stands approved by the Court.

NOW THEREFORE, he, the said Alonzo Conner hereby authorized and empowered to collect and receive all moneys, property, and effects, that are now, or hereafter may become due to his said ward, and in general to do and perform all and singular the duties devolving upon him as such Curator by law, or that may be enjoined upon him by the lawful order, setence or decree of any Court having competent jurisdiction.

IN TESTIMONY WHEREOF, I, CHARLES A. DAVIDSON, Clerk of the United States Court in Probate, in and for the said Northern District, Indian Territory, herete set my hand and affix the seal of said Court, at my office in Vinita this 7th day of January, A.D., 1901.

(SEAL)

Charles A. Davidson, Clerk.

By. T. A. Chandler, Deputy.

[redacted]

[redacted]

Muskogee, Indian Territory, June [redacted]

I, R. A. Stevens, a stenographer to the [redacted] Civilized Tribes, do hereby certify that the above and [redacted] is a true and correct copy of the original offered in evidence [redacted] the matter of the application of Editha Ritter et al for enrollment as citizens of the Cherokee Nation.

R. A. Stevens

Cherokee 2525.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Muskogee, Indian Territory, July 30, 1903.

In the matter of the application for the enrollment of Editha, Howell W., Ada E. and Willie C. W. Ritter as citizens by blood of the Cherokee Nation.

SUPPLEMENTAL STATEMENT.

An examination of the Cherokee tribal rolls, now in possession of the Commission, shows that Nana E. Ritter, mother of the applicants herein, is identified as a native Cherokee on the 1880 authenticated roll at page 197, Goweescoowee District, #3170, by the name of Lizzie Wolfe; and on the 1883 pay roll, Delaware District #694, as N. E. Ritter; and that the said applicants are identified with their mother on the 1890 pay roll as follows:

1890 roll, Delaware District, Nana E. Ritter.
" " " " Editha Ritter.
" " " " Howel Ritter.
" " " " Ada Ritter.
" " " " William Ritter.

Copies of this statement are ordered filed herein and made a part of the record in this case.

Commissioner.

Cherokee D 525.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Editha, Howell W., Ada E. and Willie C. W. Ritter as citizens by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on October 4, 1900, Othie A. Smith appeared before the Commission at Vinita, Indian Territory, and made application for the enrollment of four minor children, viz: Editha, Howell W., Ada E. and Willie C. W. Ritter, as citizens by blood of the Cherokee Nation; the said Othie A. Smith being guardian of said children. Further proceedings in the matter of said application were had at Vinita, Indian Territory, on October 6, 1900, and at Muskogee, Indian Territory, on March 1 and June 17, 1902.

The evidence shows that the applicants are the minor children of William D. Ritter, a white man, and his wife, Nana E. Ritter, a native Cherokee; and that said children were born since 1882, the date of the marriage of their said parents. It further appears that their mother died in 1891 and their father about three years later.

It further appears that the said Nana E. Ritter, mother of the applicants herein, is identified as a native Cherokee on the 1880 authenticated roll of the Cherokee Nation, by the name of Lizzie Wolfe, and on the 1883 pay roll by the name of N. E. Ritter; and that all the applicants herein, together with the said Nana E. Ritter, are identified on the 1890 Cherokee census roll and on the 1894 Cherokee strip payment roll.

The evidence further shows that on January 7, 1901, Alonzo Conner was appointed curator of said minor children by the United States Court for the Northern District of the Indian Territory; and that he and said guardian both reside in the Indian Territory.

The evidence further shows that all the applicants herein were born in the Cherokee Nation and lived there until the death of their mother; that shortly afterwards they were taken to Kentucky where they have since been residing and attending school. The said applicants being under age and their parents both dead, it is considered that they have not forfeited their citizenship in the Cherokee Nation by their involuntary removal therefrom.

It is, therefore, the opinion of this Commission, following the decision of the Department in the case of James Hunter, et al (I.T.D. 1970-1903), that the said Editha Ritter, Howell W. Ritter, Ada E. Ritter and Willie C. W. Ritter should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of section twenty-one of the Act of Congress, approved June 28, 1898 (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

T. R. Ravenscroft
Commissioner.

W E Haney
Commissioner.

Muskogee, Indian Territory,
this MAR 10 1904

E D520

FILED
FEB 21 1902

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 12, 1902

Mr. O. A. Smith,

Fairland, Indian Territory,

Sir-

You are hereby notified that the application of Mitha, Rowell W., Ada E., and Willie C. W., Ritter for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 28th day of February, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Cherokee D-525
Register.

Yours truly,

Acting Chairman.

Cherokee D-[illegible]

Muskogee, Indian Territory, February 21, 1906.

Mr. C. L. Conner,

Fairland, Indian Territory,

Dear Sir:-

The Commission is in receipt of your letter of February 16, advising that you have been appointed curator for Editha Ritter et al, who have heretofore been listed upon the doubtful roll of Cherokee citizens; and requesting that you be furnished with a copy of the testimony taken in said application.

As you request there is enclosed you herewith a copy of the testimony in this application. Please sign and return promptly to the Commission the receipt for same.

Yours truly,

Commissioner in Charge.

Enc. J-2

Cherokee-D-828

Muskogee, Indian Territory, May 28, 1902.

Mr. Alonzo Conner,

Fairland, Indian Territory.

Dear Sir:

In the matter of the application for the enrollment of Editha, Howell W., Ada S. and Willie C. W. Ritter as citizens by blood of the Cherokee Nation, it appears that the applicants are minors, and that you have been appointed their curator. You are required to appear before the Commission at it office in Muskogee, Indian Territory and submit further testimony in reference to the residence of said applicants.

You will be allowed fifteen days from receipt hereof within which to comply with this requirement.

Yours truly,

Register

Commissioner in Charge.

TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BREEDING,
W. E. STANLEY,
COMMISSIONERS.
ALLISON L. AYLESWORTH,
SECRETARY.
ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS IN REPLY TO

Tahlequah, Indian Territory, July 13, 1903.

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

Receipt is acknowledged of Commission's letter of July 8, asking that a supplemental statement be prepared giving the enrollment of such of the applicants as appear thereon upon the 1880 authenticated roll, on the 1883 and 1886 pay rolls and on the 1890 census roll in Cherokee case B 525, Othie A. Smith, et al.

In reply, I have to state that Nana E. Ritter is identified upon the 1880 authenticated roll, page 197, No. 3170 Coowescoowee District as Lizzie Wolf, native Cherokee, age 22. She is also identified upon the 1883 pay roll as N. E. Ritter, No. 694 Delaware District.

The following names are also upon the 1890 pay roll of the Delaware District:

Wm. V. Ritter "I. W."
Nana E. "
Editha "
Howel "
Ada "
William "

No page or number is given on this roll.

The 1886 pay roll is in the office of the Commission at Muskogee. That roll can be examined and the information obtained therefrom, together with the information contained in this letter

Cher 0525

DOCKET

COMMISSION TO FIVE TRIBES.

No.	Received	Answered	
		Book	Page
18866 1903	JUL 25		

Cherokee Land Office,
Tahlequah, I. T.,
July 18, 1903.

Gives names of applicants and rolls upon which they appear in case of Othie A. Smith, et al., Cherokee case .

CHIEF LAW CLERK.

can be incorporated in supplemental statement prepared at the central office.

Respectfully,

C. A. [illegible]

MH

Cherokee 3 [illegible]

Muskogee, Indian Territory, March 10, 1904.

W. W. Hastings,
Attorney for the Cherokee Nation,
Tahlequah, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 10, 1904, granting the application of Othie A. Smith for the enrollment of Edith, Howell W., Ada E. and Willie C. W. Ritter as citizens by blood of the Cherokee Nation.

You are advised that you will be allowed fifteen days from the date hereof within which to file such protest as you may desire to make against the action of the Commission in this case. If you fail to file such protest within the time allowed this decision will be considered final.

Respectfully,

Encl. V-11

Commissioner in Charge.

Muskogee, Indian Territory, March 31, 1906.

Ohie A. Smith,

Fairland, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 29, 1906, granting your application for the enrollment of Ralph, Ada E. and Willie C. W. Ritter as citizens by blood of the Cherokee Nation.

Respectfully,

Inclosure

Commissioner in Charge.

Enc. D-22

Encl 3-x

D525

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Enrolled - Feb 27 1902.

Received of the Commission to the Five Civilized Tribes one original and ~~xxx~~ supplemental copy of the testimony in the matter of the application of Editha Ritter et al for enrollment as citizens of the Cherokee Nation.

O. L. Jones
Guardian Editha Ritter et al

No. 1525

C.D.297.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVECIVILIZED TRIBES.
PRYOR CREEK, I. T., SEPTEMBER 14th, 1900.

IN THE MATTER OF THE APPLICATION OF May Fields and child for enrollment as citizens of the Cherokee Nation, and she being sworn by Commissioner, C. R. Breckinridge, testified as follows:

Q What is your full name? A May Fields.
Q How old are you? A I will be twenty one.
Q What is your postoffice? A Pryor Creek.
Q What district do you live in? A Cooweescoowee.
Q Whom do you want to have put on the rolls? A Myself and baby.
Q Yourself and one child? A Yes sir.
Q Do you apply for yourself as a Cherokee by blood? A No sir.
Q You are a white woman? A Yes sir.
Q What was your name before it was Fields? A Woods.
Q When were you married? A I was married in 1896.
Q Are you on the roll of 1896? A I do not know; I think I am.
Q Whom were you married to? A A man named Willie Fields.
Q Have you a certificate of marriage? A Yes sir; I have a piece of one; I lost my good one.

The applicant presents a certificate of marriage between herself and William Fields, on the 16th of May, 1896, the ceremony being performed by Reverend C. Hosfelt, Minister of the Gospel. This is filed with her application.

Q Was William Fields a Cherokee or white man? A Cherokee by blood.
Q Is he living at this time? A He is not dead; I do not know where he is: I think he is in Muskogee.
Q Is he in prison? A I think that is where he is.
Q Have you and he lived together as husband and wife ever since you were married. A Not ever since: He has been in treuble ever since we were married.(have you)
Q What reason (to think he is in prison at Muskogee at this time?
A His brother told me so.
Q Now give me the name of your child please? A Nora Fields.
Q How old is the child? A Four years old last February; she is on the 1896 Roll.
Q On the 1896 Roll? A Yes sir.
Q Now you say the child was four years old last February? A Yes sir.
Q And you were married in 1896? A Yes sir.
Q You would be married four years ago last May: The child was born before you were married; is that the case? A Yes sir.
Q Have you a "J" in your name? A No sir.
(1896 Roll, Page 304, #363, May Fields, Cooweescoowee Dis't)
(1896 Roll, Page 160, #1797, Nora Fields, " "
Q How old is your husband now? A About twenty six years old. His name is on the roll as Willie.
(1880 Roll, Page 1001, #1055, Willie Fields, Cooweescoowee)
(1896 Roll, Page 160, #1796, Willie Fields, Cooweescoowee)
Q Your child was born in 1896, was it not? A I do not remember exactly.
Q You say it is four years old? A Yes sir.
Q In what month was it born? A February.
Q Well, it was born in February, 1896, and you were married in May, 1896? A Yes sir.

The applicant applies for the enrollment of herself and child. She presents a certificate of marriage to her husband, in 1896, which is filed herewith. Her husband, for whom application is not made at this time, is identified on the rolls of 1880 and 1896, as a Native Cherokee. The applicant's marriage took place after the Law of 1895; Cherokee law, which prohibits the acquirement of

Cherokee citizenship by marriage. Her name is [illegible] roll of 1896. [illegible] date of the [illegible] for the [illegible] present [illegible]

::::::::::::::::::::::::::

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized tribes, he correctly reported the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

(SIGNED) E. R. Cravens.

Subscribed and sworn to before me
this 16th day of September, 1900.

(SIGNED) C. R. Breckinridge.
Commissioner.

::::::::::::::::::::::::::::::::::

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, Indian Territory, September 1, 1903.

The undersigned, Florina B. Hatch, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes she made the above and foregoing transcript and that the same is a true and complete copy of the original now on file with said Commission.

Florina B. Hatch.

Subscribed and sworn to before me this 1 day of September, 1903.

[illegible]
Notary Public.

CD-297

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE UNITED STATES

Indian Territory } Pryor Creek.
Southern District }

This is to Certify that I did on the
16th day of May 1896. Solemnize
the Rite of Matrimony between
William Fields and Miss Mary [illegible]
This the 15th day of September 18[illegible]

Rev. C. [illegible]
Minister [illegible]



Arthur G. Croninger, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported in full the testimony and proceedings in the above cause, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Arthur G. Croninger

Subscribed and sworn to before me this 26th day of April, 1905.

[illegible]
Notary Public.

FILED
MAY 1 1905
COMMISSION TO THE FIVE CIVILIZED TRIBES

Ard 1

D. 897.

[redacted]

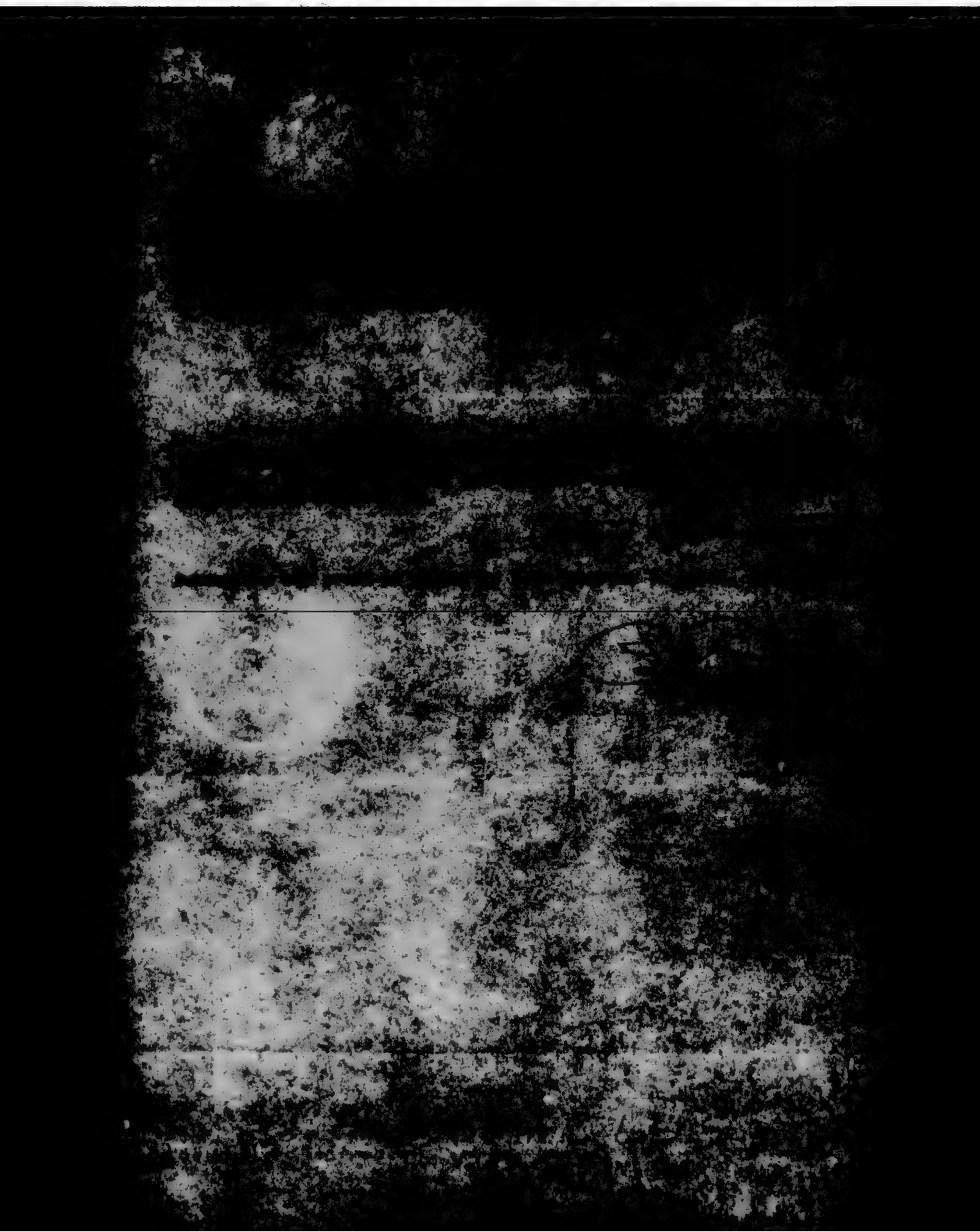
In the matter of the [redacted] for the enrollment of [redacted] and [redacted] as citizens of the Choctaw nation.

Authorities to Build.

STIPULATION: The applicant was notified by registered letter April [redacted], that it would be necessary [redacted] appear before the Commission to [redacted] Choctaw at the office in Muskogee, Indian Territory, on the [redacted] day of April, 1906, and submit evidence as to the paternity of her child. She this day, to wit the 26th day of April, 1906, appears in person.

BILL FIELDS, being duly sworn and examined by the Commission, testified as follows:

Q What is your name? A My name is Bay Fields.
Q How old are you? A I will be 22 my next birthday I guess.
Q What is your postoffice address? A Rock Creek.
Q You have heretofore applied for the enrollment of yourself and child as citizens of the Choctaw Nation, have you? A Yes, sir.
Q You claim your right to citizenship as a Mississ by intermarriage? A Yes, sir, why I don't claim it myself.
Q What's the exact date of your marriage? A I don't remember the date, but I remember I think I married in '05.
Q '05, wasn't it? A '05, yes, sir.
Q And what was the name of your child? A Ora Fields.
Q Is it Ora or Edith? A Ora, it is put down.
Q And what is her correct name? A Ora. My husband, they misunderstood him.
Q Who is the father of this child? A Willie Lee Fields.
Q Is he living or dead? A He is living.
Q Were you ever married before you married him? A No, sir.
Q Was he ever married before he married you? A No, sir.
Q This child was born subsequent to your marriage to Fields, was it not? A Yes, sir.
Q It was born after you were married to him? A Yes, sir, two or three days after we were married.
Q Two or three days after you were married? A Yes, sir.
Q Are you living with Fields at this time? A No, sir, we are not living together now; we have been living together.
Q Where is he? A He is in Jenny Creek.
Q When did you separate from him? A We have been separated, I don't know just how long we have been separated.
Q Well about how long after your marriage was it that the separation took place? A About two years.
Q Since that time have you married any other person? A No, sir.
Q Are you aware that you appeared before the Commission the last time that this child was born in February, 1906, and that you were married in May, 1905, about three months after instead the birth of the child? A I guess that's the way of it.
Q You don't you know that that's the way of it: was this child born three months after your marriage or prior to your marriage? A Before, I guess.
Q Is that right? A Yes, sir.
Q And when you were married to him you continued to live together for a period of two years? A Yes, sir.
Q [redacted] ever separated during that time? A No, sir, we never [redacted]
Q [redacted] recognize this as his child? A Yes, sir, he put it on [redacted] when [redacted]



Ø297

BCJ

Cherokee D-297.

Department of the Interior.
Commission to the Five Civilized Tribes,
Cherokee Land Office,
Tahlequah, I.T., August 18, 1903.

In the matter of the application of May Fields for the enrollment of herself as a citizen by intermarriage, and for the enrollment of her daughter, Ora Fields, as a citizen by blood of the Cherokee Nation.

SUPPLEMENTAL TESTIMONY.

Applicant present in person;
Cherokee Nation represented by W.W.Hastings.

MAY FIELDS, being duly sworn and examined by the Commission, testified as follows.

Q What is your name? A My name is May Fields.
Q How old are you? A I was 23 the 1st day of March.
Q What is your postoffice? A Pryorcreek.
Q Have you a daughter named Ora Fields? A Yes sir.
Q How old is she? A She was 7 years old in February.
Q You claim to be a citizen by intermarriage of the Cherokee Nation, do you? A Why, my husband's a Cherokee; I guess so.
Q Your daughter Ora is a Cherokee by blood, is she? A Yes sir.
Q What is your husband's name, William Fields? A Willie Fields.
Q Were you ever married before you married him? A No sir.
Q You were married to him on the 16th of May, 1896, were you?
A I was married in May; I don't remember what date though.
Q May, 1896? A Yes sir.
Q You and he are separated now? A Yes sir; never lived together but 2 years.
Q How old was this child when you separated? A She was about 3 years old when we separated.
Q When you separated who took the child? A I took it.
Q You have had the child all of its life, have you? A Yes sir.
Q Since you were married in May, 1896, have you ever lived outside of the Cherokee Nation? A No sir, I have been in the Cherokee Nation ever since I was 12 years old.
Q I believe you state that this child has lived with you ever since its birth? A Yes sir. He helped clothe it while we lived together but not since we separated.
Q From the time you married Willie Fields to the time you parted where did you live? A In the Cherokee Nation.
Q Did he ever live outside of the Cherokee Nation? A No sir, I never knowed him to.
Q Do you know anything about where he lived before you and he were married? A He lived at home in the Cherokee Nation, Goingsnakewee District, when I first knowed him.
Q How long have you known him? A Ever since I been here; I went there to make my home when I first come down here.
Q You have been down here since you were 12 years old, have you?
A Yes sir. I was 12 in March and I come down here in May.
Q You have known him ever since you came down here, have you?
A Yes sir.
Q And during all that time he has lived in the Cherokee

Examined by Mr. Tantlinger:

Q How long did you know Willie Fields before you were married?
A I don't remember how long; knowed him a good while though.
Q Several years? A Yes sir, 3 or 4 years.
Q What was his postoffice when you married him? A Pryorcreek.
Q How far from Pryorcreek did he live, in what direction?
A He lived east, about 8 miles I guess, on Grand River.
Q Where did you live when you married him? A I lived at about home.
Q How long had you been living there? A Ever since I come down here; I made that my home.
Q Well, you come down there about '91 I reckon? A Yes sir.
Q About 5 years before you married? A I guess it was about that time.
Q You made their place your homw up to the time you married?
A Yes sir.
Q You say your lived with him about 2 years? A Yes sir, I lived with him 2 years if not more.
Q What was his father's name? A Henry Fields; I never seen his father; heard him talk of him.

By the Commission:

Q Any further statement you wish to make? A I don't know; don't think there is.
Q Is your husband, Willie Fields, living now? A Yes sir.
Q Is he enrolled by this Commission as a citizen by blood of the Cherokee Nation? A Yes sir, he enrolled me and the baby the first time he enrolled.

Commission: The husband of the applicant, May Fields, is identified upon Cherokee roll card 5695 as William L. Fields, and his name appears upon the final roll of citizens of the Cherokee Nation approved by the Secretary of the Interior, as number 13686.

****

Mabel F. Maxwell, being duly sworn, states that she is stenographer to the Commission to the Five Civilized Tribes, she correctly recorded the supplemental testimony in this case, and that the above and foregoing is a true and complete transcript of her stenographic notes thereof.

Mabel F. Maxwell

Subscribed and sworn to before me
this 19th day of August, 1903.

Samuel Tantlinger
Notary Public.

Cherokee D 297.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

F.O.F.

In the matter of the application for the enrollment of Ora Fields as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on September 14, 1900, May Fields appeared before the Commission at Pryor Creek, Indian Territory, and made application for the enrollment of herself as a citizen by intermarriage of the Cherokee Nation and for the enrollment of her minor child, Ora Fields, as a citizen by blood of said Nation; but as the status of persons applying for enrollment as citizens by intermarriage of the Cherokee Nation is not fixed at this time, the application for the enrollment of May Fields, as such, will not be passed upon or considered in this decision. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, April 24, 1902, and at Tahlequah, Indian Territory, August 17, 1903.

The evidence shows that the applicant, Ora Fields, was born since 1880 and is a daughter of Willie Fields and May Fields, who were married in May, 1896; and that said Willie Fields is identified as a native Cherokee on the 1880 authenticated Cherokee roll. The applicant is identified on the 1896 Cherokee census roll.

The evidence further shows that the parents of said applicant have resided in the Cherokee Nation continuously since their marriage in 1896 and that the applicant Ora Fields has resided all her life with her mother.

It is, therefore, the opinion of this Commission that Ora Fields should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of section twenty-one of the Act of Congress, approved June 28, 1898 (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Commissioner.

Muskogee, Indian Territory,
this MAR 10 1904

[redacted]

Muskogee, Indian Territory, April 14, 1902.

Mrs. Ray Fields,
Pryor Creek, Indian Territory.

Madam:

In the testimony taken in the matter of your application for the enrollment of yourself and minor children of the Choctaw Nation, there is nothing to show that the father of your child[ren] [redacted]

It will be necessary for you to appear before the Commission to the Five Civilized Tribes at its office in Muskogee, Indian Territory before the 29th day of April 1902 and furnish evidence on this point.

You are reminded that this matter is very important and should be given your prompt attention.

Very truly,

Acting Chairman.

Register.

Cherokee D 897

Muskogee, Indian Territory, March 10, 1904.

W. W. Hastings,
Attorney for the Cherokee Nation,
Tahlequah, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 10, 1904, granting the application of May Fields for the enrollment of her minor child, Ora Fields, as a citizen by blood of the Cherokee Nation.

You are advised that you will be allowed fifteen days from the date hereof within which to file such protest as you may desire to make against the action of the Commission in this case. If you fail to file such protest within the time allowed this decision will be considered final.

Respectfully,

Encl. V- 8

Commissioner in Charge.

Chickasaw Freedmen
D-227.

Muskogee, Indian Territory, March 31, 1904.

Mrs Fields,

Pryor Creek, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 16, 1904, granting your application for the enrollment of your minor child, Ora Fields, as a citizen by blood of the Cherokee Nation.

Respectfully,

Commissioner in Charge.

Register

Enc. D-23.

Cherokee 10715

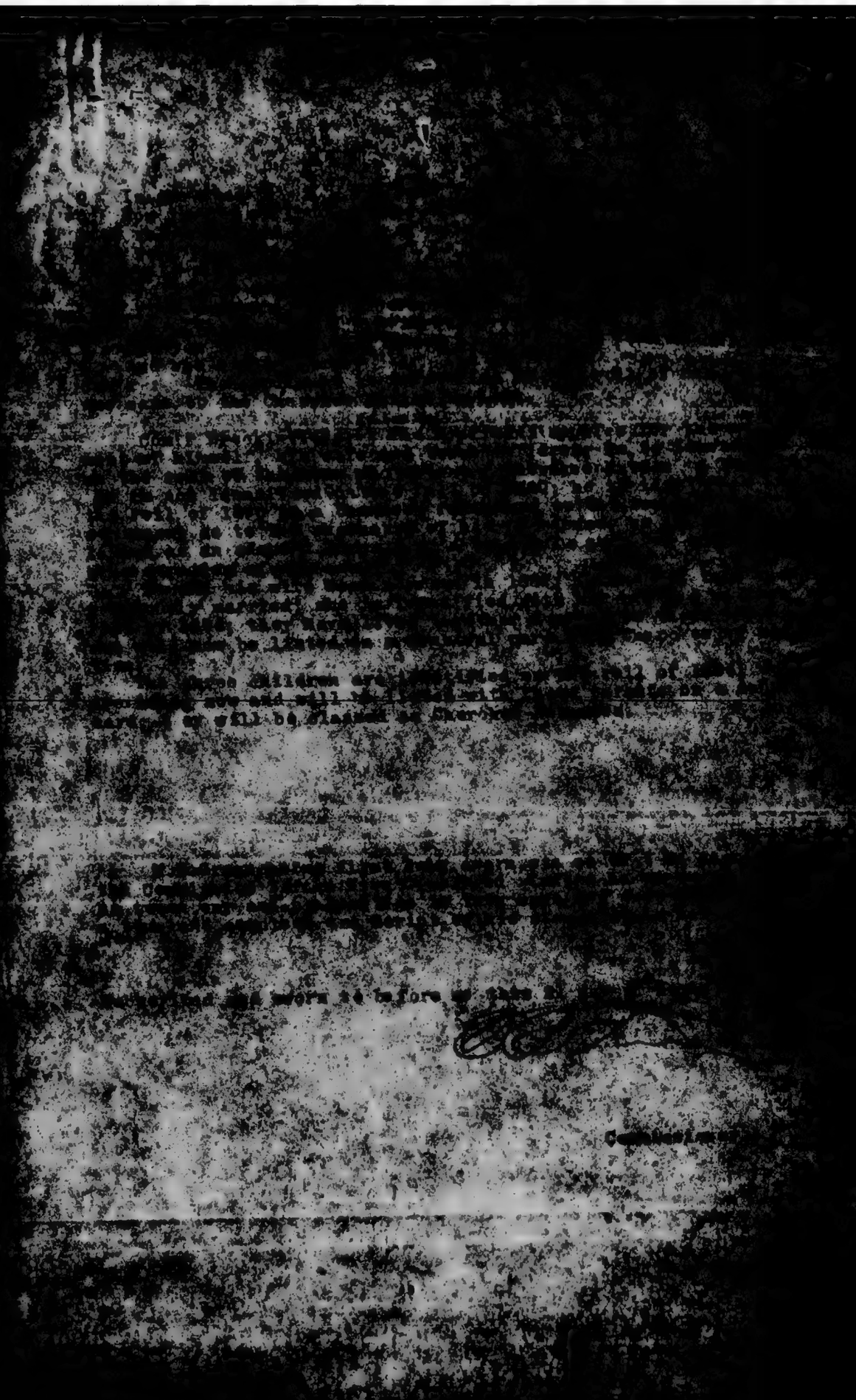
Ora Fields, et al.

For record in this case see
Cherokee D-797, May Fields, et al.

Department of the Interior,
Commission to the Five Civilized Tribes,
Chelsea, I.T., November 21, 1902.

In the matter of the application of Robert L. Garrett for enrollment of himself, wife and children as Cherokees by blood, the applicant was examined by commissioner Breckinridge as follows:

Q Please give me your full name? A Robert L. Garrett.
Q How old are you? A 37 years old.
Q What is your post-office? A Chetopa, Kansas.
Q In what district do you live? A Delaware.
Q Do you apply for yourself or have you a family? A I have a family.
Q Have you a wife? A Yes sir.
Q How many children? A 3.
Q Are you a Cherokee by blood? A No sir, I am Shawnee.
Q What is your wife? A A white woman.
Q How long have you lived in the Cherokee Nation? A I came with the Shawnees in 1871.
Q And have you lived here ever since? A No, I have been out of the Territory.
Q Where have you been? A In the State of Kansas.
Q You came here in 1871 though did you? A I came with these other Indians.
Q How long did you stay here when you came in 1871? A I think I stayed four years.
Q And then you returned to Kansas? A Yes.
Q How long did you stay back there? A I stayed there about 12 years.
Q And then did you come back here? A Yes sir.
Q And how long did you stay here at that time? A I stayed some six or seven years I guess, to the best of my recollection.
Q And then what did you do? A I moved back to Chetopa, Kansas, and this fall moved back to Muskogee, taking my family with me, and came from the Territory.
Q And you have stayed up there in Kansas schooling your children? A Yes sir.
Q Are you engaged in business up there? A No sir.
Q Are you employed or engaged in business on this side of the line? A Yes sir.
Q How far do you live across the Kansas line? A I live about a half mile.
Q When you came back after staying there 12 years did you apply to the Cherokee Commission for admission? A No sir.
Q Did you ever apply to the Dawes Commission for enrollment? A No sir.
Q Give me the name of your wife? A Annie Garrett.
Q How old is she? A 36 years old.
Q When did you marry her? A [illegible]
Q Was she ever married except to you? A No sir.
Q Was she ever married except to you? A No sir.
Q Has she lived with you ever since you married her? A [illegible]
Q Give me the names of your children? A [illegible] Garrett.
Q How old is the [illegible]
Q What is the name of [illegible] years old.
Q What is the name [illegible] after [illegible]
Q How old [illegible]



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Wellcome Institute for the History of Medicine

CHEROKEES

1. Robert L. Garrett Chief

District DELAWARE. Year 1896 Page 604

Citizen by blood Shaw Mother's citizenship Family Garrett

Intermarried citizen No Betsey "

Married under what law

License

Wife's name Annie Garrett

District DELAWARE. Year 1896 Page 604 No. 202

Citizen by blood No Mother's citizenship

Intermarried citizen Yes

Married under what law Date of marriage 1877

License Certificate

Names of Children:

3 Samuely Garrett DELAWARE. Year 1896 Page 604 No. 203 Age

4 Robert L. " " Dist. " Year " Page 604 No. 203 Age

5 Calvin C. " " Dist. " Year " Page 604 No. 204 Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

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2 Dr 1896 rolls Annie M. Garrett

4 " " " " Robert Garrett

b 9856

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 22 1901

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Vinita I.T. 10/22-01

Received of the Commission to the Five Civilized Tribes one copy of the testimony in the matter of the application of Robt L. Garrett for enrollment as citizens of the Cherokee Nation.

Merlech L Smith
Atty for applicant

No. N 856

The applicant and his attorneys were notified by registered letter, February 14, 1908, that the application of Robert L. Garrett for the enrollment of himself, wife and children as citizens of the Choctaw Nation at Ife office would be taken up for final consideration by the Commission at Muskogee, Indian Territory, on the 1st day of March, 1908.

Receipt has been acknowledged of the Commissioner's letter, and the applicant this day appears by his attorneys Mellette & Smith.

The attorneys for the applicant tendered and the representative of the Choctaw Nation present, submit this case, and the same is ordered closed, and reported to the Commission for final decision based upon the evidence now of record.

The attorneys for the applicant tendered and will be granted [illegible] days in which to file a brief in this case.

Commissioner.

[redacted]

[redacted]

[redacted]

++++++

2.

PROCEEDINGS OF THE DAWES
Commission to the Five Civilized Tribes.
Muskogee, Indian Territory, October 27th, 1902.

In the matter of the application of Robert L. Garrett for the enrollment of himself as a citizen of the Cherokee Nation by blood; for the enrollment of his wife, Annie M. Garrett, as a citizen by intermarriage of the Cherokee Nation, and for the enrollment of his children, Samuel, Robert L., Jr., and Calvin C. Garrett, as citizens of the Cherokee Nation of Shawnee blood.

Supplemental to D-858.

Applicant appears in person.
Cherokee Nation by J. C. Starr.

ANNIE M. GARRETT, being duly sworn, testified as follows:
Examination by the Commission.

Q. What is your name? A. Annie M. Garrett.
Q. How old are you, Mrs. Garrett? A. 37.
Q. What is your post office? A. Chetopa, Kansas.
Q. Are you an applicant for enrollment as an intermarried citizen? A. Yes, sir.
Q. What is your husband's name? A. Robert L.
Q. When were you married to Robert L. Garrett? A. In '88.
Q. Had you ever been married before your marriage to Robert L. Garrett? A. No, sir.
Q. Had he ever been married before he married you? A. Not that I know of.
Q. Is Robert L. Garrett a citizen by blood of the Cherokee Nation?
A. Yes, sir; he is Shawnee.
Q. Have you and Robert L. Garrett lived together from the time you were married up to the present time? A. No, sir; not all the time.
Q. Have you separated? A. Yes, sir.
Q. When did you separate? A. 2 years ago.
Q. Where were you living when you separated? A. In Chetopa.
Q. When you were separated where did you go? A. I went to Texas on a visit.
Q. What was the cause of the separation? A. Failure to support.
Q. Did you leave him? A. Yes, sir; forced to.
Q. Why; were you forced to in order to make a living?
A. Yes, sir.
Q. Wouldn't he provide anything for you? A. No, sir.
Q. Where did Robert L. Garrett go when you separated? A. I suppose he stayed in Chetopa.
Q. Who took the children? A. I did.
Q. Have you had the children ever since? A. Yes, sir.
Q. Has he contributed anything to their support? A. No, sir.
Q. Is he still living there? A. Yes, sir.
Q. Has he made any effort to get you to return to him?
A. No, sir.
Q. How long did you stay in Texas when you went there two years ago? A. I stayed there 8 months.
Q. Then where did you go? A. I came back.
Q. Back to the Territory? A. I came back to Kansas, Chetopa.
Q. Been living in Chetopa since? A. Yes, sir.
Q. Have you been divorced? A. Yes, sir.
Q. What court were you divorced in? A. I was divorced in Texas.

Q. You applied for the divorce? A. Yes, sir.
Q. How long did you have to live in Texas before you applied for [illegible]?
A. [illegible].
Q. How long did you live in Texas before you married Robert L. Garrett?
A. [illegible].
Q. On what account did you get the divorce? A. [illegible].
Q. [illegible] minor children? A. No, sir.
Q. [illegible] on the first of September, 1902? A. Yes, sir.
Q. [illegible] Calvin F. [illegible], Robert L. Jr. and Calvin F. [illegible] children by Robert L. Garrett? A. Yes, sir.
Q. How long did you and Robert L. Garrett live in the Territory after you were married? A. We lived there until 5 years ago.
Q. In Chetopa? A. Yes, sir.
Q. Where did you go in 1897? A. To Chetopa to school the children.
Q. Did you rent a house and keep house there in Chetopa?
A. Yes, sir.
Q. Were you living there all the time from 1897 until you separated? A. Yes, sir.
Q. Living there now? A. Yes, sir.
Q. Got all your household furniture in Chetopa? A. Well, we have a place in the nation.
Q. Who has a place in the nation? A. Garrett.
Q. You have no place in the nation? A. No, sir.
Q. Has Robert L. Garrett got a place in the nation?
A. I couldn't tell you.
Q. Did he get it based for it while he was living in Chetopa?
A. Yes, sir; the man that is on there has been there ever since we left.
Q. Did he lease it? A. I think so.
Q. Is Robert L. Garrett a [illegible] man? A. Yes, sir.
Q. Now, as I understand you, you went there in 1895 to school the children? A. Yes, sir.
Q. You have lived there ever since? A. Yes, sir.
Q. You haven't lived in the Territory since 1895? A. No, sir; I haven't.
Q. But the children haven't? A. No, the children have not. They have been with me.
Q. They have been with you all the time? A. Yes, sir. I am living there temporarily until I can [illegible]
Q. What the Commission does? A. What the Commission does.

****

Jesse O. Carr, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he attended the above entitled case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Jesse O. Carr

Subscribed and sworn to before me this 11th day of December, 1902.

[illegible]

Examined by Mr. Smith:

You know you never saw them running there in December, January and February ? A Yes sir.

The Commission: This case is continued by agreement until December 2, 1902.

E. C. Bagwell, on oath states that, as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings had in the above entitled cause, and that the foregoing is an accurate transcript of his stenographic notes thereof.

Subscribed and sworn to before me this November 12, 1902.

Notary Public.

Appearances:
[illegible], of Virginia, for applicants;
W. W. Hastings, for the Cherokee Nation.

TESTIMONY FOR THE CHEROKEE NATION.

A. R. HILL, called as a witness, being duly sworn by the Commission, and examined, testified as follows:

Examined by W. W. Hastings:

Q Your name is A. R. Hill ? A Yes sir.
Q Your post-office is Chetopa, Kansas ? A Yes sir.
Q What is your age ? A Thirty nine.
Q Do you know the applicant, Robert Garrett ?
A Yes sir, I know him.
Q How long have you known him ? A I think about 10 years, or 11.
Q Do you know his wife ? A Yes sir.
Q [illegible] A I think about three years ago.
Q [illegible]
A [illegible]
Q [illegible]
A [illegible]
Q [illegible]
A [illegible]
Q [illegible]
A My judgment would be that they were living in Chetopa at that time, that's about four years ago, I [illegible] were living there.

Mr. Smith: I object to that.

Q Well, after the separation there [illegible]
A [illegible]
Q [illegible]
A [illegible]
Q [illegible]
A I received a letter from [illegible]
Q Shortly after she left there ?
A [illegible]
Q [illegible]
A [illegible] and working for Mr. Walker, his [illegible]
Q [illegible] A Running a saw mill.
Q [illegible] A I think so. And he [illegible]
Q [illegible]
A I can't say.
Q [illegible]
Mr. [illegible]

Q Your information is that he went to Oklahoma ? A Yes sir.

Examined by Mr. Smith:

Q [illegible] ? A I--
Q [illegible] there ? A No sir.
Q [illegible] ?

Mr. Smith: I move to strike out the testimony of the witness as to Robert Garrett going to Oklahoma.

Mr. Hastings, to witness: How do you know it ?

Mr. Smith: I object; and move that witnesses testimony be stricken out.

The Commission: Your objection will be noted. (To the witness): Answer the question.

A About a year ago this last September, his boy died, Robert Garrett's boy died, and I heard Mr. White's wife say that they had telegraphed to Bonca City, Oklahoma, to get Bob to the funeral.

Mr. Smith: Is that all the information you have ?

A Yes sir.

Mr. Smith: I renew my objection, and think this testimony in regard to the whereabouts of Robert Garrett is not competent.

Mr. Hastings: Counsel for the Cherokee Nation is not pressing upon this testimony, it is left with the Commission to pass upon it, and upon the weight to be given to it.

Mr. Smith: It is moved to strike out the testimony of the witness in regard to the whereabouts of Robert Garrett, because it is purely hear-say.

The witness who then further examined by Mr. Smith:

Q Well, now you don't know how long Robert Garrett and his wife were separated ? A No sir.
Q Whether it was two, or three, years ago ?
A No sir, I can't say.
Q Well, how often would you see Robert Garrett in Chetopa after that separation ? A Why there was one summer there that I would see him three or four times a day.
Q What about the other summers ? A Well, I don't think I ever seen him very often but the one summer.
Q What summer was that ? A That must have been about 1900.
Q He had relatives living in the Cherokee Nation a very few miles [illegible] ? A Yes sir.
Q Did you ever hear him say he was going down there ?
A No sir.
Q As a matter of fact, during this summer, or during the time you were speaking about his wife, that you speak of as in 1900, [illegible] ? A [illegible]
Q [illegible] ? A No sir.
Q [illegible] ? A No sir.
Q [illegible] ?

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Q [illegible] A [illegible]
Q [illegible] A [illegible]
Q [illegible] A [illegible]
Q [illegible] A I think not.
Q Rupert didn't own any property in Chetopa did he ?
A No sir.
Q He just worked there ? A Yes sir.
Q How old were those children at the time of the separation ?
A The oldest boy must be about twelve, and that youngest one about seven, and the youngest one about four.
Q Do you know whether or not they went to school ?
A I think so.

J. H. DUNN, called as a witness, being duly sworn by the Commissioner, and examined, testified as follows:

Examined by W. W. Hastings:

Q Your name is J. H. Dunn ? A Yes sir.
Q Your post office is Chetopa, Kansas ? A Yes sir.
Q What is your age ? A Sixty-four.
Q Do you know Robert Garnett ? A Yes sir.
Q Do you know his wife ? A No sir, I never seen his wife but once, I believe.
Q You never talked to wife ? A From hear-say.
Q [illegible] A By sir.
Q About how long have they been separated ? A Well, I got that from hear-say; from what I can hear it is going on two years.

Mr. Smith: I object to that as hear-say.

Q Where were they living when they separated ?
A My understanding is at Chetopa.
Q How long had they been living there ?

Mr. Smith: I object to that as hear-say, and to the understanding of the witness; the answer is incompetent as evidence.

Witness: All that in regards to him and his wife was public talk around and I just heard them talk. Personally I don't know about it.

By Mr. Hastings:

Q Well will as about how long they had been living there prior to the separation ? A My recollection is that they had been there [illegible] about five years.
Q [illegible] A Yes sir, they kept house there.
Q [illegible] A Well, I don't know whether they have or not.
Q [illegible] A [illegible]
[illegible]

Chet. 1 384

[illegible]

[illegible], called as a witness, being duly sworn to the Commissioner, was examined, testified as follows:

Q Your name is M. M. Fowler ? A Yes sir.
Q Your post office is Chetopa, Kansas ? A Yes sir.
Q What is your age ? A [illegible] or eight years old.
Q Did you ever know a man named Robert Garrett ? A Yes, Mr.
Q Did you know his wife ? A I never met her until this week.
Q Are they living together as husband and wife ?
A I didn't see.
Q Do you know how long they have been separated ?
A It must be two or three years, from what I have learned.

Mr. Smith: I object to that as hear-say.

Q Do you know of their keeping house there before they separated ?
A Yes sir.
Q How long did they keep house there in Chetopa before they separated ? A I don't know, I can't say.
Q About how long ? How long did you know of their living there?
A I have seen him come or twice in the house there, I have been there to [illegible] up there in the house.
Q How long before they separated ? A About 4 or 5 months.

Examined by Mr. Smith:

Q You are not certain at all as to the time when they separated ?
A No sir.
Q It might have been as long as four or five years ago ?
A I don't think it was that long.
Q But you are not certain ? A No sir.
Q You never saw his wife until this week ?
A I never met her until the other night, about Friday night.
Q Of last week ? A Yes sir Friday night [illegible] when she came down to the train to meet somebody, and I met her.
Q How do you know that Robert Garrett and this woman lived there together as man and wife in Chetopa ? A I have taken groceries there.
Q Was this the same woman that you delivered goods to ?
A Yes sir.
Q That is the same woman ? A I think so.
Q You are not certain about that ? A Well I guess I am.
Q All that you know about the separation occurring, is what you were told ? A Yes sir.
Q Personally you don't know anything about it ? A No sir.

Mr. Smith: You don't want to know anything about the separation. A Well sir ---

Mr. Hill: I object for the applicant objects to the testimony [illegible] as to the separation of Robert Garrett and his wife, and I move to strike out the testimony that it is not competent, and I object to it.

Examined by Mr. Hill:

Q When did you first know Robert Garrett ?

[illegible] 2 [illegible]

[illegible]

Q. [illegible] ?

A. [illegible]

Q. [illegible] ?

A. [illegible]

Q. [illegible] ?

A. [

Mar 3 894 —6

Q [illegible] ? A Yes sir.
Q [illegible] A Yes sir.
Q [illegible] ?
Q [illegible] ?
Q [illegible] ?

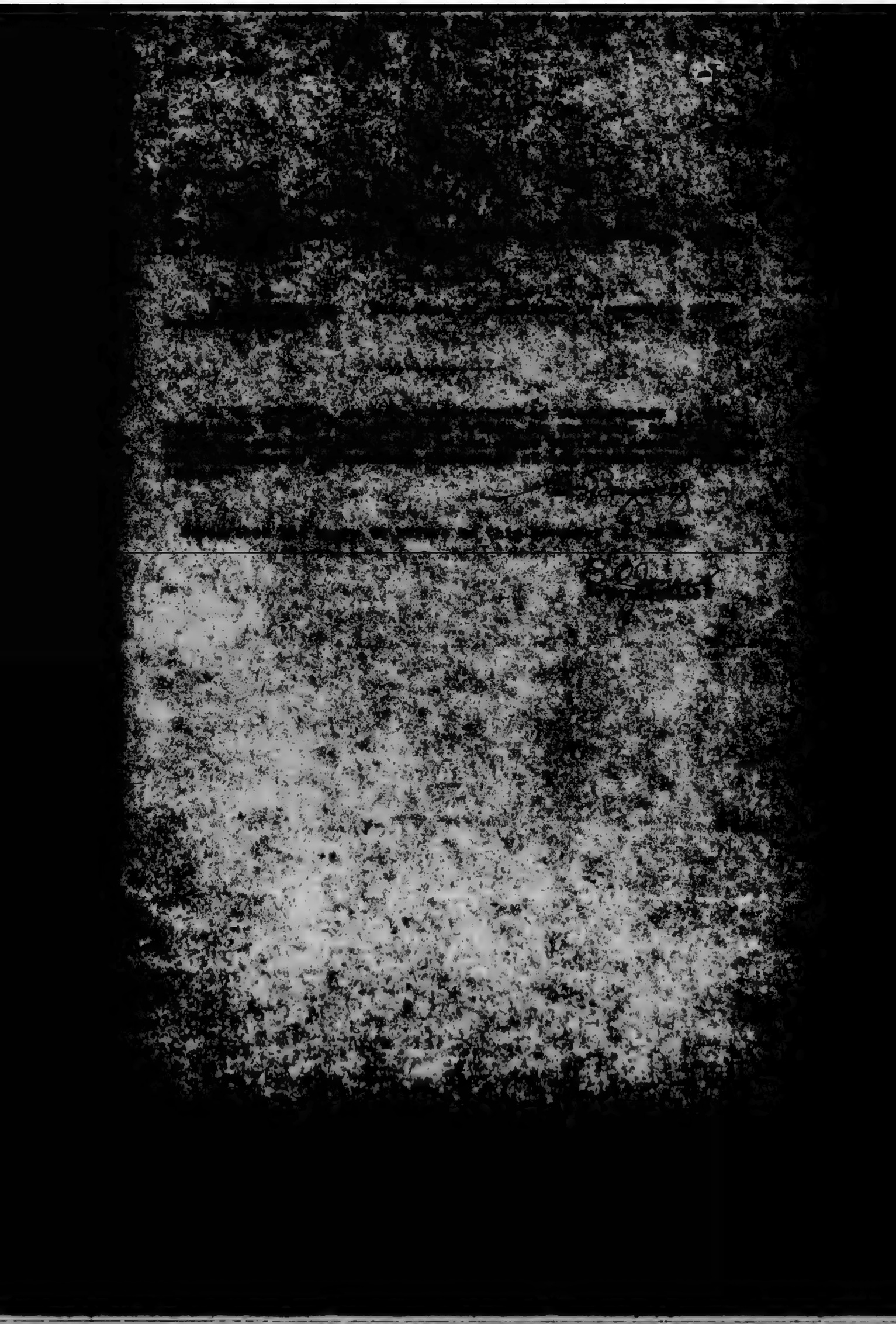
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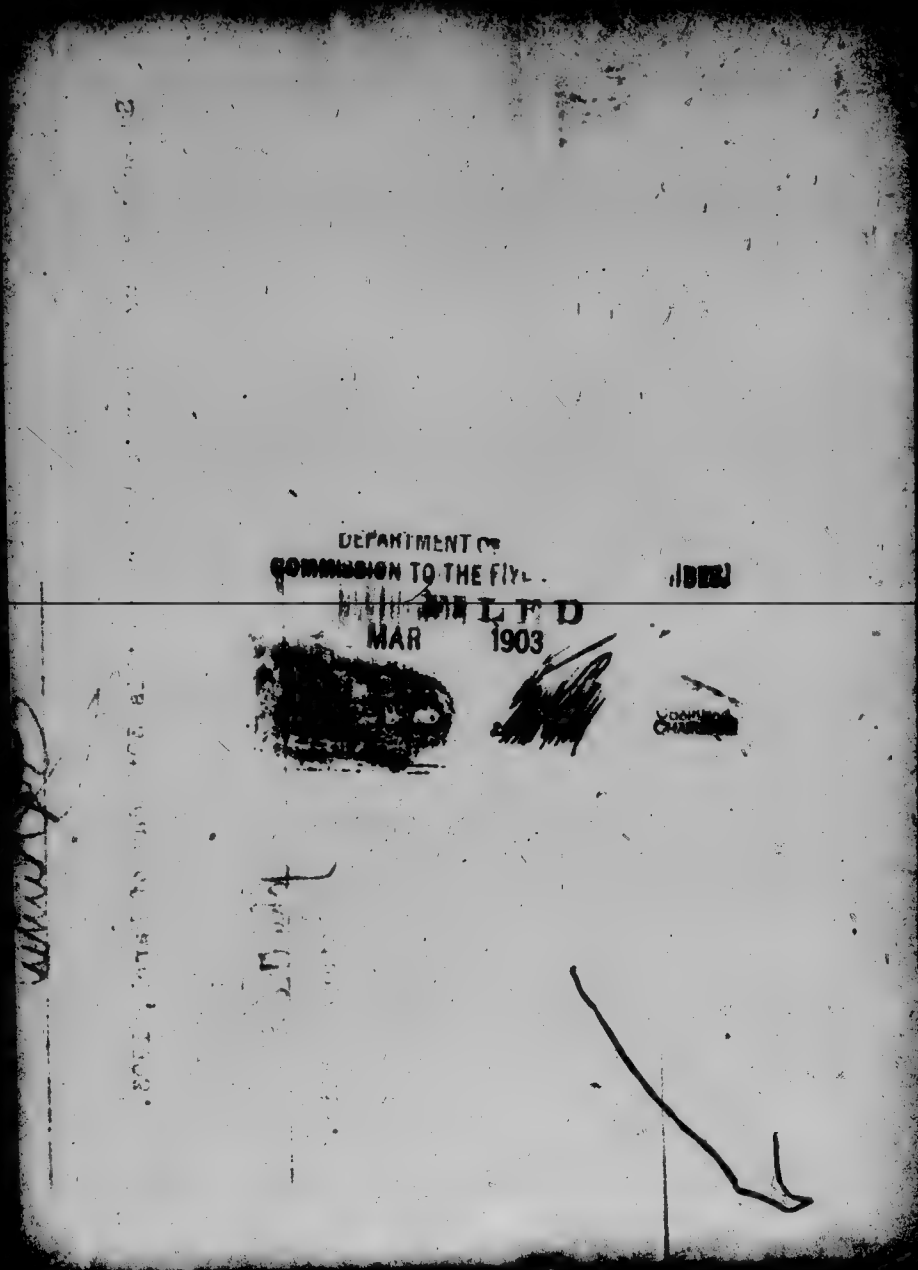
A. B. [redacted], recalled, by the applicant, being duly sworn by the Commissioner, was examined, testified as follows:

Examined by Mr. Smith:

Q You live in Chatham, Kansas, Mr. Hall ? A Yes sir.
Q Did [redacted] ever run [redacted] street sprinkler there in the winter time ?
A [redacted]
Q You have there ? A Yes sir.
Q Did you ever know of their running a street sprinkler there, say in January, [redacted] ? A No sir.

[redacted] I object to this line of cross examination, [redacted] It is not in direct examination by the [redacted] [redacted] [redacted]




DEPARTMENT OF
COMMISSION TO THE FIVE
FILED
MAR 1903

I, the undersigned, Chief Clerk of the [illegible]
and custodian of the records of said office, [illegible]
the foregoing is a true and correct copy of [illegible]
in said office.

Subscribed and sworn to before me this 30th day of March, 1905.

Notary Public

Application For License To Marry

I Robt E. Lee Garrett, desiring to procure license to marry Annie M Charles do hereby certify that I am 22 years of age, and that the said Annie M-- is 20 years of age.
Given under my hand this 17th day of Oct A.D. 1885
Subscribed and sworn to before me this 17th day of Oct A.D. 1885.
(Signed) Robt E. Lee Garrett
C. D. Lucas Recorder
By E. F. Hedges Deputy

State of Missouri)
County of Jackson)
Office of Recorder of Deeds at Kansas City Mo.)

License to Marry.

To any Judge, Judge of a County Court, Justice of the Peace, or any Licensed or Ordained Preacher of the Gospel. Greeting

The provisions of the act entitled, "An Act in Relation to Marriage and Marriage License" approved March 26 1881 having been satisfactorily complied with, you are hereby authorized to join in matrimony Mr Robt E. Lee Garrett 22 years of age of the County of Johnson and State of Kansas and Miss Annie M. Charles 20 years of age of the County of Johnson and State of Kansas

Witness my hand and seal of office at Kansas City Mo. this 17th day of Oct A D. 1885.

(LS)

C. D. Lucas Recorder of Deeds
By E. F. Hedges Deputy.

State of Missouri)ss.
County of Jackson)

This is to certify that by virtue of the authority of the foregoing License I did on the 17 day of Oct A. D. 1885, in said County and State, unite in marriage the said R. E. Lee Garrett and Annie M Charles.
Given under my hand this 17 day of Oct A. D. 1885

W. B. Teasdale J. P.

Filed for record and duly recorded in my office on this 29th day of Oct A. D. 1885

C. D. Lucas Recorder
By E. F. Hedges Deputy.

STATE OF MISSOURI,)ss:
County of Jackson.)

I, M. R. GOSSETT, Recorder of Deeds within and for the County of Jackson aforesaid, do hereby certify that the above and foregoing is a full, true and complete copy of the application for License to marry and Certificate of marriage and note of Record thereon of Robert E. Lee Garrett to Annie M. Charles as the same appears of Record in my office in Book Series B 6 Page 424 and following.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix the seal of said office, at Kansas City, Mo., this 31st day of May A. D. 1902.

(SEAL)

M. R. Gossett Recorder.
By C. H. Moore Deputy.

I, the undersigned, Chief Clerk of the Cherokee Land Office and custodian of the records of said office, hereby certify that the foregoing is a true and correct copy of the original on file in said office.

Subscribed and sworn to before me this 30th day of March, 1903.

Notary Public.

Q Did you have a farm at the time you and your wife separated ?
A Yes sir.
Q How much of a farm did you own ? A I expect somewhere in the neighborhood of three hundred acres in it.
Q Did you have a house in Chetopa ? A No sir.
Q You rented a house ? A Yes sir.
Q Is there anybody up there at Chetopa, Kansas, that you can prove these facts as you have stated them, about your wife leaving you ?
A Yes sir.
Q Who ? A I have got a letter from some of the neighbors, they live right around home there. I left on Sunday evening to go to my work, and she left Monday I think sometime.

E. C. Bagwell, on oath states that, as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings had in the above entitled cause, and that the foregoing is an accurate transcript of his stenographic notes thereof.

Subscribed and sworn to before me this April 17, 1903.

Notary Public.

File D 886

Department of the Interior,
Commission to the Five Civilized Tribes.
Vinita, I. T., August 28, 1900.

In the matter of the application of [redacted] L. GARRETT, for the enrollment of himself and his children, [redacted], [redacted] L., [redacted] and [redacted] C. GARRETT, as citizens of the Cherokee Nation of Indians by blood, and his wife ANNIE GARRETT, as a citizen by intermarriage of the Cherokee Nation:

Appearances:
Applicant present in person;
W. W. Hastings, for Cherokee Nation.

MARY GARRETT, being first duly sworn, and examined, testified as follows:

Examined by the Commission:

Q What is your name ? A My name used to be Mary Palmer, until I married Mr. Garrett; my children's names are George and Freddie Palmer.
Q How old are you ? A Thirty f[redacted].
Q What is your post office ? A [redacted]ea.
Q What is the name of your present husband ?
A My first husband ?
Q No, your present husband ? A This last one ?
A Yes. A Robert L. Garrett.
Q Is he a Cherokee or a white man ? A He's a Shawnee, he got his number yesterday.
Q When were you married to him ? A A year ago last February.
Q What time in February ? A Along about the middle of February.
Q Have you got any evidence of your marriage ?
A I have got a certificate of marriage right down to the hotel where we stayed last night.
Q How often have you been married ? A Just twice.
Q What was the name of your first husband ?
A Joseph Palmer.
Q Was he a Cherokee ? A Yes sir.
Q When did you marry him ? A I married him right down here below Fort Gibson.
Q When ? A About twelve or thirteen years ago.
Q Where have you been living since that time ?
A I have been living around here in the Cherokee Nation, around Tahlequah, last fall I went out to Kenwick and stayed a while.
Q That's in Oklahoma ? A Yes sir.
Q How long did you continue to live in the Cherokee Nation after you married your husband Palmer ? A I lived here all the time.
Q How long did he live after you were married ?
A I had three children by him, two living, the oldest one is thirteen and the youngest one twelve.
Q How long did you live with him ? A About seventeen years.
Q With him ? A Yes sir.
Q How long has he been dead ? A About nine years.
Q I thought you said you married him about twelve years ago ?
A Well, I don't know how you count it, but I married him about seventeen or eighteen years ago.
Q How long has he been dead ? A Ever since this land was allotted out here in the Cherokee strip, he died the first year after the Strip opened, he settled out there.
Q Then he died about ten years ago ? A Yes sir.

Q And you lived with him about seven years ? A Yes sir.
Q And during that time did you [illegible] the Territory ? A [illegible] sir, only [illegible]
Q Did you go outside the Territory [illegible] ? A No sir.
Q Did you go with him to [illegible] and buried ?
A Yes sir.
Q In 1893 ? A Yes sir.
Q How long did you continue to live there ?
A Well I lived there all the time you might as well say, after he died, until about two years after he died, and then I came back to the Cherokee Nation, I brought the children and came back to Vinita and Claremore.
Q You came back in about 1895 ? A Yes sir.
Q Where did you come to ? A I came here to Vinita, and I went from here down here to Claremore, and I have been right up and down this railroad now.
Q How long had you been living at Newkirk when you applied to the Commission ? A About a month; hadn't been there more than a month.
Q How long did you continue to live there after you applied ?
A I didn't live there at all after I got my name in down there.
Q You came right back to the Territory ? A Yes sir.
Q Been living here ever since ? A Yes sir.
Q What was the date of your marriage to Garrett ?
A I don't know, I expect I had just better send and get that paper, I can't read nor write.
Q From the time Palmer died up to the time you married Garrett had you ever been married ? A No sir.
Q You were a widow all that time ? A Yes sir, I was a widow all the time until I married Mr. Garrett.
Q Were you ever married before you married Palmer ? A No sir.
Q Was Palmer ever married before he married you ?
A Yes sir, he had one child.
Q Was his first wife dead when he married you ? A Yes sir.
Q Was Garrett ever married before he married you ? A Yes sir, he was married to a white woman and got a divorce from her.
Q When was he divorced from her ? A About three or four years ago.

Examined by W. W. Hastings

Q You were married near Fort Gibson, Mrs. Garrett ?
A Yes sir; I was married at Oswego when me and Mr. Garrett was married.
Q I mean you and Mr. Palmer ? A Yes sir, we married down there, I was living down there when we married, but after I got married we went from there down to Texas and got married and came back to Fort Gibson.
Q Now you lived near Fort Gibson after you married Palmer ?
A Yes, and we lived at Tahlequah.
Q Now lets don't leave Fort Gibson yet, where did you live at Fort Gibson with Joe Palmer ? After your marriage now ?
A We lived there close to Fort Gibson, there at, I forget his name, Sam Mayes and all them, I didn't have no home of our own, and we went there and worked for him.
Q Who ? A Sam Mayes.
Q Sam Mayes don't live at Fort Gibson ? A I don't know he don't now, he did then.
Q How far from Fort Gibson ? A I think it was fifteen miles.
Q Which direction ? A Southwest of Fort Gibson. We lived there on a big creek and I don't remember the big creek's name.
Q Where was your post office ? A Fort Gibson.
Q And you lived fifteen miles southwest of there ? A Yes sir.

Q Living on a farm ? A No, worked for these people, [illegible] Hayes' folks.
Q Were they full bloods ? A No sir half-breeds; now they are living down here on Grand River close to Pryor Creek.
Q How Mrs. Garrett, don't you know as a matter of fact that these people, these Hayes who live near Pryor Creek, never lived near Fort Gibson ? A Yes sir they did.
Q They didn't live there fifteen years ago ? A No sir.
Q You married Palmer fifteen years ago ? A Yes sir.
Q The first year or two after you and Joe Palmer married, where did you live ? A Right down at Tulsa, and he worked on the railroad.
Q With whom did you live there ? Did you keep house ?
A We rented a house from Alvin Hodge, and we farmed for him.
Q The first year after you were married ? A After we was married
Q Where did you move to from the town of Tulsa ?
A We moved to Wealaka.
Q That's down in the Creek Nation ? A No, its in the Cherokee Nation aint it ?
Q No. A Well we lived down there one whole winter, you know them Hogans, we worked for them.
Q Well where did you go from the Wealaka Mission ?
A We come back to Tulsa and Claremore.
Q You couldn't go to both towns at once ?
A I come to Tulsa and stayed there a while.
Q How long did you stay at Tulsa ? A About two years altogether.
Q Now when did you go to Claremore ? A Well, we come right from Tulsa up to Claremore, and when we left there we went back--
Q Just wait now, I want to get you at Claremore; in whose house did you live ? A Deam Burgess'.
Q How long did you live there ? A About six or seven months, and then he got to work at Red Fork.
Q You want to get off from Claremore too quick; what kind of labor did your husband do ? A Anything he could get to do, and I did too.
Q Where was this oldest child born ? A At Red Fork.
Q Was that after you left Claremore ? A No, before we moved there; he was working there at Red Fork, and that bridge was going through there.
Q Now where did you go from Claremore ? A We went back to Red Fork.
Q That's in the Creek Nation ? A Yes sir.
Q How long did you stay there ? A About a year.
Q Where did you go from Red Fork ? A I moved up on the strip.
Q What year did you move to the Cherokee Strip ?
A We moved just five years before the strip was opened up.
Q That was in 1888 then, the strip was opened in September, 1893.
A Yes sir.
Q Did you make a place up there then ? A Yes sir, we had a place there and everything.
Q Have a house ? A Yes sir.
Q Where was this second child born ? A At Tulsa.
Q Before you went to the strip ? A Yes sir.
Q How old is this second child ? A Why the oldest one is about fifteen years old.
Q The oldest one ? A Yes sir.
Q How old is the second ? A He's eleven going on twelve.
Q Where was he born ? A At Tulsa.
Q Was he born before or after you went to the Cherokee Strip ?
A He was born before we took an allotment out there.
Q I think you said you were there about five years before it opened?
A We was.
Q If that be true you went there in 1888, and that would be [illegible] years ? A One was born at Tulsa and one at [illegible]

Q You were at the Cherokee Strip when it opened September 16, 1893 ?
A Yes sir.
Q Well now, you made application to this Commission to be enrolled on February 8, 1902, at Muskogee, didn't you ?
A Yes sir.
Q That was your first statement before the Commission ?
A Yes sir.
Q You then gave your post office as Newkirk, Oklahoma ?
A Yes sir, I was at Newkirk then, I was a widow.
Q At that time the Commission asked you "How long have you been living in Oklahoma"; and you answered that you were living there before the strip payment, two years before. The next question the Commission asked you was "Well then, about two years before this payment was made, you moved there"; you answered at that time, "Yes sir". The next question the record shows the Commission asked you was "Have you been back here since that time"; and your answer at that time was, "No sir; I live up there now, just from there". The next question the Commission asked you was "Oklahoma is your home"; and you answered "Yes sir, my husband lived there". Upon cross-examination, I asked you, "And you live out there and they live with you", (referring to your children); and you answered "Yes sir". And the next question I asked you was "And have ever since"; and you answered "Ever since. They have got a town on it and we can't get what we want out of it", (referring to your land). Do you remember being asked those questions and making those answers ?
A I never answered no such questions as that.
Q The next question the Commission asked you was "Are these two children living in Oklahoma with you"; and you answered "Yes sir, down there with me ever since, and last fall I sent them down here and schooled them a while and it come Christmas time and I brought them back. I am going to put them there now; they have got money and land both there but I have neglected it"; did you answer that ?
A No sir.
Q You didn't ? A No sir.
Q The next question that was asked you was "Since you went to the Oklahoma Strip with your husband you have never maintained a residence here in the Nation at all, have you"; and your answer was "No sir. I have just lived up there. I come down here where the kinfolks is at Tulsa and up in there". The next question was "Did you apply to the Cherokee Census takers in 1896 to have these children enrolled;" and you answered, "Why I employed Davenport up here at Vinita to do that and I know he sunk us for about fourteen or fifteen hundred dollars". Did you make these answers ? A I don't know anything about it.
Q Will you swear you didn't do it ? A Why of course I will.
Q You swear this record is all incorrect do you ?
A No sir, I didn't swear to anything, and I never said no such as that.
Q Didn't you swear to it ? A No sir, they didn't swear me at all.
Q Well did you make that statement ? A No sir.
Q Were these questions asked you ? A I don't think they were. Wasn't nothing asked me there only they asked me how long Joseph had been dead, and I signed up some papers and got right out, and I never signed no such and I never swore to nothing.
Q But did you make this statement whether you swore to it or not ?
A No sir, I didn't make no statement.
Q Where did your husband die ? A At Cleveland, Oklahoma.
Q How far from the land you selected ? A We was living on it.
Q He be buried there ? A Yes sir, right up above there at Cleveland.
Q Well, where did you continue to live ? A After he died ?

Q You ? A Just as I told you. I lived there a while, and then came here to Tulsa and Claremore.
Q I want to know how long you lived at Cleveland or Nowata ?
And for in Nowata down there ? A About sixty miles, and then to Bartlesville--
Q I am not trying to get that. I am trying to get your residence, how long did you continue to live there after your husband's death, as you say in January, 1894, I think you said ?
A Well I lived out there about two years after he died.
Q Well now, what year did you move away from there ?
A I can't tell you.
Q What year is this ? A I can't tell you.
Q What year was last year ? A I don't know.
Q You don't know one year from another ? A No, I can't read nor write, and I aint around where there is any of this law business going on, and then I come to Pawnee and stayed there pretty near four years in Pawnee county.
Q That was after the death of your husband ? A Yes sir.
Q You stayed at Cleveland about two years after your husband died ?
A Yes sir.
Q And then went to Pawnee and stayed about four years ?
A Yes sir.
Q Then where did you go ? A I went back to the Choctaw Nation, and stayed about four months, and then come here and stayed here at Vinita about four years.
Q Your husband died in 1894 ? A Yes sir.
Q You stayed there about two years after your husband died ?
A Yes sir.
Q Then you went to Pawnee, Oklahoma, and stayed four years ?
A Yes sir.
Q That would run you up to 1900 ? A Yes sir.
Q And then went to the Choctaw Nation and stayed about two months ?
A Yes sir.
Q And then where did you go from the Choctaw Nation ?
A Back to Tulsa.
Q How long was that before you and your husband married ?
A That was two or three years before me and him married, and I was living in this town when me and Mr. Garrett got married.
Q Did you ever live here before you and Mr. Garrett got married ?
A Yes sir.
Q How long ago ? A About two years before we got married.
Q What two years ? A About two years ago before me and him got married last February was a year ago.
Q You were living in Newkirk, Oklahoma, when you made application for yourself and these children ? A Yes sir me and him was up there.
Q Had you been married then ? A No.
Q After you made this application ? A I was living here and I went down there and made this application and went back to Chetopa, Kansas, where he lived.
Q Were you and Garrett married when you made this application ?
A No sir.
Q What did you go up there where he was for ? A To get married.
Q You were before the Commission you were living at Newkirk, Oklahoma ? A Well I had been living there.
Q You swore that was your post office address at that time ?
A It was.
Q Now you swear Vinita was your post office ?
A I never went back to the old country any more.
Q [illegible] to the time you enrolled [illegible] at Newkirk ?
A [illegible] me that my post office was here I told him Newkirk, I was [illegible] here and was thinking to go to Newkirk.
Q Who did you stay with ? A I was go down here and get [illegible] Garrett, and he can tell you I was here.

Q But you say he sunk you for about fourteen or fifteen hundred dollars ? A I lived right in Dr. Day's house.
Q Where is he ? A He's a dentist here.
Q Who else's house did you live in ? A I don't know, I rented one from Mr. Clark.
Q Did you have your two children with you ? A Yes sir.
Q Who was your neighbor ? A All these folks.
Q Tell me some of them ? A I can't tell you any of them, I never was home long enough to do anything; I had to go out to make a living. I worked for Roger's folks.
Q Who are they ? A They lived out west of town right close to Dr. Day's house.
Q You haven't got much idea of length of time ? A No sir.
Q You don't know much difference between one year and two years ?
A I told you I had to work for what I could get, and at one time it was all I could do to make a living for me and my children. I thought if I went down there and registered alright.

Examined by the Commission:

Q Where did you come from when you came to Muskogee to make application ? A I come from right here.
Q How did it happen that you gave Newkirk as your post office ?
A Because I knowed I was going there in March, and that was February. I had a lawyer employed up there, and he notified me to come up there, and I knowed that would be my post office until I could see what he was going to do.
Q You say Garrett was with you in Oklahoma ? A Yes sir.
Q Were you married then ? A Yes sir we married before we went over there.
Q Before you went to Oklahoma ? A Before me and him went to Oklahoma.
Q How long has it been since you and Garrett were in Oklahoma ?
A We went there the 4th day of March was a year ago.
Q After you were married ? A Yes sir.
Q How long did you stay there ? A We stayed there pretty near all summer.
Q How long did you stay in the Choctaw Nation ?
A About two months.
Q When you appeared before the Commission you were asked "Where were you living when you were married to your husband", (that is to your first husband); and you said "I was living in the Choctaw Nation". A No sir, my step-mother lives down there.
Q And the next question was "Was he down there"; and you answered "Yes sir". Question, "How long had he been down there", and you answered "About a year". Now you state you were there about two months; how long were you in the Choctaw Nation ?
A I wasn't there more than about two months.

Examined by Mr. Hastings:

Q How it is all a mistake about your living near Fort Gibson isn't it ? A No, I have lived there.
Q When did you live there ? A The first year we was married we come up there and stayed a couple of months, and then we come to Tulsa and went to work.
Q [illegible] a while ago you lived at Tulsa the first year ?
A [illegible] first year, we come up there about February, and worked until March, and then went up there to Tulsa.
Q Is that the only time you ever lived near Fort Gibson ?
A Yes sir.
Q You claim you lived about fourteen miles southwest of Fort Gibson with all them Mayes ? A We didn't live there long, we worked for them.
Q Chief Sam Mayes, don't you know he never lived close to Fort Gibson ?

[illegible] Creek ?

[illegible] A [illegible]

[illegible] and I went back here, and stayed over there, and I went back there, and stayed over there.

[illegible] testified that you lived here for two years.

A That's did. A That's what I say, I leased the place and came back here.

Q You said you lived there two years, and went to Furnee and stayed there four years, that would make six years.

A That wasn't out of the Territory.

Q Well that was in Oklahoma, wasn't that in Oklahoma ?

A Why of course.

Examined by the Commission:

Q What effects did you and Palmer have when you went to Oklahoma ?

A Why we went out there and took up land.

Q What did you take with you ? A A wagon and team, and some [illegible].

Q Did you take everything with you ? A No sir, we left some [illegible] at Red Fork. We left a house and lot at Red Fork.

Q Who did the house and lot belong to ? A My husband.

Q Did you leave anything in the house ? A No sir.

Q Did you take all your household effects with you ?

A Yes sir.

Examined by W. W. Hastings:

Q What became of your house and lot ? A I don't know, I never did go back to see about it.

Examined by the Commission:

Q Do you still own it ? A I don't know if I do or not, I never have looked after it.

Q Now when you Appeared before the Commission at Muskogee and applied for these children, and you made application to your post office address, you stated it was probable, and you were asked how long you had lived there in Oklahoma, and your answer was you were living there for two years before the strip payment, and the question was asked "Well then about two years before this payment was made you moved there", and you answered "Yes sir". The next question was "Have you been back here since then ?", and you answered "No sir, I live up there now, just from there".

A I never answered that question.

Q You didn't make that statement ? A No sir, I did not. All I have been out there at Oklahoma for was to see lawyers that was [illegible] my property there.

Q [illegible] you have been here at Vinita before you went to Muskogee [illegible] for these children ? A Three or four years.

Q [illegible] Quotinnowwie, and Margaret knows it [illegible]

Q [illegible] in ? A Go and ask Mr. Hastings, [illegible] I lived here, I bought groceries from Mr.

Q Is Dr. Day in town here ? A I don't know.
Q Don't he know how long you intend here ?
A He knows how long I [illegible] Davenport now long I [illegible] to [illegible] how long [illegible] and [illegible] me [illegible] and [illegible] me [illegible] and [illegible] me

[redacted]

Q [illegible] 6th of January?
[illegible] or did [illegible]
[illegible] you there?
[illegible] A [illegible] sir, [illegible]
[illegible].
Q [illegible] the children all [illegible]?
[illegible]
[illegible] the
[illegible] in
[illegible]
Q Is [illegible] that [illegible] her complaint against you?
A No sir.
Q You never were advised? A No sir, her attorneys sent me some papers to sign up, and I signed them up and sent them back to Ballinger.
Q Did you have a farm at the time you and your wife separated?
A Yes sir.
Q How much of a farm did you own? A I expect somewhere in the neighborhood of three hundred acres in it.
Q Did you have a house in Chetopa? A No sir.
Q You rented a house? A Yes sir.
Q Is there anybody up there at Chetopa, Kansas, that you can prove these facts as you have stated them, about your wife leaving you?
A Yes sir.
Q Who? A I have got a sister, and some of the neighbors, they live right around home there. I left on Sunday evening to go to my work, and she left Monday I think sometime.

E. C. Bagwell, on oath states that, as stenographer to the Commission to the Five Civilized Tribes, he correctly reported the testimony and proceedings had in the above entitled cause, and that the foregoing is an accurate transcript of his stenographic notes thereof.

E. C. Bagwell.

Subscribed and sworn to before me this April 17, 1906.

Samuel Patterson

Notary Public.

[illegible] Cowell to Rankin? You mean when

[illegible] I don't see how I can remember it was in about 1875

[illegible] to move from here to the Cherokee Nation to live after that

[illegible] he did not live here.

[illegible] I object to it as evidence a part of

[illegible] into between the U.S. authorities

[illegible] matter of Indians and the Eastern tribes of Indians,

[illegible] the same it will read a part of

said agreement:-

" That all [illegible] persons who shall elect to [illegible]

themselves of the provisions of [illegible] agreement, shall receive [illegible]

[illegible] and permanently locate in the Cherokee country as herein [illegible]

[illegible] within two years from the date thereof [illegible] they shall

forfeit all rights under this agreement.

[illegible] all the attention of the [illegible]

Constitution of [illegible]

BY COM'R Needles: This will be [illegible] in Cherokee Nation II and Docket

BY MR. [illegible]: I desire this testimony also to be filed in the following

cases; Cherokee D-488; Cherokee D-490; Cherokee D-490 and Cherokee

Cloud.

BY COM'R NEEDLES: As requested by applicant's attorney copies of

[illegible] will be filed in the cases named.

[redacted]

I saw him in '71, I know they were there in '71, and I think I
[illegible] '72.
Q [illegible] he came to the Cherokee Nation
[illegible]
[illegible] sir.
[illegible] A Yes sir.
[illegible] the Shawnees come? A Yes sir.
[illegible] Garrett who has just left the stand here?
A [illegible]
Q In addition to Frederick Garrett that you knew and who was brought
[illegible] and Mahlon Gore is on the Shawnee rolls? A Yes sir.
Q [illegible] brothers and sisters that you have named, do you know
[illegible] brothers and sisters of Frederick? A Yes sir, I knew
[illegible] were here.
Q Do you know anything about where Samuel Garrett lived when he
lived here in '70 or '71? A Yes sir.
Q Where? A On the Neosho and Carrie Ferry road on Fox creek near
[illegible] river in Delaware district Cherokee Nation.
Q With who? Family? A Yes sir.
Q These are the same people that you stopped with in '70 or 71? A Yes
sir.
Q Did he improve a place there? A Yes sir.
Q In what way? A Built a house, fenced it and broke out a farm.
Q How long did the old man Samuel Garrett live there before he left
[illegible] as well as you recollect? A As well as I recollect he
[illegible] in the fall of '72 or '3.
Q Did he take Frederick back with him? A I think he took Frederick
[illegible] he left two of the boys.
Q Which two did he leave? A I think Richard and George.
Q Do you know what disposition was made of the place [illegible] when old
man [illegible] left there that time? A Yes sir.
Q What? A I rented the place.
Q How much did you have it rented? A I lived on the place as well
as I remember about 18 months.
Q When [illegible] at any, did these people leave upon that place? A
He left [illegible] about 60 head of cattle, cook stove and a bed and
bed stead I think some house furniture, some plows.
Q About 60 head of cattle, some household goods and some farming
[illegible]? A Yes sir.
Q Was the old man Samuel Garrett ever back on the place after you
moved it from there? A He was there back on the place every few months
I guess all [illegible].
Q He had property there? A Yes sir.
Q Do you know of his voting in the Cherokee Nation after he left
the place and went to Johnson County Kansas? A Nothing more than
[illegible] stopped with [illegible].
Q [illegible] A Oh yes, yes sir.
Q In the Cherokee Nation? A Yes sir,
Q Do you know if he had property interests in Johnson county Kansas
A Yes sir I know he owned a farm there when I was there and he owned
[illegible] Stock at [illegible] Olathe Kansas, I don't know now how
[illegible] A [illegible]
[illegible] he rented it to you, do you
[illegible] ever brought in the Cherokee Nation? A
[illegible]
[illegible] of his having himself set up as a citizen of anywhere
[illegible] the Cherokee Nation? A No sir.
[illegible] Cherokee Nation after
[illegible] live on the place after that? A Not that
[illegible] when he died? A I know when he died but can't call the
[illegible] A [illegible] of 84.

Q Do you know this applicant [illegible]? A Yes sir.

Q [illegible] A I [illegible]

Q [illegible] A I think there was some cattle [illegible]

Q You [illegible] you know old man Garrett voted in the Cherokee Nation? A [illegible] the polls, that was after he [illegible]

Q [illegible] A I don't know if he did, [illegible] and dont know if he did.

Q How long was it [illegible] after he moved to Kansas? A You mean when he first left the Cherokee Nation?

Q Yes sir A Well as best as I can remember it was in about '78.

Q He lived continuously from that time until his death in Kansas? A Yes sir.

Q He never came back to the Cherokee Nation to live after that? A No sir not as I know of.

BY MR. SMITH: I desire to offer in evidence a part of the [illegible] into between the duly authorized delegates representing the Cherokee Nation of Indians, and the duly authorized delegates representing the Cherokee tribe of Indians, and in order to make myself understood to it will read a part of said agreement:

" That all of said persons who shall elect to avail themselves of the provisions of this agreement, shall register their names, and permanently reside in the Cherokee country, as herein provideds within two years from the date hereof, otherwise they shall forfeit all rights under this agreement. "

I desire to further call the attention of the Commission to Article 1., Section 2 of the Constitution of the Cherokee Nation .

= = = = = = = = = =

BY COM'R Needles: This will be filed in Cherokee Doubtful case D-495.

BY MR. SMITH: I desire this testimony also to be filed in the following cases: Cherokee D-488; Cherokee D-490; Cherokee D-496 and Cherokee D-1501.

BY COM'R NEEDLES: As requested by applicant's attorney copies of this testimony will be filed in the cases named.

- - - - - - - -

Chas. von Heimp, being first duly sworn states that as stenographer to the commission to the Five Civilized tribes he reported in full all the proceedings in the above cause and that the foregoing is a full, true and correct transcript of his stenographic notes thereto.

Subscribed and sworn to before me this the 28th of October, 1901.

Chas von Heimp

T. R. Breckinridge

Commissioner.

Before the Commissioner to the Five Civilized Tribes

In the matter of the application of Robt L Garrett

C.N. No. 856.

The applicant Robt L Garrett is a brother of Frederick Garrett whose case is fully briefed in number C.N. 495.

The Garrett family are Shawnee Indians by blood and are duly enrolled as such on the roll - of seven hundred and seventy two (772) names made in the Cherokee and Shawnee Agreement of 1869; and the only point in the case of these people is the contention of the Cherokee Nation that they forfeited their citizenship by residing for a time out of the Cherokee Nation; that this question is fully briefed in the case of Frederick Garrett C.N. Number 495, This case is submitted upon the brief in the case of the said Frederick Garrett C.N. Number 495.

Respectfully submitted,

Malcolm L Lewis

D856

IN RE
THE DEATH OF

Samuel Garrett

a citizen of the

Cherokee Nation.

Approved April 14 1903

T. B. Needles

Commissioner

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
APR 14 1903

CHAIRMAN

DEPARTMENT OF THE INTERIOR

SUPERINTENDENT TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Samuel Garrett
(Here insert name of deceased)

a citizen of the Cherokee Nation, who formerly resided at or near
Chetopa Kans (Here insert name of post office), Ind. Ter., and died on the 15th day of
May, 1902

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
Northern District.

I, Robert L Garrett, on oath state that I am 39 years of age and a citizen, by Adoption, of the Cherokee Nation; that my post office address is Chetopa Kans (Here insert name of post office) Ind. Ter.; that I ~~am~~ was the father (State relationship as: the father; an uncle; a cousin, etc.) of Samuel Garrett (Here insert name of deceased), who was a citizen, by Blood of the Cherokee Nation; and that said Samuel Garrett (Here insert name of deceased) died on the 15th day of May, 1902.

Robert L Garrett

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this 14th day of February, 1903.

John Thomason
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA,
INDIAN TERRITORY.
District.

I, , on oath state that I am years of age, and a citizen, by , of the Nation; that my post office address is (Here insert name of post office) Ind. Ter.; that I was personally acquainted with (Here insert name of deceased) who was a citizen by , of the Nation; and that said (Here insert name of deceased) died on the day of , 1

WITNESSES TO MARK:

(Must be Two Witnesses)

Subscribed and sworn to before me this day of

Notary Public.

Cherokee D-856.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Robert L. Garrett for the enrollment of himself and his minor children, Samuel, Robert L. Jr., and Calvin C. Garrett, as Cherokee citizens of Shawnee blood.

D E C I S I O N.

The record in this case shows that on November 21, 1900, Robert L. Garrett appeared before the Commission at Chelsea, Indian Territory, and made application for the enrollment of himself and his minor children, Samuel, Robert L. Jr., and Calvin C. Garrett, as Cherokee citizens of Shawnee blood. Further proceedings in the matter of said application were had at Muskogee, Indian Territory, on October 27, and November 10, 1902, and at Vinita, Indian Territory, on April 15, 1903. Proceedings had at Vinita, Indian Territory, on October 23, 1901, in the matter of the application of Frederick Garrett for enrollment as a citizen of the Cherokee Nation, are filed with and made a part of the record herein.

Application was also made for the enrollment of Annie Garrett as a citizen by intermarriage of the Cherokee Nation, but her status as such is not passed upon at this time and she is not embraced in this decision.

An examination of the records of the Cherokee Nation in the possession of this Commission, shows that Robert L. Garrett is a Shawnee Indian and is identified on a certain register of names as one of those who located in the Cherokee Nation under the terms of a treaty concluded between the Cherokee Nation and the Shawnee tribe of Indians on June 7, 1869, and approved by the President of the United States June 9, 1869. It further appears that he lived in the Cherokee Nation from 1871 to 1875; that he then returned to the State of Kansas and remained there for about thirteen years; that he then returned to the Cherokee Nation and lived there until about 1897. The evidence further shows that his wife Annie was married to him on October 17, 1885, and the above named children are the issue of that marriage. Thereafter in 1900, his said wife applied for and secured a divorce from the said Robert L. Garrett. Robert L. Garrett is identified on the Cherokee census rolls of 1890 and 1896; his children are identified on the Cherokee census roll of 1896.

The evidence further shows that during the residence [illegible] principal applicant in Kansas, he owned [illegible] Cherokee Nation, and was engaged in business [illegible] said residence in Kansas being for the purpose of [illegible] children. It further appears that he subsequently removed to Oklahoma Territory. His residence in said State of Kansas [illegible] from his removal thereto in 1897, and later to said Oklahoma Territory, until the date of this application. The residence of the minor children, Robert L. Garrett Jr., and Calvin C. Garrett, is considered to be the same as that of their father. They, however, returned to the Cherokee Nation in 1899 and have continued to reside therein with their mother, who was divorced from their father, the principal applicant herein, as hereinbefore shown.

On April 14, 1903, there was filed with this Commission an affidavit, wherein it is shown that Samuel Garrett died on August 15, 1902. Said affidavit is made a part of the record herein.

Section twenty-five of the act of Congress approved July 1, 1902 (32 Stats., 716), provides:

"The roll of citizens of the Cherokee Nation shall be made as of September first, nineteen hundred and two, and the names of all persons then living and entitled to enrollment on that date shall be placed on said roll by the Commission to the Five Civilized Tribes."

It is, therefore, the opinion of this Commission that, following the decision of the Department in the case of Joseph D. Yeargain et al., (ITD. 2900-1903), Robert L. Garrett, Robert L. Garrett Jr., and Calvin C. Garrett should be enrolled as Cherokee citizens of Shawnee blood, in accordance with the provisions of section twenty-one of the act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

It is further ordered that the application for the enrollment of Samuel Garrett, as a citizen of the Cherokee Nation of Shawnee blood, be, and the same is, hereby dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

this MAR 10 1904

Department of the Interior,
Commissioner to the Five Civilized Tribes

In the matter of the application for the enrollment, as citizens by intermarriage of the Cherokee Nation, of James Watson, et al.

DECISION.

THE RECORDS OF THIS OFFICE SHOW: That prior to October 31, 1902, applications were received by the Commission to the Five Civilized Tribes for the enrollment, as citizens by intermarriage of the Cherokee Nation, of the following named persons who are listed for enrollment as citizens by intermarriage of the Cherokee Nation on the Cherokee Enrollment cards corresponding to the numbers following their respective names, viz:

James Watson	5	Scott Harless	294
Benjamin W. Williams	8	Emma Phillips	307
Lena Severs	19	John Whisenhunt	350
Sarah E. McCay	21	Tilman Chance	373
Joseph Herberger	23	Thomas A. Sheffield	384
Laura Henson	43	Vester C. Martin	388
William W. Barnes	48	William Grigsby	417
Georgia Wood	54	William J. Largen	508
Walter A. Edens	62	Joseph P. Willis	584
Adda B. Ward	69	James T. Miller	598
Samuel G. Victor	73	George A. Waters	632
Sarah M. Thomas	109	Jenette Messer	666
William B. Watson	165	Joseph A. Patton	670
William H. Ford	173	Benjamin G. Holland	763
Thomas N. Wilson	185	William Gordon	798
Ulsie Ann Smith	206	Maggie Patterson	804
Susan M. Perry	208	Martha M. Bruner	832
Gertrude Palone	224	Emma Morris	842
Hugh Willis	229	Susie Fivekiller	857
Mary A. Wilkie	248	John F. Carden	861
John W. Thurman	253	William H. Burrow	967

Mary Pettit	977
Bettie Mitchell	985
John J. Harrison	993
Jasper N. Bateman	1029
Susan Ballard	1065
Lucy Eva Simmons	1073
Ellen Thornton	1089
Sarah E. Hair	1090
Norman S. Drake	1092
Susan Hogg	1094
David L. Scott	1099
James C. Taylor	1111
Roxie Shepard	1128
Robert G. Elgin	1136
William Hall	1137
Mary Ella Lattimore	1141
Maggie J. Keys	1149
Joseph M. Correll	1177
Jane Ratley	1225
George E. Norton	1234
Mahala D. Thompson	1247
Charles M. Trammel	1264
Flora Carlile	1265
William H. Norrid	1275
Olivia Benge	1276
Dollie Wilson	1278
Moses Bell	1279
Sarah Fleetwood	1290
Rosa E. Fargo	1299
William M. Oliver	1333
Andrew J. Couch	1340
Lina Hyles	1347
Mary M. Miller	1350
Mary E. Taylor	1368
Polly Ann Benge	1369
Margaret Moton	1385
Minnie McKinney	1390
Nettie Seabolt	1418
Lawrence G. Faulkner	1433
Sarah A. Holt	1449
Jennette Polecat	1492
Ellen Seabolt	1508
Charles W. Nettles	1509
Lena Sittingdown	1511
Tim Creeden	1513
Odie Pidcock	1517
Silas A. Saterfield	1529
Laura J. Jeremiah	1530
Etta Hicks	1540
Mary A. B. McKinney	1550
Millie Morton	1554
Andrew Walters	1573
John H. Holder	1610
Mary M. Burr	1612
Thomas E. Bonham	1644
Florence Headrick	1663
Daisy B. Brewer	1709
Annie Cordrey	1717
Adam Eckert	1722
Isaac Timmons	1726
Gent Gibson	1727
Amos Anderson	1731
William J. Mounts	1734
James D. Alexander	1745
Willis E. Miles	1769
Lora Adair	1781
John Yarborough	1796
Lillie M. Dassler	1802
Bryant C. Redington	1804
Malisa A. Maxwell	1808
Richard Dukes	1811
Fannie Pettit	1816
Genevia Pool	1817
Mollie Crossland	1822
Lizzie Benge	1828
John H. Welty	1847
Edward P. White	1884
Lauren P. Green	1887
Charles Rosser	1898
Fay Adair	1913
Henrietta Irving	1920
Bird Trippard	1925
John C. Carlile	1937
John W. Gilstrap	1954
Sarah Young	2018
Nancy A. Coleman	2049
James N. Whisenhunt	2118
Hiram Stephens	2157
Asa L. Guinn	2159
Rebecca J. Flying	2172
Thomas J. Measles	2192
Julia Coody	2215
Sarah Crutchfield	2224
Henry E. Lee	2251
Sarah Gritts	2256
John A. Madden	2261
Henry C. Pennel	2271
Matilda S. Cleland	2302
Dona A. Frazier	2312
Laura B. Cordrey	2320

Lafayett D. Kindred	2328
Pearl V. Sisson	2339
Nancy J. Sevier	2380
Mollie Hair	2385
Dora Sayers	2474
William T. Jones	2501
Sarah L. Martin	2502
William J. Shoemaker	2506
Maud Baldridge	2511
James L. Townsend	2513
George L. Morgan	2568
Andrew A. Brown	2575
Louis K. Fair	2623
James L. Mitchell	2644
Martha E. McNair	2659
Millard F. Eggleson	2668
Elisha M. Gray	2686
Jessie M. Ballard	2694
Annie Mayes	2798
Belle Sixkiller	2809
James P. Riley	2825
William Broaddus	2854
William A. Martin	2865
Joseph Q. Buchanan	2888
Marcellus L. Baker	2905
Etta M. Hill	2915
John R. Smith	2922
Ira W. Wallen	2926
John B. Laurence	2959
Lula O. Hitchcock	2961
Bell L. Muskrat	2975
Eliza O'Field	2977
Margaret Suagee	2993
Winfield S. Nance	3007
Benjamin F. Kelley	3010
Mollie Daugherty	3039
Charles H. Leatherman	3043
Alice A. Edwards	3100
Dorinda Adair	3106
William R. Gray	3118
Dora B. Caulk	3143
Jesse M. Gallman	3161
Martha E. Garrett	3162
Artie E. Large	3164
Andrew A. Kelley	3191
Anna B Ryne	3193
Elias Henderson	3196
David E. Jenkins	3212
Lizzie Falling	3233
Robert L. Payne	3252
William A. J. Trotter	3257
Albert P. Goforth	3296
Anna B. Martin	3307
William Brown	3344
Jennie B. Bluejacket	3345
William Little	3377
Julia M. A. Russell	3386
Andrew J. Smith	3393
William N. Blakemore	3396
Lizzie Denton	3417
Belle Hudson	3435
Thomas S. Heady	3437
William M. Roseborough	3444
Madison G. Hawkins	3467
Japhat F. Ellis	3491
Emma McAffrey	3543
William T. Huitt	3570
Myra F. Chouteau	3580
Phillip Donohoo	3581
Fred L. Kelley	3592
Annie Herod	3594
Maggie V. Fields	3615
Lou Payne	3616
Frederick W. Strout	3692
Andrew L. McCamish	3713
Sarah Dirtthrower	3731
William P. Coble	3758
Robert L. Madison	3761
Mariah McDowell	3795
Elizabeth R. Thornton	3811
Donithan A. Wilson	3841
Charles F. Covey	3868
Tamsey M. Williams	3886
Mary J. Wolfe	3889
Lathan Lumbard	3891
Micajah P. Haynes	3897
Annie L. Wingfield	3903
Mary Fields	3907
William W. Dudley	3944
Minnie M. McLaughlin	3950
Henry B. Lindsey	3978
Wilbert H. Parkison	3999
Seth R. Hall	4011
Wiley Hanna	4016
Martha M. Woods	4093
Lizzie Gray	4117
Nancy C. Carey	4131
Annie E. Kenney	4165
William H. Ward	4169
Nannie Brewer	4189

Nancy J. Kinney	4225
Sydney E. Bell	4232
Isaac H. Jordan	4235
Charles Parks	4244
Dora Frenchman	4262
James R. Fugate	4275
Maud Adams	4277
Elizabeth Black	4281
Anna Thornton	4291
Robert T. Morrison	4294
Perley Israel	4295
William A. Long	4304
Mollie Swannock	4319
Frances Guess	4324
Allen H. Gibson	4327
John McFall Jr.	4343
Albert W. Fitzsimmons	4360
George S. Ford	4386
Quinn Carr	4387
William A. Powell	4390
Austin Hasley	4400
Anna Bible	4414
Elizabeth Riley	4428
John P. Sudderth	4440
Anderson Keen	4450
Ida M. Adams	4451
Martha J. Randall	4457
Mollie C[illegible]	4477
Jane McGhee	4491
Jennie Riley	4525
Hannah Randall	4528
Charles W. Childers	4542
Nannie B. Riley	4543
John W. McDaniel	4544
Minnie Armstrong	4548
Ada Chouteau	4549
Mary Thompson	4571
Ota Armstrong	4593
Mary Spencer	4594
Clarkson F. Woody	4603
James M. McConnell	4604
Annie E. Coker	4605
Jennie Long	4606
Julia Gilstrap	4607
Laura E. Smith	4608
Annie Nicholas	4609
Minnie R. Taylor	4611
Mary E. Rogers	4614
Emma Downing	4615
William Steere	4619
Roxie J. Ketchum	4623
Lizzie Love	4626
Robert K. Wann	4632
Frederick Metzner	4633
John C. Bratcher	4634
Piqrow L. Jones	4641
Ada Bertholf	4642
Alice Robbins	4644
Jane Dougherty	4649
Samuel Francis	4650
Clemon C. Peek	4652
Mont C. Frazier	4653
Frank J. Mayberry	4656
Charles W. Moore	4660
Jefferson D. Edmondson	4661
Alonzo H. Boone	4662
Thomas C. Mock	4668
Sallie Allison	4669
Elizabeth E. Burgess	4671
LaFayette Breeden	4673
James M. Boling	4676
Francis A. Neilson	4681
John F. Smith	4689
Rufus S. Steward	4691
John I. Haddock	4694
Maggie O. Walkley	4695
George W. Talbert	4698
Mary Miller	4700
Henry C. White	4707
Mattie E. Hill	4760
Alice A. Bible	4772
Katie Coker	4785
John Creek	4801
Ruby R. Bean	4804
William J. Dotson	4836
Blackburn Reed	4882
Viola Lowther	4901
William B. Ritchson	4910
Henry D. McDonald	4950
Della McDaniel	4956
Dorothy Rattlinggourd	4991
Ida McCay	5093
Henry M Lyon	5100
Alice J Wofford	5101
Nancy Morris	5137
Ella Sullivan	5140
Winfield Williams	5144
Bessie M Smith	5145
May Humphrey	5207
Donnie Burgess	5225

Nora B. Burgess	5236	William A. Polson	5613
John E. Etter	5239	Paulina P. Pitcher	5614
Harriette Rogers	5240	Charley Headrick	5615
Amanda Foreman	5244	William N. Stinson	5616
William H. Wells	5261	Lenora A. Henry	5621
John T. Gaylor	5266	Effie M. Adams	5622
Annie Sweeten	5269	John H. Shimp	5624
Rosalee Hendricks	5278	Thomas B. Dickson	5625
Emma Chambers	5328	Minnie Henry	5628
James H. Thomas	5329	Thomas J. Simpson	5629
Melville B. Baird	5332	Cap L. Lane	5630
James R. Goodall	5356	Reuben E. DeLozier	5631
Charles Horton	5390	John Heape	5640
James W. Goddard	5417	Perry G. Brock	5645
Dora Cox	5425	Mary J. Newcomb	5650
Nannie G. Alberty	5438	George W. Seigel	5660
Sallie Ward	5455	Martha A. Parks	5666
William H. Sutherlin	5484	Zelda C. Mills	5674
Lizzie Hall	5487	Lizzie Rogers	5675
Cyrus B. Essey	5489	Emma Pigeon	5676
Eda Taylor	5493	Nellie Bluejacket	5677
Laura Taylor	5494	Lucy Bacon	5679
Elector D. Miller	5496	Thomas B. Wood	5681
Emberson M. Arnold	5498	Asa W. Simerson	5683
Stella Henry	5499	William J. Kuhn	5686
William E. Oneal	5506	Elsie Couch	5688
John M. Sharp	5509	William H. Robinson	5692
John L. Davis	5514	Rachel Washington	5693
Sarah E. Downing	5518	Isaiah B. Blackwood	5700
Samantha C. Glass	5524	John R. Johnson	5701
Harry Jones	5525	Dennis W. Smith	5702
Aggie Paris	5532	William H. Chesnut	5705
James W. Hallford	5535	William H. Durham	5707
Phoebe Coker	5537	Albert B. Buckmaster	5710
Anthony K. Douglas	5538	Maud Crutchfield	5730
Joseph H. Johnson	5541	Joseph S. Layne	5731
Harvey O. Riggs	5547	Lena Bell	5737
Alice Glass	5553	Juan N. Cain	5748
Addison Reeves	5566	Robert N. Crafton	5750
Alice Coats	5572	Benjamin F. Coffee	5756
Julia Kidd	5575	Frank McSpadden	5760
William R. Greer	5576	Charles D. Pendleton	5775
Rosa M. Sixkiller	5581	Harden H. Green	5776
Nancy Inlow	5587	Emma J. Ward	5778
Daisey H. Owen	5599	Robert C. Fuller	5781
Annie R. C. Owen	5600	Henry F. Extine	5798
Jesse McKnight	5602	Ida Wyly	5802
Cicero J. Strange	5610	Richard L. Fite	5815
Henry Westenhaver	5611	Edward Lutz	5816
Emma H. Roach	5612	John F. Woodworth	5829

Horace H. Huddlestun	5832
William R. Sartain	5837
Joseph A. Lawrence	5843
William H. Hinton	5846
Joseph Lehr	5851
Euin M. Young	5852
Mary C. Barnes	5853
Matilda Thompson	5861
William W. Young	5872
Earley F. Ellis	5874
Rosa B. Alberty	5877
Sarah Cannon	5879
Mamie Beck	5887
Jack H. Merchant	5888
John D. Merchant	5889
Sarah E. Ghormley	5894
Jerry Young	5906
James H. Brickey	5916
Mary Hicks	5919
George W. Weems	5922
Albert Crain	5923
James M. Jones	5932
Alfred W. Shelly	5935
John M. Stratton	5936
Waddie Hudson	5937
Robert C. Johnson	5939
Mary T. Thompson	5941
Edith A. Parris	5943
Addie Hubbard	5949
John A. Lowry	5962
John R. W. Brantley	5963
James T. Carroll	5964
Christopher F. Jordan	5965
Minerva E. Stover	5966
John W. Twilley	5967
Joseph W. Mounce	5970
Cornelius P. Potter	5971
Amanda C. Thompson	5972
John M. Rusk	5976
Harrison L. Hughes	5978
Silas B. Dildine	5983
Lewis M. Payne	5985
Nancy Beamer	5988
Sarah F. Selvidge	6002
Posy F. Buckner	6005
John A. Moreland	6010
Alice Welch	6015
Mary C. Thompson	6022
Ida Beck	6029
William R. Tittle	6030
George C. Duffield	6031
Amelia Reese	6033
Alexander West	6036
John Tootle	6037
Florence G. Langley	6038
John T. Ham	6042
Mary L. Jordan	6048
John W. Bradshaw	6076
James L. Dean	6079
Amanda J. Thompson	6082
Malissa Hubbard	6089
Jane Benge	6111
John D. Ryals	6113
John C. DeLozier	6117
Jessie Willis	6118
Mary A. Clark	6124
Mary J. Tipton	6126
Leander Newton	6136
William A. Qualls	6138
Henderson B. Thomas	6144
Hugh T. Watkins	6163
Nancy Keys	6172
Berry Hutchins	6186
Eli Parker	6189
Sarah E. Shaw	6194
Julia Keys	6211
Boon J. Grey	6214
John Grubb	6216
William M. Costephens	6230
Jane Bean	6232
Lillie I. Taylor	6236
Abbie B. Adair	6240
Mack C. Watkins	6241
Robert W. Murray	6260
John G. Petty	6279
Lucinda Poorboy	6284
Sarah Mayes	6300
Henry W. Pyeatt	6305
Isaac A. Wilson	6310
John T. Hall	6315
Edward L. King	6325
Katie Still	6326
Emmer Carlile	6347
Bird Webster	6353
Fannie Morris	6357
Leonard Lee	6362
James R. Miller	6370
James Brackett	6371
Nora Allen	6373
John T. Washington	

James J. Snider	6375
William H. Winget	6376
Ida R. Wilkerson	6383
George A. McBride	6385
Matilda Cookson	6387
William A. Fisk	6392
William O. Ames	6394
Thomas Wilkerson	6396
Alice C. Springston	6407
Fanny N. Witt	6413
Lillie M. Adair	6424
Mark F. Matheson	6428
Ida L. Wilson	6431
George E. Marrs	6441
Ulysses S. Reeves	6443
Daniel A. Smith	6447
Henry J. Dawson	6450
Sarah Adair	6452
Ida F. Wilson	6455
Mary E. Taylor	6459
Catherine Henson	6468
Charles C. Fitzsimmons	6471
Mary E. Campbell	6476
Columbus N. Long	6478
Mary Wilkerson	6480
Myrtle Ward	6484
Belle Manus	6499
Martha E. McLain	6508
Mary A. Brown	6517
Marion M. Ballew	6530
Mellie Mayfield	6540
Sarah Blevins	6541
Frank Powell	6542
Georgia Jackson	6546
Leonard S. Simpson	6549
Almira Usrey	6560
James McInerney	6561
Fannie Carlile	6578
Sadie A. Mayfield	6580
Silas A. Bryan	6581
William S. Martin	6585
Emma J. Thompson	6589
Lydia McDaniel	6593
David W. Lamb	6595
Gus R. Hart	6603
Poca Phillips	6632
Lois E. Daniel	6678
William W. Turner	6689
Lillie B. Blackstone	6714
Mary Lillard	6715
James L. Lee	6717
Rosa Phillips	6723
Kate Brown	6735
Laura B. Barnett	6743
Elizabeth Sanders	6745
William T. Neff	6747
William R. Scott	6751
Laura Fish	6770
Maggie Ketcher	6779
Dora A. McDonald	6783
Rosia B. Willis	6785
Daniel Hubbard	6787
Mary R. Tadpole	6801
Magnus A. McSpadden	6811
Sarah F. Pathkiller	6824
Clora Twist	6845
Mattie M. Welch	6846
Cora Griffin	6850
John S. Hyatt	6853
Jefferson K. Tyner	6855
Flora R. Miller	6859
Lizzie Craig	6872
Jacob C. Johnson	6876
George W. Ware	6897
James B. Deatherage	6901
Lucinda F. Hartness	6943
Frances E. Tehee	6961
James M. Burt	6965
Rady Tipton	6975
Laura Hendricks	6976
Laura V. Smith	6979
Lorenzo C. Darnell	6988
Robert M. Mitchell	7004
William Henry Reeve	7005
James Pyle	7009
Willie Hilderbrand	7015
Alice M. Roberson	7031
Charles Morris	7043
Minerva J. Trent	7051
John H. Keith	7078
Katie E. Ratley	7080
Etta Patrick	7081
Nannie Martin	7090
Rosa B. Harris	7094
Samuel Brown	7100
William H. Turner	7101
Florence Mayes	7104
Maggie McCoy	7112
Mary Belle Cordry	7113
Benjamin Haner	7119

James Maher	7128	Robert B. Collins	7556
Terry A. Parkinson	7146	Nancy I. Brown	7579
Cora L. Hanks	7147	Mary B. Walkingstick	7642
Otto J. Zufall	7149	Robert T. Kelleam	7653
Rufus M. Norman	7155	Mollie Morton	7797
Mary F. Foreman	7158	Mattie Girty	8006
Alma West	7159	Mack Alfred	8015
James M. Connally	7161	Ida Harmon	8016
Francis M. Crowell	7163	Ida McCoy	8417
Fannie E. McClure	7171	Rosie Foreman	8903
Benjamin B. Graham	7176	Annie Jackson	9034
Ada Phariss	7180	Margaret T. Langley	9092
William L. Whisenhunt	7184	Ida M. Davis	9266
Frances B. Perry	7191	Nora Crapo	9289
Philip Shultz	7210	Margaget Harmon	9378
Hester A. Miller	7212	Mary B. Langley	9438
Minnie B. Edmonds	7213	Ella Gravitt	9439
Eliza Jordan	7217	William M. Wilson	9444
William T. Ross	7218	David O. Scott	9446
Thomas M. Price	7225	Harriett Forbes	9447
James G. Wilson	7231	John Carver	9449
Frank Rhomar	7263	Thomas J. Davis	9451
John W. Thompson	7267	Clara M. Boudinot	9453
Melissa Booth	7271	Mary E. Keys	9454
Solon L. Jackson	7273	John G. Ainsworth	9456
Henry W. Coughran	7282	Mary J. Christy	9460
Sarah Ross	7291	Malinda Seabolt	9462
Mary S. Smith	7322	Mary Cumpton	9464
John A. Martin	7323	Mollie P. Mulkey	9465
Myrtle Robinson	7330	Andrew Brimmer	9467
Allen L. Buckner	7331	James F. Flippin	9471
James L. Goad	7350	William Bird	9473
Elijah Johnson	7351	Mollie C. Forbes	9476
Mary E. Kimbrough	7360	William H. Thomasoh	9478
Jennie Burr	7367	Mollie Devine	9481
Kiasay Sapsucker	7378	Mary P. Guthrie	9482
Sarah J. Johnson	7394	Detlev N. Leerskov	9484
William I. Branan	7409	Nannie Cowart	9485
Wyatte T. Brady	7412	Leona Catcher	9489
Lena O. Holderman	7413	Alexander B. Clapp	9502
Mary F. Hummingbird	7420	Tennie Sanders	9503
Bertha A. Allen	7425	Virgil A. Wiltshire	9505
Robert J. Tyner	7426	Joshua K. Carr	9510
Fannie B. Martin	7434	Herbert Kneeland	9518
Myrtle Wolfe	7435	Hugh E. Hope	9519
Mary Blevins	7479	Thomas J. Ritter	9522
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Josephine King	D	2805	John D. Colvard	D	2998
Sarah Jane Birdsong	D	2806	Charles W. Phillips	D	2999
Marion Maddox	D	2807	Sarah Shanks	D	3000
John A. McKenzie	D	2808	Nettie Young	D	3009
Ione McGee	D	2809	Jerry P. Ables	D	3048
Ollie Miller	D	2810	Almedie Ross	D	3052
William A. Martin	D	2811	John S. J. Fowler	D	3055
Jesse P. Morrow	D	2812	Leaner Hood	D	3056
Oliver Mason	D	2813	James D. Jackson	D	3057
Edna Whitehead	D	2814	Emma G. Nelson	D	3058
Charley Nuckolls	D	2815	Alice Simeo	D	3059
Etta M. Nidiffer	D	2817	George O. Wallace	D	3060
Louizer Osseowee	D	2818	Fannie Clay	D	3078
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Horace Gray	D	3082	Samuel Richey	R	107
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Mary E. Thornton	D	3183	Dora Crane	R	628
Mamie Thompson	R	4	Andrew Sitrell	R	642
Jimmie G. Thompson	R	5	John Sitrell	R	642
William T. Kelly	R	10	Lillie May Wilson	R	643
Alice Tidwell	R	19	Ollie A. Barger	R	656
Rosenna McLaughlin	R	41	Ida Hawkins	R	671
Martha A. Perdue	R	45	Lizzie Davis	R	761
Gabriel L. Payne	R	61	Clara M. Emmons	R	803

THE RECORDS FURTHER SHOW: That said persons possess no right to enrollment as citizens of the Cherokee Nation other than by intermarriage, and that no one of said persons claims to have been married to a citizen by blood of the Cherokee Nation prior to November 1, 1875. The name of no one of said persons is identified on the Cherokee authenticated roll of 1880.

IT IS, THEREFORE, ORDERED AND ADJUDGED: That in accordance with the decision of the Supreme Court of the United States, dated November 5, 1906, in the cases of Daniel Red Bird, et al., vs. the United States, Nos. 125, 126, 127 and 128, said applicants are not entitled, under the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stat. 495), to enrollment as citizens by intermarriage of the Cherokee Nation, and their applications for enrollment as such are accordingly denied.

.....
Commissioner.

Dated at Muskogee, Indian Territory,

this January 10, 1907.

E 1851.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
FEB 28 1902

COMMISSIONERS:
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BROCKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 14, 1902.

Mr. Robert L. Garrett,

Chetopa, Kansas,

Sir:-

You are hereby notified that the application of yourself, your wife and three minor children for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the first day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Copy to Mellette A Smith,
Vinita, I.T.

Cherokee D-866
Register.

Acting Chairman.
Commissioner in Charge.

[illegible]

Hedrick, Gilbert [illegible]

Thaxton, [illegible] Secretary

Gentlemen:

Upon [illegible] of the [illegible]
application of Kenneth L. Parrish [illegible]
wife and children by affidavit of the [illegible]
he testified that he was [illegible]
necessary to furnish a certificate [illegible]
not be from the clerk of the [illegible]
that the present address of the [illegible]

Please give this matter your [illegible]

Yours truly,

[illegible]

Enclosure

Cherokee D-806

Muskogee, Indian Territory, October 7, 1902.

Robert Garrett,

Newkirk, Oklahoma Territory.

Dear Sir:-

The Commission is in receipt of your letter of September 27, stating that Robert Lee Garrett, an applicant for enrollment by this Commission as a citizen of the Cherokee Nation, was married in February, 1902, to Mary Palmer, and asking if it will be necessary to send certificate of marriage.

In reply, you are advised that when Robert Lee Garrett applied to this Commission for enrollment of himself and family as citizens of the Cherokee Nation, he gave the name of his wife as Annie. If Annie Garrett has died since the date of her application for enrollment, you are requested to have properly executed and forward to the Commission the enclosed affidavit as to her death.

The Commission knows of no reason why you should forward certificate of the marriage of Robert Lee Garrett and Mary Palmer.

Respectfully,

[illegible] Commissioner.

Enc. 1 D.C.

Muskogee, Indian Territory, October 12, 1903.

Major Smith,
Attorney for Annie Garrett,
Tahlee, Indian Territory.

Dear Sir:

You are hereby advised that Annie Garrett has this day been directed to appear before the Commission to the Five Civilized Tribes, at its office at Muskogee, Indian Territory, prior to October 21, 1903, to submit evidence in her right to enrollment as a citizen of the Creek Nation, and at the same time, to introduce further evidence as to her residence in the Indian Territory.

Respectfully,

Commissioner in Charge.

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

Cherokee
D-856 & D-852

Muskogee, Indian Territory, October 21, 1902.

Robert Lee Garrett,

Bliss, Oklahoma Territory.

Dear Sir:-

The Commission is in receipt of your letter of October 14, stating that you have, since the date of your application for enrollment as a citizen of the Cherokee Nation, been divorced from your former wife, Annie Garrett, and that you are now married to Mary M. Palmour, heretofore an applicant for enrollment by this Commission as a citizen by intermarriage of the Cherokee Nation.

You are requested to supply the Commission with a certified copy of the decree of divorce granted you from your wife Annie; also original or certified copy of the marriage license and certificate, showing your marriage to Mary M. Palmour, in order that her name may be corrected upon the Commission's records.

Respectfully,

Acting Chairman.

[illegible]

Chetopa, Kansas, 7/9/03.

The Dawes Commission,
Tahlequah, Indian Territory.

Gentlemen:

I write you with reference to one Robert L. Garrett, a Shawnee Indian who will in all probability present himself for the puepose of allotting lands in the Cherokee Nation, in probability in Sec.5 Twp 27 R 22. This man will no doubt attempt to file not only for himself but also for two minor children, to-wit; Robert Lee Garrett, aged 11 years and Calvin Greyeme Garrett, aged 8 years; these are his children, but he does not have the custody of them, nor has not had for nearly two years; neither has he done anything toward their support for the last two years except contributed the total sum of $8.00.

Their mother Mrs. Annie Garrett has the custody and care of the said children and has had for nearly two years, and has supported them wholly except the $7.00 contributed. I will say that I am reliably informed that Mr. Garrett abandoned the children about two years ago, and that he has seen them but once within said time. An application has been made for appointment of the mother Mrs. Annie Garrett as guardian, so that she may receive the rents from their allotments for the support of the said children. It is expected that the appointment will be made by the Probate Commissioner at Vinita, I.T. within a few days.

Hoping that the interest of the minors may receive consideration, I am,

Very truly,

(signed) A. B. Bell.

MFM

INDEXED

[illegible]	[illegible]
No.	[illegible]
25873	
1903	

Cherokee Land Office,
Tahlequah, I. T.,
Sept. 21, 1903.

Transmits original jack[illegible]d record in case of Robert [illegible] Garrett, et al.

COMMISSIONERS
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE,
W. E. STANLEY.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

REFER IN REPLY TO THE FOLLOWING

Tahlequah, Indian Territory, September 21, 1903.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

As directed in Commission's letter of September 16, there is enclosed herewith the original jacket and record in the matter of the application of Robert L. Garrett, et al., for enrollment as citizens of the Cherokee Nation, Cherokee D-856.

Respectfully,

H J Cook

Clerk in Charge
Cherokee Land Office.

Encl-8-31
GRS

Cherokee D 656

Muskogee, Indian Territory, March 10, 1904.

W. W. Hastings,
Attorney for the Cherokee Nation,
Tahlequah, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 10, 1904, granting the application of Robert L. Garrett for the enrollment of himself and his minor children, Robert L., Jr., and Calvin C. Garrett, as Cherokee citizens of Shawnee blood, and dismissing his application for the enrollment of his minor child, Samuel Garrett, he having died on August 15, 1902.

You are advised that you will be allowed fifteen days from the date hereof within which to file such protest as you may desire to make against the action of the Commission in this case. If you fail to file such protest within the time allowed this decision will be considered final.

Respectfully,

Encl. V-16.

Commissioner in Charge.

Cherokee No.
D.856

Muskogee, Indian Territory, January 10, 1907.

Annie Garrett,

Dawes, Indian Territory.

Dear Madam:

There is inclosed a copy of the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting, among others, the application for your enrollment as a citizen by intermarriage of the Cherokee Nation. The Commissioner's decision has this day been forwarded to the Secretary of the Interior for review. You will be advised of the Secretary's action as soon as this office is informed of same.

Respectfully,

Inel. Decn.____B____ Commissioner.

Muskogee, Indian Territory, March 31, [illegible]

Edgar Smith,
Attorney for Robert L. Garrett et al.,
Vinita, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 10, 1904, granting the application for the enrollment of Robert L. Robert L. Jr. and Calvin C. Garrett as citizens by blood of the Cherokee Nation, and dismissing the application for the enrollment of Samuel Garrett as a citizen by blood of said Nation, he having died on August 15, 1902.

Respectfully,

Register

Commissioner in Charge.

Enc. D-25.

Cherokee Roll.

Muskogee, Indian Territory, March 31, 1904.

Robert L. Garrett,

Chetopa, Kansas.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 10, 1904, granting your application for the enrollment of yourself and your minor children, Robert L. Jr., and Melvin C. Garrett, as citizens by blood of the Cherokee Nation, and dismissing your application for the enrollment of your minor child Samuel Garrett, as a citizen by blood of said nation, he having died on August 15, 1903.

Respectfully,

Register

Commissioner in Charge.

Enc. D-24.

Cherokee D686

Muskogee, Indian Territory, March 14, 1907.

Annie Garrett,

Dawes, Indian Territory.

Dear Madam:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 10, 1907, rejecting the application for your enrollment as a Citizen by intermarriage of the Cherokee Nation, was affirmed by the Secretary of the Interior, January 24, 1907.

Respectfully,

RPI

Commissioner.

Cherokee
8 etal.

Muskogee, Indian Territory, March 14, 1907.

W. W. Hastings,
Attorney for Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:

You are hereby advised that the decision of the Commissioner to the Five Civilized Tribes, dated January 16, 1907, rejecting the application for the enrollment of James Watson, et al., as citizens by intermarriage of the Cherokee Nation, was affirmed by the Department, January 26, 1907.

For your information, there is enclosed herewith a copy of Departmental decision referred to.

Respectfully,

Encl.C-100
MTM

Commissioner.

Cherokee 10716

Robert L. Garrett, et al.

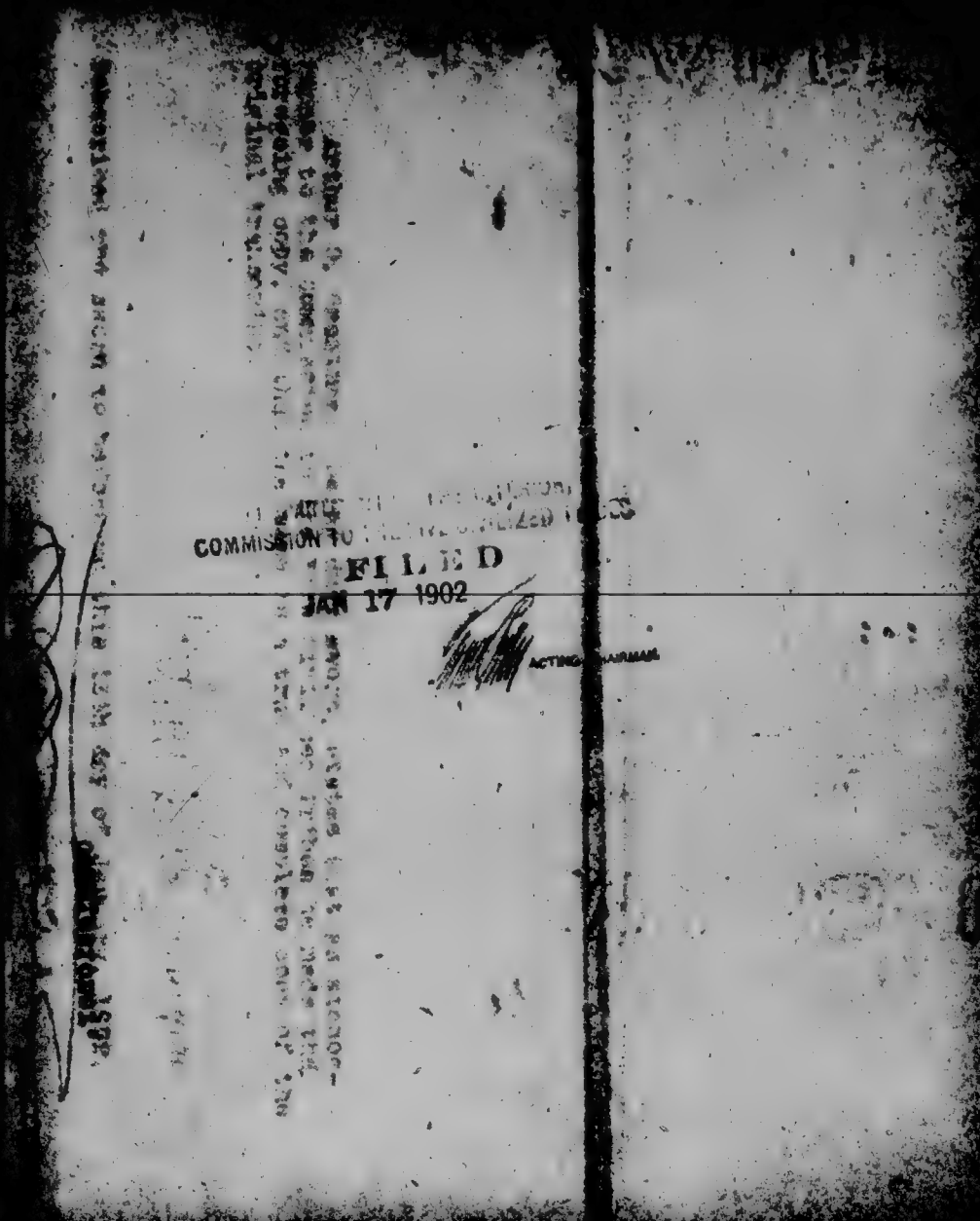
For record in this case see
Cherokee D-868, Annie Garrett.



Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

OFFICIAL BUSINESS

Penalty for private use. $300.


COMMISSION TO
FILED
JAN 17 1902

Q You lived in the same house? A Yes, sir, kept house.
Q Did you hold each other out to the world as husband and wife?
A Yes, sir.
Q You never got a divorce from that man Collins? A We were not lawfully married.
Q You do not think you were? A No, sir.
Q You held each other out as husband and wife? A Yes, sir, we just lived together as husband and wife.
Q You were known as his wife and went by his name? A Yes, sir.
[illegible] roll; page 286, Cherokee Town Outlook, Tahlequah.
[illegible] page 1276, Cherokee, Nathaniel Bullard, Tahlequah.
Q Who do you say is the father of this child, Ira Jackson Collins?
A Clark L. Collins.
Q Is he living now? A Yes, sir.

Com'r Breckinridge:—The applicant applies for the enrollment of herself and two children: One of the children, Samuel Wofford, is a child of Than Wofford, to whom she is shown to have been married June 1, 1898. The other child, Ira Jackson Collins, is her child by Clark L. Collins, with whom she lived a number of years ago. She is a white woman. Her present husband, Than Wofford, is identified on the roll of 1880 and 1896 as a native Cherokee. No application is made for him as he is said to express an unwillingness to apply. He is identified on the roll of 1880 with a wife, Rose, who is well known to be dead at this time. The applicant has professed a lack of knowledge as to whether her husband was previously married. Reference to page 3 of the case of Clark L. Collins, shows a strong presumption of a common law marriage in the Cherokee Nation between the applicant and the man with whom she has lived. No divorce was ever obtained between the applicant and that man with whom she first lived, and therefore it is extremely doubtful whether her present marriage confers upon her any right of citizenship, and if not right is conferred upon her, no right is conferred upon the child of hers, Samuel. The applicant herself is not identified on the roll of 1896, nor is the child, Samuel, though it is old enough to be upon that roll, and her marriage occurred six years ago. Giving her the benefit of whatever doubt there is in the case, she will now be listed for enrollment upon a [illegible] card, she being classed as a Cherokee by adoption. And when a certificate of the birth of the child, Samuel, who as stated is not identified on the roll of 1896 is supplied to the Commission, this child, Samuel, will be listed as a Cherokee by blood, upon a doubtful card to await the determination of the status of his father, and a copy of this testimony will be filed with Case No. 678, the same being the case of Clark L. Collins et al., said Collins being, according to the testimony, the man with whom this woman lived as his wife for a number of years prior to her marriage to Wofford, and as she states, the first man with whom she ever lived in the professed relation of a wife.

J. O. Reason, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

(Signed) J. O. Reason.

Subscribed and sworn to before me this 17th day of December, 1900.

(Signed) C. R. Breckinridge,

Commissioner.

IN RE

Application for Enrollment of

INFANT CHILD

Samuel Wofford

as a citizen of

Cherokee Nation.

Approved MAR 11 1901 19

Commissioner.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
MAR 11 1901

ACTING CHAIRMAN

Chrd D 967.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE Application for Enrollment, as a citizen of the Cherokee Nation,

of Samuel Wofford (Here insert name of child), born on the 5th day of Apr, 1895

Name of Father: Nathaniel Wofford, a citizen of the Cherokee Nation.

Name of Mother: Eliza Wofford, a citizen of the Cherokee Nation.

Post-office. Tahlequah, I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, }
Northern (INDIAN TERRITORY.) District. }

I, Eliza Wofford, on oath state that I am 28 years of age and a citizen, by adoption, of the Cherokee Nation; that I am the lawful wife of Nathaniel Wofford, who is a citizen, by blood, of the Cherokee Nation, that a male (male or female) child was born to me on the 5th day of Apr. 1895 that said child has been named Samuel Wofford, and is now living.

her
Eliza x Wofford
mark

WITNESSES TO MARK

(Must be Two Witnesses) E W Rackleff
Chas Jackson

Subscribed and sworn to before me this 7th day of Mar. 1901.

J. T. Carroll
NOTARY PUBLIC.

my commission exp. Apr. 14 1904

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MIDWIFE.

UNITED STATES OF AMERICA, }
Northern (INDIAN TERRITORY.) District. }

I, Jane Hughes, a midwife, on oath state that I attended on Mrs. Eliza Wofford, wife of Nathaniel Wofford on the 5th day of Apr. 1895 that there was born to her on said date a male (male or female) child; that said child is now living and is said to have been named Samuel Wofford.

her
Jane x Hughes
mark

WITNESSES TO MARK:

(Must be Two Witnesses) E W Rackleff
Chas Jackson

Subscribed and sworn to before me this 7th day of Mch. 1901.

J. T. Carroll
[illegible]

my Commission [illegible]

D967

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
APR 14 1902

ACTING CHAIRMAN

A copy of this testimony will also be filed with the application heretofore made for the enrollment of Eliza Wofford, the present wife of Than Wofford, and her child Sam Wofford, Cherokee, #967.

I, A. R. Cheever, being duly sworn, state that as stenographer to the Commission to the Five Civilized Tribes, I correctly recorded the testimony and proceedings had in this case, and that the foregoing is a true and complete transcript of my stenographic notes thereof.

A. R. Cheever

Subscribed and sworn to before me this 16th day of May, 1902.

Notary Public.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
JUL 15 1905

[redacted]

In the matter of the application [redacted] of [redacted] for [redacted]

[redacted] before the Commissioner, and having been duly sworn, testified as follows:

[redacted] is your name? A Thos Telford.
[redacted] is your age? A 47.
[redacted] district do you live in? A Tallapoosa.
[redacted] you been examined by this Commission as a citizen by blood of the Cherokee Nation? A Yes, sir.
[redacted] do you want to make application here? A Taylor Telford.
[redacted] relation is he to you? A He is my son.
[redacted] old is he? A 16 I reckon.
[redacted] is his post office address? A Tallapoosa.
[redacted] he live with you? A Yes sir.
[redacted] district did he live in? A Tallapoosa District.
[redacted] sir.
[redacted] of Cherokee blood must he claim? A Why, let's see, [redacted] father is a half-blood, you have that degree then [redacted]
[redacted] married a white man? A Yes, sir.
[redacted] name his about enrollment? A Yes.
[redacted] did mother of Taylor Telford? A Mary Thorn.
[redacted] she a Cherokee by blood? A Why yes she's a white woman.
[redacted] you all have there married? A No, sir.
[redacted] long did you live together? A About seven years? yes, eight
[redacted] live together as man and wife? A [redacted] seven years.
[redacted] together as man and wife during that seven years, yes.
[redacted] would you to say, though, that there was no legal ceremony
A [redacted]
[redacted] you recognized in the community as man and wife, during that
A Yes, sir.
[redacted] you ever divorced from Mary Thorn? A No, I was not married
[redacted] you living with her in 1896? A Yes.
[redacted] living with her at the time this boy was born, were you
A Yes, sir.

The 1896 authenticated roll of citizens of the Cherokee Nation, opened, and the records of Taylor Telford, appear [illegible] as follows: Added to page 69, father, Thomas Telford, mother, Mary Thorn, 34 years of age; he, 16 years of age, born in Tallapoosa District, Indian Territory, as Taylor Telford, [illegible] white, 31 years of age.

The 1880 census roll of citizens of the Cherokee Nation, [redacted] Taylor Telford lived all of his life in the Cherokee Nation [redacted] Tallapoosa in the Cherokee District with you at this time? A Yes, sir.



D967

[illegible] of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., August 31, 1906.

In the matter of the application of Eliza Wofford for the enrollment of herself as a citizen by intermarriage, and the enrollment of her son, Samuel Wofford, as a citizen of the Cherokee Nation.

SUPPLEMENTAL TESTIMONY.

Cherokee Nation not represented;
Principal applicant present in person.

ELIZA WOFFORD, being duly sworn and examined by the Commission, testified as follows:

Q What is your name? A Eliza Wofford.
Q How old are you? A 31 years old.
Q What is your postoffice address? A Peggs.
Q Do you claim to be a citizen by intermarriage of the Cherokee Nation? A Yes sir.
Q Have you a son named Samuel? A Yes, here he is.
Q You claim your right to enrollment through your marriage to Thos Wofford, do you? A Yes sir.

COMMISSION: The records of the Commission show that Thos Wofford is regularly enrolled as a citizen of the Cherokee Nation on Cherokee Card 7688 and his name appears on the final roll of citizens by blood of the Cherokee Nation as number 15408.

Q Are you and Thos Wofford living together now? A [illegible]
Q Were you ever married before you married [illegible]
Q Was he ever married before he married you? A He [illegible] never married before; he told me and the preacher that married us; that's all I know.
Q When were you and Thos Wofford married? A By marriage certificate ought to be here to show.
Q About what year was it? A It's been 8 years this last June, I am not mistaken.
Q You and he have never been separated, been living together continuously, have you? A Yes sir.
Q You say you have never been separated? A No sir.
Q Didn't Thos Wofford live with a woman by the name of Rose [illegible] 8 years as his wife? A I don't know; I think he lived with her a while, but he wasn't married to her; think he lived with several women.
Q What is Rose's last name now, is she living? A Yes, I think her name is Thorne.

****

Mabel E. [illegible], being duly sworn, states that, as stenographer to the Commission to the Five Civilized Tribes, she correctly reported the supplemental testimony in this case and that the foregoing is a true and complete transcript of her stenographic notes.

[illegible]

Subscribed and sworn to before me this [illegible] day of September, 1906.

[illegible]

Cherokee D-967

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Samuel Wofford as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on December 13, 1900, Eliza Wofford appeared before the Commission at Tahlequah, Indian Territory, and made application for the enrollment of herself as a citizen by intermarriage and for the enrollment of her two minor children, Samuel Wofford and Ira Jackson Collins, as citizens by blood of the Cherokee Nation. The application for the enrollment of Ira Jackson Collins is differently classified and he is not embraced in this decision. The application of Eliza Wofford as a citizen by intermarriage of the Cherokee Nation is not passed upon at this time nor are her rights defined in this decision. Further proceedings in the matter of said application were had at Moodys, Indian Territory, on May 2, 1902, and at Tahlequah, Indian Territory, on August 31, 1903.

The evidence shows that Samuel Wofford is the minor son of Eliza Wofford and Than Wofford, the latter a citizen by blood of the Cherokee Nation. The said Than Wofford is identified on the Cherokee authenticated roll of 1880; Samuel Wofford, the applicant herein, was born subsequent to said roll and is identified by birth affidavit made a part of the record herein.

The evidence further shows that Samuel Wofford has resided in the Cherokee Nation continuously with his father since birth.

Section twenty-one of the act of Congress approved June 28, 1898 (30 Stats., 495), provides for the enrollment of all persons now living whose names are found upon the 1880 authenticated roll, and their descendants born since the date of said roll.

It is, therefore, the opinion of this Commission that Samuel Wofford should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of law above quoted, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,
this MAR 10 1906

Cherokee 3 [illegible]

Muskogee, Indian Territory, March 10, 1904.

W. W. Hastings,
Attorney for the Cherokee Nation,
Tahlequah, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the five Civilized Tribes, dated March 10, 1904, granting the application of Eliza Wofford for the enrollment of her minor child, Samuel Wofford, as a citizen by blood of the Cherokee Nation.

You are advised that you will be allowed fifteen days from the date hereof within which to file such protest as you desire to make against the action of the Commission in this case. If you fail to file such protest within the time allowed this decision will be considered final.

Respectfully,

Encl. V-14

Commissioner in Charge.

Muskogee, Indian Territory, March 20, 1901.

Eliza Wofford,
Emuss, Indian Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 19, 1901, granting your application for the enrollment of your minor child, Samuel Wofford, as a citizen by blood of the Cherokee Nation.

Respectfully,

Commissioner in charge.

Register

Encl. D-26

country card, and the final decision of the Commission will be communicated to the applicant at her post office address.

---oOo---

J. O. [illegible], being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing typewritten transcript is a complete transcript of his stenographic notes thereof.

[signature]

Subscribed and sworn to before me this 10th day of October, 1900.

[signature]

Commissioner)

[redacted]

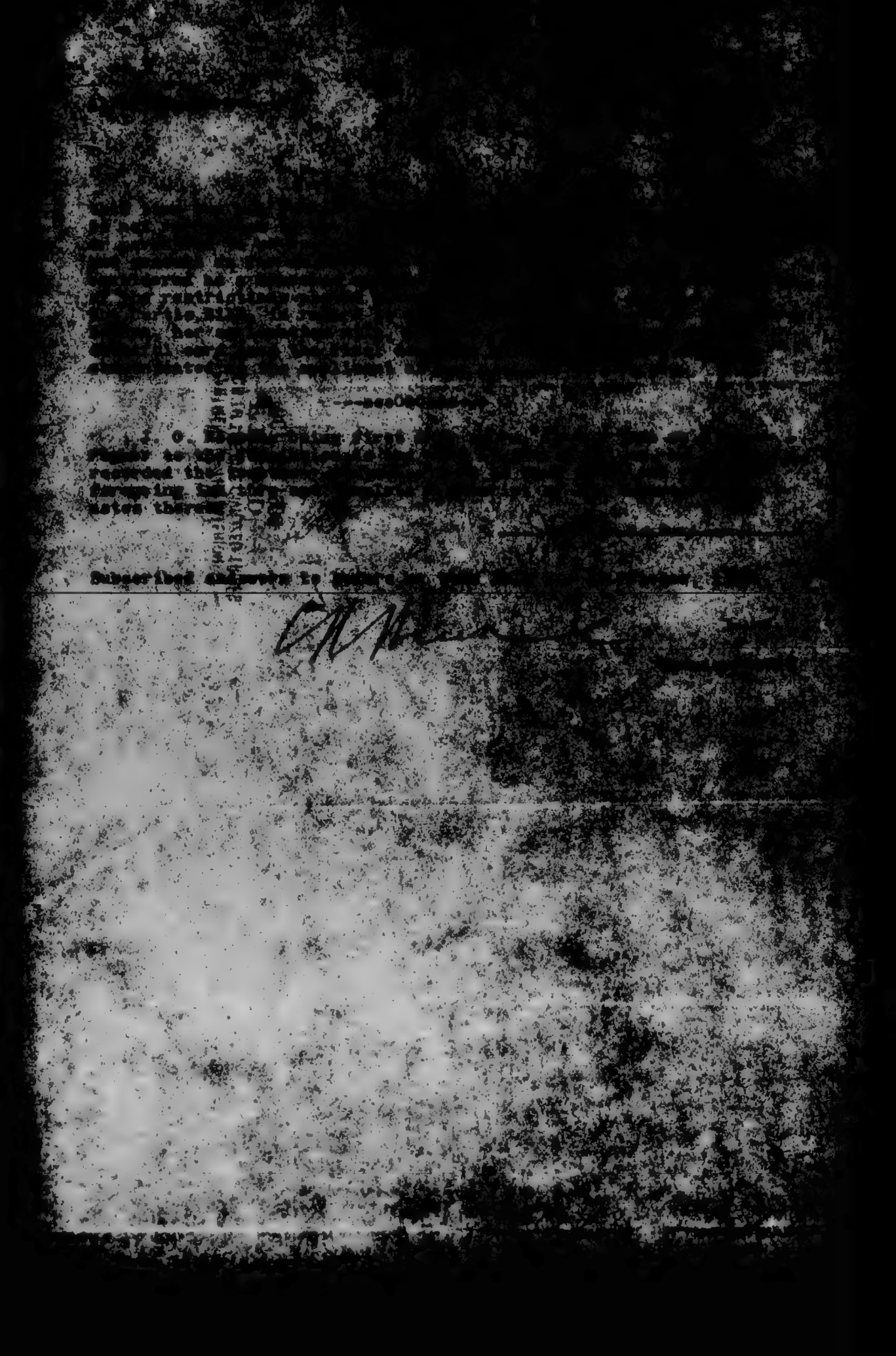
In the matter of [redacted]
ment as a citizen of [redacted]
by Commissioner C. [redacted]

Q Give me your name, please? A Alice [redacted]
Q How old are you? A [redacted].
Q What is your post office? A Pawhuska.
Q What district do you live in? A [redacted]
Q Who is it you want to have put on the roll, yourself? A Yes, sir.
Q Anybody else? A No, sir.
Q Are you Cherokee by blood? A Yes, sir.
Q What proportion of Cherokee blood do you claim? A I do not really know.
Q How long have you lived in the Cherokee Nation, all your life?
A Yes, sir.
Q Now, give me your father's name, please? A Call him John Grass. His real name is McIntosh.
Q Is he alive or dead? A He is alive.
Q Give me your mother's name, please? A Her name is Jennie.
Q Is she alive or dead? A Alive.
Q You have been married, have you? A Yes, sir.
Q When were you married? A [redacted] years ago.
Q To whom were you married? A James Bigheart.
Q Is he dead or alive? A Alive.
Q Is he a white man or Cherokee? A Osage.
Q Do you live with him in the Osage Nation? A Yes, I live with him. I have no interest over there at all.
Q How long have you made your actual home in the Osage Nation? A About eight years.
Q Are you admitted to enrollment in the Osage Nation? A Yes, sir.
Q They treat you there as a Cherokee citizen? A Yes, sir.
Q And your marriage to an Osage, does not entitle you to enrollment in the Osage Nation? A No, sir.
Q You own property in the Osage Nation, do you?
Q You have a farm haven't you? A Yes.
Q Have you kept that ever since your marriage? A Yes, sir.
1880 enrollment; page 107, [redacted], Alice Grass, Cherokee.
1896 enrollment; page 118, [redacted], Alice Bigheart, Cherokee.

WILLIAM JOHNSON, being sworn and examined by Commissioner C. B. Breckinridge, testified as follows:

Q Give you name? A William Johnson.
Q Your post office? A Bartlesville.
Q Mr. Johnson, you are acquainted with this lady, Mrs. Alice Bigheart? A Yes, sir.
Q Did you know her before her marriage to her husband, as Alice McIntosh or Alice Grass? A About [redacted] years, sir.
Q And that she is the same person [redacted] on the roll of 1880 as Grass? A Yes, sir, I [redacted] and recognized by her kin folks [redacted]
Q You know as matter of own [redacted] Bigheart, was before her marriage [redacted]

Com'r Breckinridge:--The [redacted] of 1880 and 1896 as a native Cher[redacted] is the Cherokee Nation and her [redacted] life. Her husband is said to be [redacted] when she was married [redacted] for a number of years in the [redacted]



DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
OCT 8 1900

Acting Chairman.

Pawhuska I.T.

Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name Alice Bighead

District GUILFORD JONES Year 1880 Page 109 No. 1256

Citizen by blood Yes Mother's citizenship

Intermarried citizen No.

Married under what law Date of marriage

License Certificate

Names of Children:

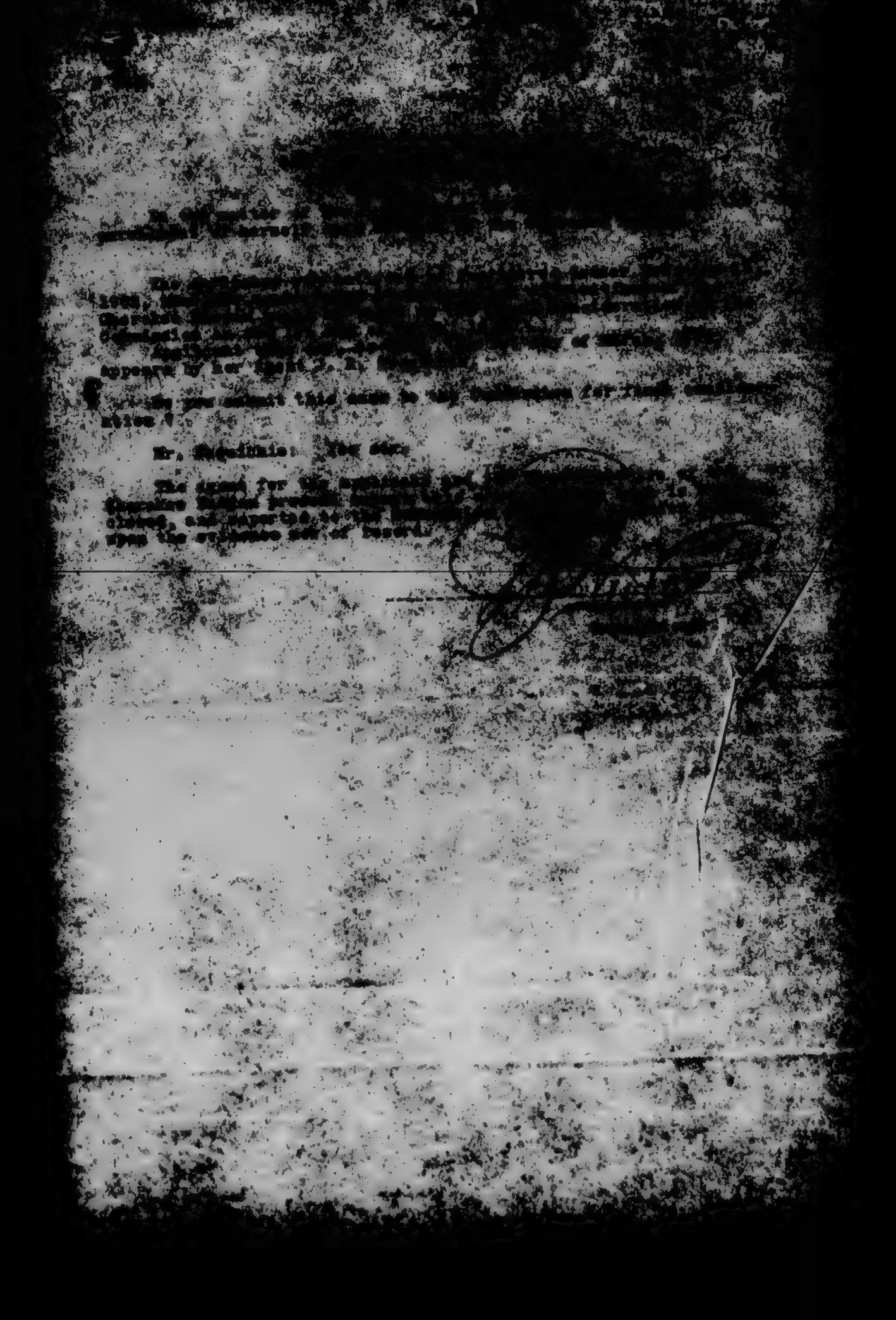
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F F

Curtis Bighead as Alice Grass

D547

D54



Cherokee D 542.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Alice Bigheart for enrollment as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on October 8, 1900, Alice Bigheart appeared before the Commission at Bartlesville, Indian Territory, and made application for enrollment as a citizen by blood of the Cherokee Nation.

The evidence shows that Alice Bigheart is a Cherokee by blood and is identified as such by the name of Alice Grass on the 1880 authenticated Cherokee roll and under her present name on the Cherokee census roll of 1896.

The evidence further shows that she resided in the Cherokee Nation all her life up to about 1892; that in 1887 she married James Bigheart, a member of the Osage tribe of Indians, and that since 1892 she and her said husband have lived in the Osage Nation, Oklahoma; that she has never severed her tribal relations with the Cherokee Indians nor assumed the citizenship of her husband in the Osage Nation, nor is it shown that she has ever removed with her effects from the Cherokee Nation. It does appear, however, that she has maintained possession and control of a farm in the Cherokee Nation continuously since 1887, which was prior to her removal to the Osage Nation.

It is, therefore, the opinion of this Commission, following the decision of the Department in the case of Clement C. Clarke, et al., (I.T.D. 1370-1903), that Alice Bigheart should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of Section 21 of the Act of Congress, approved June 28, 1898 (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman.

Commissioner.

Commissioner.

Commissioner.

Muskogee, Indian Territory,

this MAR 10 1904

COMMISSIONERS.
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BREARINRIDGE.

ALLISON L. AYLESWORTH.
SECRETARY.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 12, 1902.

Mrs. Alice Bigheart,

Pawhuska, Oklahoma,

Madam:-

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the first day of March, 1902

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Cherokee D-642
Register.

Yours truly,

[redacted]
Commissioner in Charge.

[redacted]

[redacted]

[redacted]

COMMISSION TO FIVE TRIBES.

No.	Received	ANSWERED Book	Page
23471 1902	DEC 4 1902		

Mitscher, O. A.,

OSAGE AGENCY.
PAWHUSKA. OKLA.

December 1, 1902.

---O---

Relative to certain parties who have made application for Cherokee enrollment.

Refer to 12/13 in Reply

DEPARTMENT OF THE INTERIOR,

UNITED STATES INDIAN SERVICE,

Osage Agency, Pawhuska, Okla.,
December 1, 1902.

Commission of the Five Civilized Tribes,
MUSCOGEE, I.T.

Gentlemen,-

Referring to your several letters, dated Nov. 24, 1902, Cherokee D-542, 557, 567, 568, 708, concerning certain parties who have filed applications for enrollment on the cherokee roll, I have to advise you as follows:

Alice Bigheart, who I think is the wife of James Bigheart is not enrolled on the Osage roll.

I do not know Mack Taylor. He is not on the Osage roll.

Lorinda Pettit is not enrolled on the Osage rolls, nor is she recognized as an Osage. If she is the wife of S.W. Pettit, her children by him are enrolled as Osages.

John B. Johnson is not on Osage roll; his present wife and her children are.

Wellington Rogers, his two minor step-children, Claude J. and Mary M. Hicks, his minor child Ruby L. Rogers, and his wife, Dora E. Rogers are not enrolled on the Osage roll. Wellington Rogers' children by his first wife, who was an Osage, are carried on the Osage roll.

Very respectfully,

J A Mitchell

U.S. Indian Agent.

JVP

[redacted]

Muskogee, Indian Territory, March 19, 1904.

W. W. Hastings,
Attorney for the Cherokee Nation,
Tahlequah, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 19, 1904, [redacted] the application of Alice Thompson for enrollment as a citizen by blood of the Cherokee Nation.

You are advised that you will be allowed fifteen days from the date hereof within which to file such protest as you may desire to make against the action of the Commission in this case. If you fail to file such protest within the time allowed this decision will be considered final.

Respectfully,

Encl. T-19. Commissioner in Charge.

Muskogee, Indian Territory, [illegible]

J. R. Sequichie,
Agent for Alice Bigheart,
Chelsea, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated [illegible] granting the application for the enrollment of Alice Bigheart as a citizen by blood of the Cherokee Nation.

Respectfully,

Commissioner in charge

Register

Enc. D-28.

Muskogee, Indian Territory, March 31, 1906.

Alice Bigheart,

Pawhuska, Oklahoma, Territory.

Dear Madam:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 10, 1906, granting your application for enrollment as a citizen by blood of the Cherokee Nation.

Respectfully,

Register

Commissioner in Charge

Enc. D-27

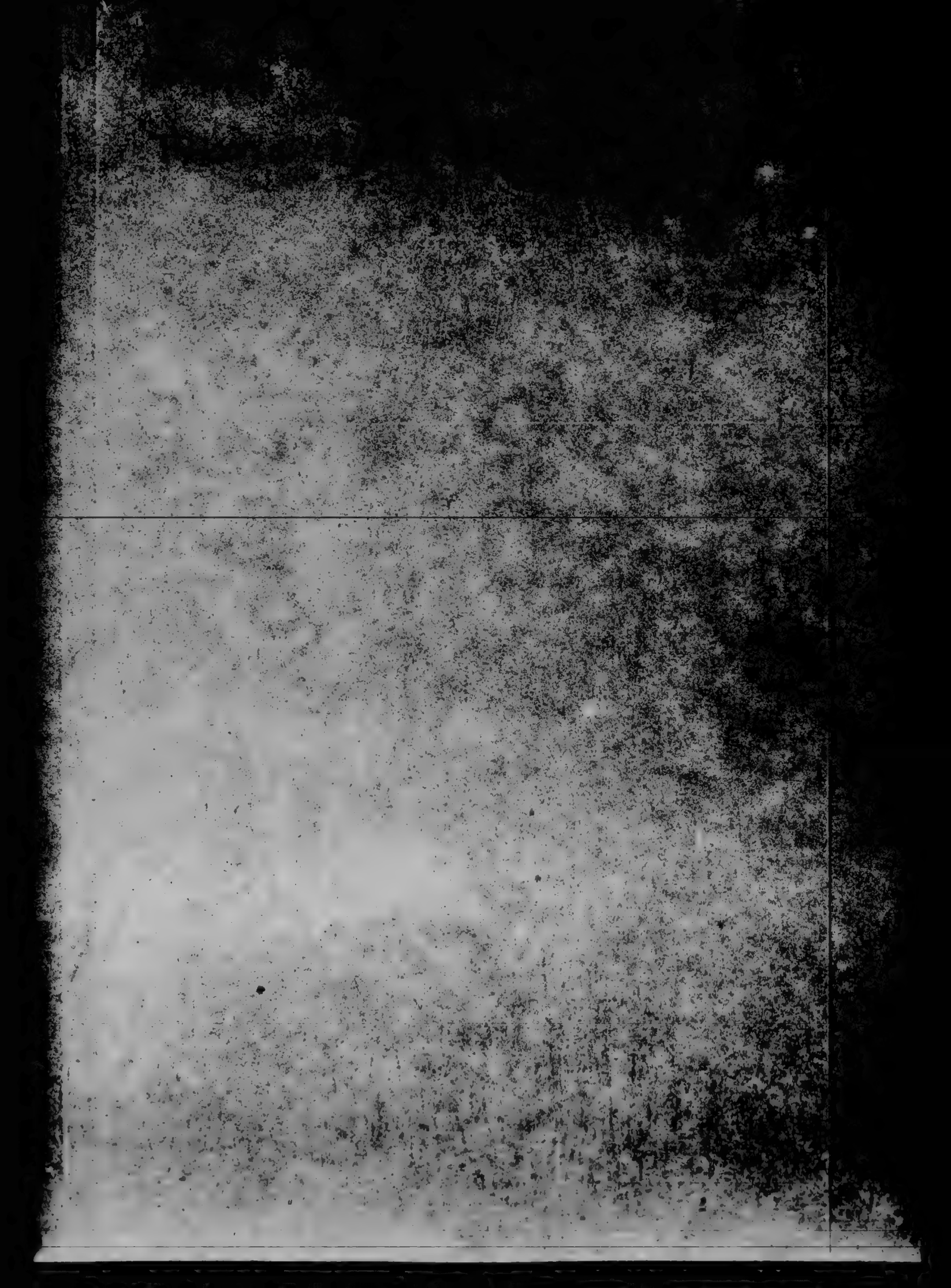
DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED

APR 21 1902

ACTING CHAIRMAN.





DEPARTMENT OF THE INTERIOR
[illegible] HAVE CONSIDERED THIS ORDER,
[illegible]
AUG [illegible] 1960

[illegible] Chairman.

ENROLLMENT REFUSED.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muldrow, I. T., Aug. 13,1900.

In the matter of the application of Noah Morton for the enrollment of himself and child as Cherokee citizens; being sworn and examined by Commissioner Needles he testifies as follows:

Q What is your name? A Noah Morton.
Q What is your age? A Twenty-four.
Q What is your post-office address? A Remy.
Q Are you a citizen of the Cherokee Nation by blood? A Yes sir.
Q Who do you apply for enrollment for? A Myself.
Q What is your father's name? A Aaron Morton.
Q Is he living? A No sir, he died about sixteen or seventeen years ago.
Q Was he a Cherokee citizen by blood? A Yes sir.
Q What was your mother's name? A Early Morton.
Q Is she living? A No sir.
Q Was she a citizen by blood? A No sir, she was a white woman.
Q When she died her name was Early Morton? A No sir, she had married again.
Q Are you married? A Yes sir, I havebeen.
Q Have you got any children? A One.
Q You want to apply for enrollment for that child? A Yes sir.
Q What is its name? A It was enrolled in 1896 Babe Morton.
Q What was your wife's name? A Nora Walker.
Q Was she a citizen by blood? A No sir, she was a white woman.
Q When did she die? A She aint dead.
Q How old is Babe? A Three years old.
Q Have you got a certificate of marriage to your wife? A No sir.
Q Were you married to her? A Yessir.
Q Who married you? A Mr. Lacie.
Q Who washe? A A Minister.
Q Did he give you a certificate? A I don't know sir.
Q Why? A I don't know why.
Q Where were you married? A In Goingsnake District.

Examination by Cherokee Representative Hastings:

Q When were you married? A 8th day of September, 1895.
Q Where have you been living all the time? A I was raised in Goingsnake District.
Q Where were you born? A In Arkansas I think.
Q Were you ever admittedto citizenship in the country? A Yes sir.
Q Have you got a certificate of admission? A No sir.

Examination by Com'r Needles:

Q You were born in Arkansas, how log did you live in Arkansas?
A I was brought away from there when I was a baby.
Q Your father and mother lived there? A I think so, awhile.
Q Did they ever come back to the Cherokee Nation? A Yes sir.
Q You know what year they came? A No sir.
Q Do you know whether they were ever admitted by the Cherokee authorities? A No sir.
Q Were you ever enrolled at all? A Yes sir, I reckon. I drawed money.
1880 roll, examined for applicant; page 770 #1438 Noah Morton, Goingsnake District.
1894 roll, page 678 #1365 Noah Morton, Goingsnake District.
1896 roll, for child, page 770 #1436 Babe Morton, Goingsnake District.
Applicant states that his father was a white man.
1880 roll page 184 #1178 Aaron Morton, Delaware.

My mother went before the Clerk of Goingsnake District and made an affidavit to me as Buck Morton's child.

John H. Morton being sworn and examined by Commissioner Needles testifies as follows:

Q What is your name? A John H. Morton.
Q What is your age? A Forty-four.
Q What is your post-office? A Remy.
Q Are you a citizen of the Cherokee Nation? A Yes sir.
Q Did you know Aaron Morton, known as Buck Morton, in his lifetime? A Yes sir.
Q What relation was he to you? A My brother.
Q Did you know Early, a woman he lived with? A Yes sir.
Q Were they ever married? A No sir.
Q She was a white woman? A Yes sir.

Com'r Needles: The name of Noah Morton appears upon the census roll of 1896 as well as the pay roll of 1894, and the name of Babe whom he avers to be his child, appears upon the census roll of 1896, and no certificate of marriage is presented showing that there was a legal marriage between his father, Aaron or Buck Morton and his mother, Early; but evidence has been produced to show that they were not married; consequently the application of Noah Morton for the enrollment of himself and his child is refused, for the reason that there was no marriage ever solemnized between his father Aaron Morton and his mother, Early , who was a white woman.

M.D.Green, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported the foregoing case and that the above and foregoing is a full true and complete transcript of his stenographic notes.

M D Green

Subscribed and sworn to before me this 20th day of Auguts 1900.

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION OF THE CHEROKEE FREEDMEN

FILED
JUN 18 1900

ACTING CHAIRMAN.

CHEROKEES BY BLOOD

Roll No. 214 Name Mack Morton Deny I.T.

District Saunyate Year 1896 Page 770 No. 1435

Citizen by blood Yes Mother's citizenship Cherokee Born Mrs Morton

Intermarried citizen

Married under what law Date of marriage Early "

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

Baby Morton Dist. Saunyate Year 1896 Page 770 No. 1436 Age 2

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

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R 57

Cherokee R. 57.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Noah Morton for the enrollment of himself and his minor child, Babe Morton, as citizens by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on August 13, 1900, Noah Morton appeared before the Commission at Muldrow, Indian Territory, and made application for the enrollment of himself and his minor child, Babe Morton, as citizens by blood of the Cherokee Nation.

The evidence shows that the said Noah Morton is a Cherokee by blood, and is identified upon the 1894 Cherokee strip payment roll, as well as upon the 1896 Cherokee census roll. It further appears that the said Babe Morton is the minor daughter of Noah Morton, and is also identified on the 1896 Cherokee census roll.

The evidence further shows that the applicant, Noah Morton, has resided in the Cherokee Nation from childhood up to and including June 28, 1898; and the residence of the said Babe Morton is considered to have been in the Cherokee Nation since her birth.

It is, therefore, the opinion of this Commission that Noah Morton and Babe Morton should be enrolled as citizens by blood of the Cherokee Nation, in accordance with the provisions of section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Chairman

Commissioner

Commissioner

Commissioner.

Muskogee, Indian Territory,

this [redacted].

[illegible]

Muskogee, Indian Territory, April 17, 1896.

James W. Bredlove,
Attorney for Noah Morton,
Muldrow, Indian Territory.

Dear Sir:

The Commission is in receipt of your letter of April [illegible], asking to be furnished with a copy of the testimony taken in the matter of the application of Noah Morton for enrollment as a citizen of the Cherokee Nation, and to be advised of the present status of that application.

In reply there is enclosed you herewith a copy of the testimony as requested. Please sign and return to this office the receipt for this testimony.

No final decision has yet been rendered in [illegible], but as soon as a decision is rendered, you will be [illegible] action of the Commission. If, in the meantime, further testimony is required, you will receive a notice to that effect.

Respectfully,

Chairman.

Encl-S-78

GMS

Cherokee 3 67

Muskogee, Indian Territory, March 10, 1904.

W. W. Hastings,
Attorney for the Cherokee Nation,
Tahlequah, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 10, 1904, [illegible] the application of Noah Morton for the enrollment of himself and his minor child, Babe Morton, as citizens by blood of the Cherokee Nation.

You are advised that you will be allowed fifteen days from the date hereof within which to file such protest as you may desire to make against the action of the Commission in this case. If you fail to file such protest within the time allowed this decision will be considered final.

Respectfully,

Encl. V-12

Commissioner in Charge.

Muskogee, Indian Territory, March 21, [illegible]

James W. Breedlove,
Attorney for Noah Morton et al.,
Muldrow, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 10, [illegible] granting the application of Noah Morton for the enrollment of himself and his minor child, Babe Morton, as citizens by blood of the Cherokee Nation.

Respectfully,

Commissioner in Charge.

Register
Enc. D-30.

Cherokee 1,07

Muskogee, Indian Territory, March 31, 1904.

Noah Morton,

Remy, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated March 10, 1904, granting your application for the enrollment of yourself and your minor child, Babe Morton, as citizens by blood of the Cherokee Nation.

Respectfully,

Register

Commissioner in Charge.

Enc. D-29.

Muskogee, Indian Territory, July 27, 1906.

Noah Moton,

Long, Indian Territory.

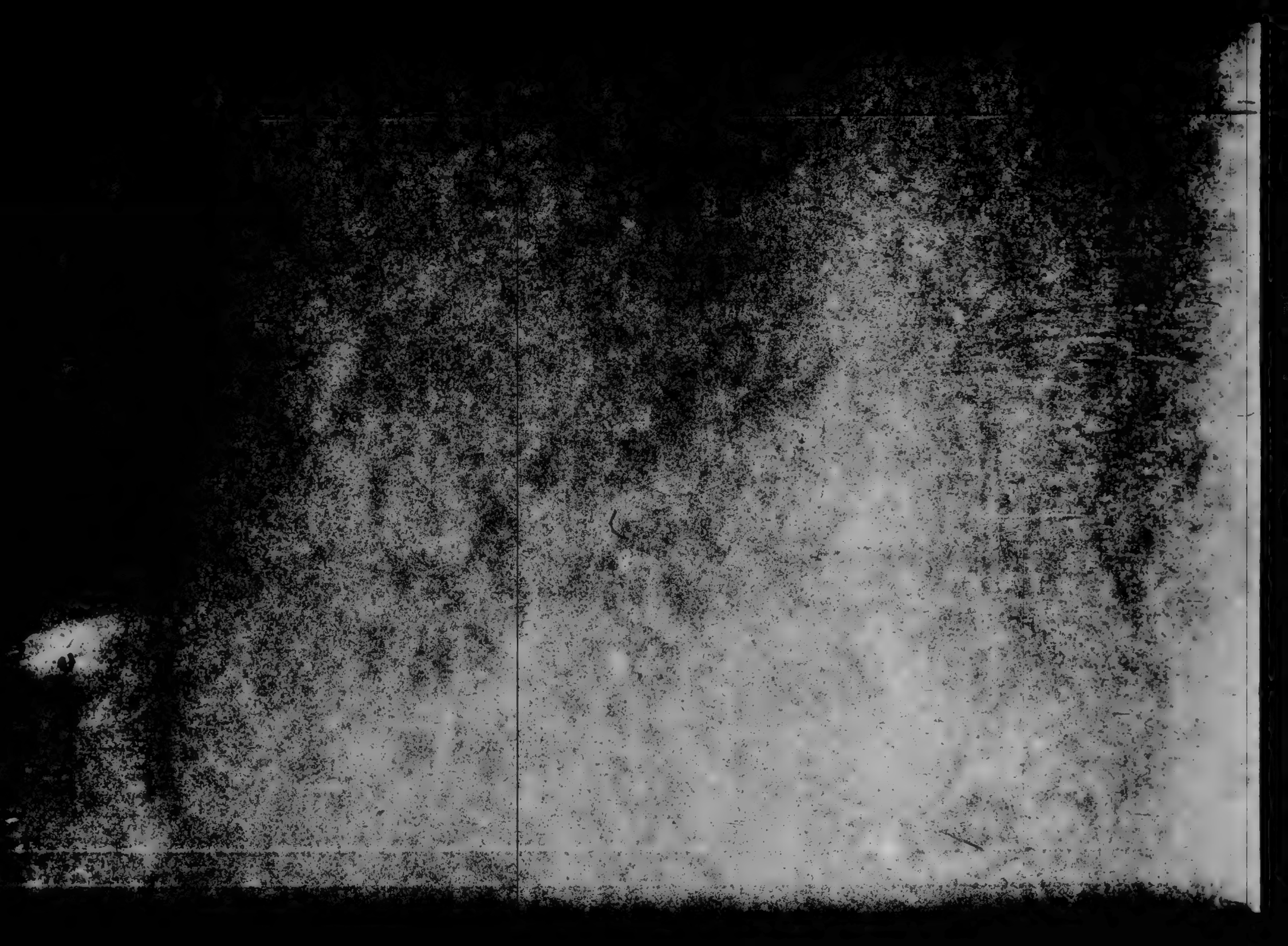
Dear Sir:

This office is in receipt on July 24, 1906, of applications for the enrollment as citizens of the Cherokee Nation, of Sterling L. Moton, born August 15, 1903, and Bessie A. Moton, born January 27, 1902.

Respectfully,

[redacted]

LMC



(Form)

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T., FEBRUARY [illegible] 1901.

In the matter of the application of Mansfield Lynch for the enrollment of himself and child as citizens of the Cherokee Nation, said Lynch being sworn and examined by Commissioner Needles, testifies as follows:

Q What is your name? A Mansfield Lynch.
Q How old are you? A 30 years old.
Q What is your postoffice address? A Watova.
Q What district do you live in? A Cooweescoowee.
Q Are you a recognized citizen of the Cherokee Nation? A Yes sir.
Q By blood or intermarriage? A Intermarriage.
Q Who do you desire to enroll? A Myself and one child.
Q Are you married now? A My wife is dead.
Q What was her name before you married her? A Rosy May Cumiford.
Q When were you married to her? A '93.
Q Have you any certificate of your marriage? A Yes, sir.

Com'r. Needles:- Applicant presents a duly authenticated marriage license and marriage certificate certifying that he was married to one Miss Rosy May Cumiford, a citizen of the Cherokee Nation in the year 1893.

Q When did your wife die? A She died the 11th of January.
Q Was she your first wife? A Yes, sir.
Q Were you her first husband? A Yes sir.
Q Did you live with her continuously from the time you married her until she died? A Yes sir.
Q Never separated? A A No-sir.
Q What is the name of your child? A Luci le.
Q How old is she? A Seven months old.
Q What was the age of your wife when she died? A She was going on her 16th year when I married her.
Q How old was she when she died? A 23.
Q What is her father's name? A Pleas Cumiford.
Q Is he living? A Yes, sir.
Q What was her mother's name? A She signs her name L. C.
Q Is she living? A Yes sir.
Q Have you any certificate of her admission? A Yes sir.
Q Please present it. A You fellers have got it.

Com'r Needles: On file among the papers in the case of Plaintiff Cumiford, D)#771, is found a certificate of admission to Cherokee citizenship dated at Tahlequah on the 28th day of January, 1880, signed by W. T. [illegible], Chairman of the Commission on Citizenship, attested by C. C. [illegible], Clerk of the Committee, approved and endorsed by J. B. Mayes, Principal Chief, issued under the seal of the Cherokee Nation; certifying that among other one Rosy May Cumiford was admitted to Cherokee citizenship on the 26th day of February, 18[illegible].

Q In this certificate I find the name of Rosy May Cumiford as she the identical person whom you claim to have married? A Yes sir.
Q She is now dead? A Yes sir.

Tribal rolls of the Cherokee Nation examined and applicants' names found thereon as follows:
1896 Census Roll; page 197, #2759, Rosa M. Lynch, Cooweescoowee district.

1896 Census Roll; page 313, #618, Mansfield Lynch, C[illegible] district.
Q How long have you lived in the Cherokee Nation? A [illegible] years.
Q You wife was admitted in 1867, do you know when she came to the Cherokee Nation? A No sir, I do not.
Q How long did you live in the Cherokee Nation continuously to your knowledge? A About 11 years I guess.

By W. W. Hastings, Cherokee Representative:

Q How far is Watoba from Claremore? A Well, sir, I think they call it 25 miles.
Q How far from Nowata? A It is about six miles.
Q How far is it from Chelsea? A About twenty miles.
Q And how far from Bartlesville? A I think they call it about 18 miles.
Q Why did you not come to one of these points to enroll? A My wife at that time was paralyzed and could not move and I had to stay with her all the time.

W. W. Hastings: Because of the reasons set forth in the case of Pleasant Cumiford, D. #771, charging him with having obtained his re-admission to citizenship together with that of his family in the Cherokee Nation by fraud, the representatives of the Cherokee Nation protest against the enrollment of Mansfield Lynch and his child, Lucile.

Com'r Needles: The name of Mansfield Lynch is found upon the census roll of 1896 and he makes satisfactory proof of his marriage according to the laws of the Cherokee Nation to one Rosy May Cumiford, claimed to be a citizen by blood, in the year 1893, and the name of Rosy May Lynch is found upon the census roll of 1896. Applicant avers that his wife is now deceased. The result of marriage is one child, Lucile, seven months of age, whose name does not appear upon the census roll of 1896, but he presents satisfactory proof of its birth. The parties are duly identified and make satisfactory proof as to residence, but by reason of the protest of the Cherokee Nation by its representatives, final [illegible] ment as to the enrollment of Mansfield Lynch as a Cherokee citizen by intermarriage and his child, Lucile, as a Cherokee citizen by blood, will be suspended and their names will be placed upon a doubtful card.

--ooOoo--

J. O. Rosson, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

(Signed) J. O. Rosson,

Subscribed and sworn to before me this 26h day of February, 1906.

(Signed) T. B. [illegible],
Commissioner.

I, May Hudson, state upon oath that as stenographer to the Commission to the Five Civilized Tribes, I made the foregoing copy and the same is a true and correct copy of the original transcript.

May Hudson

Subscribed and sworn to before me this 16th day of April, 1906.

[illegible]

Name Mansfield Lynch, Vatova, I.T.

District Coo, Year 1896 Page 313 No. 616

Citizen by blood No. Mother's citizenship

Intermarried citizen Yes.

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

2 Lucile Lynch Dist. Year Page No. Age 7 yrs

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

No. 2 cert. of birth to be supplied.

Cherokee D-1138.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Mansfield Lynch for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation, and for the enrollment of his child, Lucile, as a citizen by blood of the Cherokee Nation.

DECISION.

The record in this case shows that on February 26, 1901, Mansfield Lynch appeared before the Commission at Muskogee, Indian Territory, and made application for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation, and for the enrollment of his minor child, Lucile Lynch, as a citizen by blood of the Cherokee Nation. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on March 20, 1902, and on October 7, 1902. The proceedings in the matter of the application of Pleasant Cumiford, Cherokee D-771, had at Claremore, Indian Territory, on November 9, 1900, and at Tahlequah, Indian Territory, on December 15, 1900, are filed with this case and made a part of the record herein.

The evidence shows that Mansfield Lynch was lawfully married, under a Cherokee marriage license and in accordance with the laws of the Cherokee Nation, on December 3, 1893, to Rosa May Cumiford. An examination of the records of the Cherokee Nation, in the possession of this Commission, show that the said Rosa May Cumiford was admitted to citizenship in the Cherokee Nation, by the duly constituted authorities of said Nation, on February 26, 1887. She died in January, 1901. Lucile Lynch is the issue of the aforesaid marriage. Mansfield Lynch is identified on the Cherokee Census Roll of 1896, and his child, Lucile, is identified by a birth affidavit, made a part of the record herein.

The evidence further shows that the said Mansfield Lynch lived in the Cherokee Nation continuously from the date of his marriage to his wife, Rosa May, until her death, and that he has resided therein ever since, and had not remarried up to and including September 1, 1902.

It is, therefore, the opinion of this Commission that Mansfield Lynch should be enrolled as a citizen by intermarriage of the Cherokee Nation, and that Lucile Lynch should be enrolled as a citizen by blood of the Cherokee Nation, in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898, (30 Stats., 495), and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Acting Chairman.

Commissioner.

Commissioner.

Dated at Muskogee, Indian Territory,

this FEB - 7 1903

DEPARTMENT OF THE INTERIOR,

Commission to the Five Civilized Tribes,

Vinita I. T. Feb 7th 1906.

In the matter of the application of Mansfield Lynch for enrollment of himself as a citizen by intermarriage and for his child Lucile as a citizen by blood of the Cherokee Nation.

Cherokee D 1122.

Protest of the Cherokee Nation.

Comes now the Cherokee nation and respectfully protests against the decision of the Commission rendered in this case on February 2nd 1906 and asks that the same be forwarded to the Honorable Secretary of the Interior for review.

The testimony in this case shows that the principal applicant Mansfield Lynch is a white man; that he was married to Rosa M. Cumiford in the year 1893 and that the other applicant in this case Lucile Lynch is a child born of this union.

Rosa May Cumiford is a daughter of Pleasant Cumiford listed for enrollment on Cherokee Doubtful card Number 771; Pleasant Cumiford and his family including Rosa M. the deceased wife of Mansfield Lynch were admitted to citizenship in the Cherokee Nation on the 28th day of January 1896 by the Cherokee Commission on Citizenship.

The act of Congress approved June 28th 1898 especially authorizing this Commission in Section 21:

"To investigate the right of all other persons whose names are found on any roll and omit all such whose names have been placed thereon [illegible] or without authority of law enrolling only such as may have lawful right thereto."

Now the testimony of Pleasant Cumiford on file in this case where he appeared before the Commission on November 9, 1900 is that the only witness before the Cherokee Court in 1896 that admitted him was one Watt Christie. When Cumiford was asked the name of his mother he gave it as Rachel Fields through whom he claimed his Cherokee blood and when asked

through whom his mother claimed her Cherokee blood her father or her moth-
er he answered "I could not tell you." In fact he showed a complete ig-
norance of his family history and said that Watt Christie who was an old
man and who lived near Tahlequah was the only witness he had before the
Commission and when asked who else he had he answered "He was the only
man I needed." And when asked whether or not he gave Watt Christie any
consideration to testify for him he perjured himself by saying no and
denied that he gave him a horse and he reiterated that watt Christie was
the only witness that testified in his case.

The Cherokee Nation having been advised of the means by which the
said Pleasant Cumiford procured this fraudulent testimony in 1888 examin-
ed the said Watt Christie before the Commission who testified that he
never knew either the father or mother of the said Pleasant Cumiford and
that he never knew the said Pleasant Cumiford until he came to get him to
testify for him and in fact he did not know him at that time and knew
nothing whatever of the family history except what Cumiford told him
and he further stated that Cumiford gave him a horse to testify for him
Now this is the clearest case of the procurement of admission to cherokee
citizenship by fraud that has come to our knowledge. Cumiford does not
come upon the stand to attempt to deny what Watt Christie stated. He knew
nothing of his Cherokee ancestors and he says that Watt Christie is the
only witness of any importance that he had and watt Christie comes before
the Commission and confesses that he knew nothing whatever about the an-
cestors of Pleasant Cumiford the fatherof the wife of Greenfield Lynch; he
says that he never saw the father or mother of Pleasant Cumiford in his
life.

Now in the case of Pleasant Cumiford Cherokee D 771, there was intro-
duced the original testimony of this same Watt Christie that was intro-
duced before the Cherokee Citizenship Commission in 1888, at that time he
swore that he was a relative of Cumiford mother Rachel Fisher and that she
was three-fourths Cherokee and that she had a child six or seven years
old, a boy, and that her name should appear upon certain rolls of the
Cherokee Nation and that she went off with a white man. Now the old man

swears that he never knew the mother of Pleasant Cumiford and that Pleasant Cumiford gave him a horse to swear for him and the reputation of the said Watt Christie before the various Cherokee Citizenship commissions was thoroughly impeached by William T. Hastings who says that he has had occasion to make diligent inquiry as to the reputation of Watt Christie and that his reputation for veracity was universally bad; that he represented the Cherokee Nation at one time when he took testimony upon this point from numerous prominent citizens of the Cherokee Nation. James S. Davenport testifies that his reputation was bad. J. G. Starr and W. W. Hastings both know him personally and know his reputation for truth and veracity and they know that he was used by fraudulent claimants to testify in any citizenship case in which his testimony was desired. The old man now dead came before the Commission and acknowledged that he had testified falsely and for a consideration for Pleasant Cumiford and we contend that it is the duty of the Commission not to permit these applicants to take advantage of their own wrong and if they were really admitted by perjured testimony procured by them at their instance that their names should be omitted from the rolls of citizens of the Cherokee Nation.

If the Government of the United States can not protect the Cherokee Nation against this kind of a fraud then we say it was useless for Congress to have inserted this provision in section 21 of the Curtis Bill.

Congress clearly intended that the Commission and the Secretary of the Interior should have plenary power to thoroughly investigate all persons admitted since 1902 and it was intended that authority should be conferred by the Curtis Bill to correct all wrongs and to enroll only such as were lawfully and equitably entitled to be so enrolled. In other words the Commission was to sit as a high court of equity and commanded by its own rules to see that no injustice was done the Cherokee Nation and to make a correct roll of persons equitably entitled to be so enrolled.

If the Honorable Secretary of the Interior sustains us in this view, and we believe it correct, then we contend that the applicants should not be enrolled as citizens of the Cherokee Nation.

Respectfully submitted,

W. W. Hastings

Attorney for the Cherokee Nation.

J. G. S.

MARRIAGE LICENSE.

Cherokee Nation, Cooweescoowee District.

To any person Legally Authorized, Greeting:

You are hereby authorized to join in the Holy Bonds of Matrimony and celebrate the rites and ceremonies of Marriage between Mr. Mansfield Lynch, a citizen of the United States, and Miss Rosy May Cumiford a citizen of the Cherokee Nation, and you are required to return this License to me for record within thirty days from the celebration of such Marriage, with a certificate of the same appended thereto and signed by you.

Given under my hand and seal of office, this the 24th day of November 1893.

Joe M. Lahay,

Clerk Cooweescoowee District

Cherokee Nation, I.T.)
Cooweescoowee District)

I, D. B. Bryant, a regular ordained Minister, hereby certify that on the third day of Dec., 1893, I joined in Marriage Mr. Mansfield Lynch, a citizen of the United States, and Miss Rosy May Cumiford, a citizen of the Cherokee Nation, agreeable to the authority given in the within License and the custom and laws of the Cherokee Nation.

Given under my hand this the Third day of December, A. D. 1893.

(Signed) D. B. Bryant, C.P.Ch.

Recorded on page 286, Book B of Marriage Record Book of Cooweescoowee District.

(Signed) Joe M. Lahay, Clerk

DEPARTMENT OF THE INTERIOR.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, I. T., April 16, 1904.

I, the undersigned, do hereby certify that the above and foregoing is a true and correct copy of the original offered in evidence in the matter of the application for enrollment of Mansfield Lynch [illegible] child, D-1132, as citizen of the Cherokee Nation.

Subscribed and sworn to before me this 27th day of April, 1904.

(COPY)

To be filed with Cherokee D-1132.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Claremore, I.T., November 9th, 1900.

In the matter of the application of Pleasant Cumiford for the enrollment of himself, his wife and children, as Cherokee citizens.

The said Pleasant Cumiford, being sworn and examined by Commissioner T. B. Needles, testified as follows:

Q What is your name? A Pleasant Cumiford.
Q What is your age? A Forty-four.
Q What is your postoffice address? A Pryor Creek or here either.
Q What district do you live in? A Cooweescoowee.
Q Are you a recognized citizen of the Cherokee Nation? A Yes sir.
Q By blood? A Yes sir.
Q What degree of blood do you claim? A Well, sir, I couldn't tell.
Q Who do you desire to enroll besides yourself? A Me and my family.
Q Your wife and family? A Yes sir.
Q What is the name of your wife? A Letha.
Q Is she a citizen by blood? A No sir, she is a white woman.
Q Have you a certificate of marriage to her? A No sir.
Q When did you marry her? A Twenty-three or twenty-four years ago I married her in the States.
Q What is her age? A She is forty.
Q Have you got any certificate of marriage to this woman? A No, sir. There wasn't any such thing when I was married.
Q You were married in Kansas? A No, sir; in St. Clair County, Missouri.
Q You got a certificate of marriage? A No sir, there wasn't no use in it hten.
Q Letha C. is your wife? A Yes sir.
Q Robert S. is your oldest son? A Yes sir.
Q Is he married? A No sir.
Q How old is he? A Twenty years old.
Q The next child? A Julia A.
Q How old is she? A Fifteen years old.
Q The next child? A Benjamin F.
Q How old is he? A Thirteen years old.
Q What is the name of the next child? A Beulah C.
Q How old is she? A Ten years old.
Q The next child? A Watt.
Q How old? A Six years old.
Q The next child? A Margarette.
Q How old? A Nine months old.
Q That makes seven children at home, is that right? A Yes sir.

THE COMMISSIONER: The applicant presents a certificate of admission to Cherokee citizenship issued from the office of the Commission on Citizenship at Tahlequah under date of January 28th, 1896, certifying that on the 26th day of February, 1887, Pleasant Cumiford, Rose May Cumiford, R. S. Cumiford, H. S. Cumiford, Benjamin F. Cumiford and Julia A. Cumiford were admitted to Cherokee citizenship, said certificate being signed by J. T. Adair, Chairman of the Commission on citizenship, C. C. Lipe, clerk of the Commission.

approved and endorsed by J. B. Payne, Principal Chief, issued under the great seal of the Cherokee Nation.

Q Are you the identical Pleasant Cumiford that is mentioned in this certificate? A Yes sir.
Q These are your children mentioned here? A Yes sir.
Q How long have you been living in the Cherokee Nation, A I have been here for twenty-three years.
Q You have been living here continuously since you were admitted?
A Yes sir, straight, I have never been out.
Q You were married at that time? A Yes sir.
Q Your wife was not admitted with you at that time? A No sir.

1896 roll; page 125, No. 776, Pleasant Cumiford, Coowees-coowee Dist.

1896 roll; page 298, No. 198, Letha C. Cumiford, Coowees-coowee Dist.

1896 roll; page 125, No. 777, Robert L. Cumiford, Coewees-coo wee District.

1896 roll; page 125, No. 778, Henry S. Cumiford, Coowees-coowee District.

1896 roll; page 125, No. 779, Julia Ann Cumiford, Coowees-coowee District.

1896 roll; page 125, No. 780, Ben J. Cumiford, Coowees-coowee District.

1896 roll; page 126, No. 781, Beulah Cumiford, Coowees-coowee District.

1896 roll; page 125, No. 782, Watt Cumiford, Coowees-coowee District.

(Examination by W. W. Hastings, Counsel Cherokee Nation.
Q What is your mother's name? A Rachel Fisher.
Q From did you get your Cherokee blood, your father or mother?
A My mother.
Q Rachel Fisher? A Yes sir.
Q Through whom did Rachel Fisher get her Cherokee blood, her father or mother? A I couldn't tell you.
Q You don't know? A No sir.
Q You dont know which of your grand parents on your mother's side was a Cherokee? A No sir.
Q How, then, did you establish your case of citizenship? A Well I have proven it by old people out there that knows them.
Q Where were you born? A I was born, they claim, right there east of Tahlequah.
Q When you were first old enough to remember where were you? A In Bates County, Missouri.
Q How long did you live in Bates County, Missouri? A As well as I remember, I was there about seven or eight years.
Q How long have you been a resident of the Cherokee Nation?
A I have been there about twenty-two years.
Q What witnesses did you have before the court to establish your citizenship when you were admitted? A Mr. Christie.
Q Watt Christie? A Yes sir.
Q He is an old man who lives near Tahlequah? A Yes sir, I guess he is alive yet.
Q Who else? A He was the only man I needed.
Q He was the only witness you had? A Yes sir.
Q Was Watt Christie a witness in a considerable number of cases about that time? A I don't know. I couldn't tell you that.
Q Did you give Watt Christie any consideration to testify for you?
A No sir.
Q Did you give him a horse? A No sir, I didn't give him no horse to testify for me.

Q Did you offer to? A No sir.
Q You don't know anything about your people any further back than your mother? A No, that is all.
Q And Watt Christie is theonly witness who testified to the material facts in your case? A That is a fact sir; he was the man.
MR. HASTINGS: I protest, then, in behalf of the Cherokee Nation, and ask that this application be held up.
THE COMMISSIONER: Are these children all alive and living with you at that time? A Yes sir.
THE COMMISSIONER: The name of Pleasant Cumiford appears upon the census roll of 1896, and he presents a certificate of admission to Cherokee citizenship duly signed and under seal, which certificate is filed herewith. The name of his wife, Letha C., appears upon the census roll of 1896 as well as the names of his children Robert S. Henry S., Julia A., Benjamin, Beula C., and Watt, and he presents satisfactory proof as to a younger child, Margarette, whose name does not appear upon the census roll. He makes satisfactory proof as to his residence and is fully identified. Comes the Cherokee Nation, and by its representative, and presents against the enrollment of the said Pleasant Cumiford and his family. By reason of the protest final judgment as to the enrollment of the said Pleasant Cumiford and his said children will be suspended, and their names will be placed upon a doubtful card.

The applicant applies for the enrollment of his wife, Letha C.; he avers that he was married to her before he was admitted to Cherokee citizenship and her name does not appear in said certificate, nor is there any evidence produced that she was admitted to citizenship. Consequently the application for the enrollment of his wife will be rejected.

The undersigned being sworn, states that as Stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and other proceedings in this application for enrollment, and that the foregoing is a correct and complete transcript of his stenographic notes thereof.

(Signed) Wm. S. Wellshear.

Subscribed and sworn to before me this 10th day of October, A. D. 1900.

(Signed) T. B. Needles,
Commissioner.

I, May Hudson, as stenographer to the Commission to the Five Civilized Tribes, on oath state that the foregoing is a true and correct copy of a certified copy of the original transcript of testimony and proceedings had in the above cause.

May Hudson

Subscribed and sworn to before me this 23rd day of April, 1904.

Notary Public.

To be filed with D-1132

SUPPLEMENTAL TESTIMONY IN CASE D-771,

PLEASANT COMFORT et al.

Department of the Interior,
Commission to the Five Civilized Tribes,
Tahlequah, I.T., December 15th, 1900.

WATT CHRISTY, being sworn before Commissioner Needles, testified:

By the Commission:

Q What is your name? A Watt Christy.
Q What is your age? A 34 or 35.
Q What is your postoffice? A Wauhillau.
Q Are you a full-blood Cherokee? A 1/2 blood.

By Cherokee Representative, W. W. HASTINGS:

Q Do you know Pleasant Comfort? A I can't say that I have always known him, but I suppose that I have known him since he was a little boy, and he is always insisting to me that he is a Cherokee.
Q Do you know Comfort's mother? A No sir.
Q Do you know Comfort's father? A No sir.
Q Just took Comfort's word for it that he was a Cherokee?
A Yes sir.
Q Don't know any of his people? A No sir.
Q Didn't he give you a horse to testify for him? A Yes sir.
Q And you don't know anything about him except what he told you?
A Yes sir.
Q He told you that he didn't have any other brothers?
A Yes sir, that he was the only one.
Q Where did you first see him? A He come to my house where Bill Christy lives, my old place.
Q And told you that he was a Cherokee? A Yes sir.
Q Told you that he wanted you as a witness? A Bird Kempton sent Comfort to my house.
Q You didn't know Comfort when he came here? A No sir.
Q He told you who he was didn't he? A Yes sir.
Q And he told you that he would give you a horse to testify for him? A Yes sir.
Q He gave you that horse didn't he? A Yes sir.

Chas. von Weise, being sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above cause and that the foregoing is a full, true and correct transcript of his stenographic notes therein.

(signed) Chas von Weise.

Subscribed and sworn to before me this 16th day of January, 1901.

(signed) T. Du Needles,

Commissioner.

[redacted]

[redacted]

[redacted]

In the matter of the Application of [illegible] for the enrollment of [illegible] as a citizen by [illegible] the enrollment of his child, Lucile Lynch, as a citizen of the Cherokee Nation, he being sworn and examined by the [illegible], testified as follows:

Q What is your name? A Mansfield Lynch.
Q What is your age? A Thirty-one.
Q What is your postoffice? A Watova.
Q Are you the same Mansfield Lynch that made application to this Commission for enrollment as an intermarried citizen on February 26, 1901? A Yes sir.
Q What is your wife's name? A Rosa M. Lynch,
Q Is she living or dead? A Dead.
Q When did she die? A She died the 11th day of January a year ago, 1901? A Yes sir.
Q Was she a citizen by Blood of the Cherokee Nation? A Yes sir.
Q When were you married to your wife? A November 24, 1893.
Q Were you married to her under a Cherokee license? A Yes sir.
Q Were you ever married before you married this woman? A No sir.
Q Was she ever married before you married her? A No sir.
Q You her first husband and she your first wife? A Yes sir.
Q Did you live together all the time from the time you were married up until the time of her death? A Yes sir.
Q Never were separated? A No sir.
Q Never been married to any other woman? A No sir.
Q Never married since she died? A No sir.
Q You were a widower and still a widower on the first day of September, 1902? A Yes sir.
Q How long have you lived in the Cherokee Nation? A About nine years I think.
Q Have you lived in the Cherokee Nation all the time since [illegible] your wife were married in '93? A Yes sir.
Q Is this your child, Lucile, by your deceased wife? A Yes sir.

Q Is that child living? A Yes sir.
Q Has it lived in the Cherokee Nation ever since its birth up to the present time? A Yes sir.

- - - - - - -

The undersigned, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and correct transcript of his stenographic notes thereof.

(Signed) E. C. [illegible]

Subscribed and sworn to before me this 31st day of October, 1902.
(Signed) B. C. Jones,
Notary Public.

I, the undersigned, state upon oath that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the foregoing and the same is a true and correct copy of the original transcript.

[signature]

Subscribed and sworn to before me this 23rd day of April, 1906.

[signature]

Pleasant Cumiford.

Docket Number				
	2	Rose May Cumiford	2	Female
61	3	R. S. Cumiford	3	"
	4	H. S. Cumiford	4	"

Applicant for Cherokee Citizenship C.H.Tayler.

Rolls 1896

V. S.
Cherokee Nation
Filed Feby 24th 1897

Ancestor
Mary Sutton or Mosher

Now on this the 28th day of January 1898 comes the above case for a final hearing, and the parties having made application pursuant to the provisions of an Act of the National Council approved December 8th, 1896, and all the evidence having been duly examined and found to be sufficient and satisfactory to the Commission, and the name of the Ancestor being on the Rolls, It is adjudged and determined by the Commission that, Pleasant Cumiford, Rose May Cumiford, R. S. Cumiford and H. S. Cumiford, are Cherokees, and are hereby re-admitted to all the rights and privaliges of Cherokee Citizens by blood

And a certificate of said decision of the Commission and of re-admission, was made and furnished said parties accordingly.

J. T. Adair Chairman Commission
John E. Gunter Commissioner
D. W. Lipe Commissioner

Attest
C. C. Lipe
Clerk, Commission.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
MUSKOGEE, I. T., NOVEMBER 4, 1902.

I, the undersigned, Ass't. Chief Clerk of the Cherokee Enrollment Division of the Commission to the Five Civilized Tribes and custodian of the records of said Division, do hereby certify that the above and foregoing is a true and correct copy of the original on file in the office of the said Division.

(Signed) Bruce C. Jones,
Ass't. Chief Clerk Cherokee Division.

Sworn to and subscribed before me this 4th day of November, 1902.

(SEAL)
Seal of Charles H. Sawyer.

Notary Public.

MH

DEPARTMENT
RECEIVED
FEB
ENCL. NO. 754
SUPT. FIVE CIVILIZED TRIBES

DEPARTMENT OF THE INTERIOR

OFFICE OF INDIAN AFFAIRS

WASHINGTON, February 8, 1913

I, E.B. Meritt, Assistant Commissioner of Indian Affairs, do hereby certify that the paper hereto attached is a photographic true copy of the original as the same appears on file in this Office.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name, and caused the seal of this Office to be affixed, on the day and year first above written.



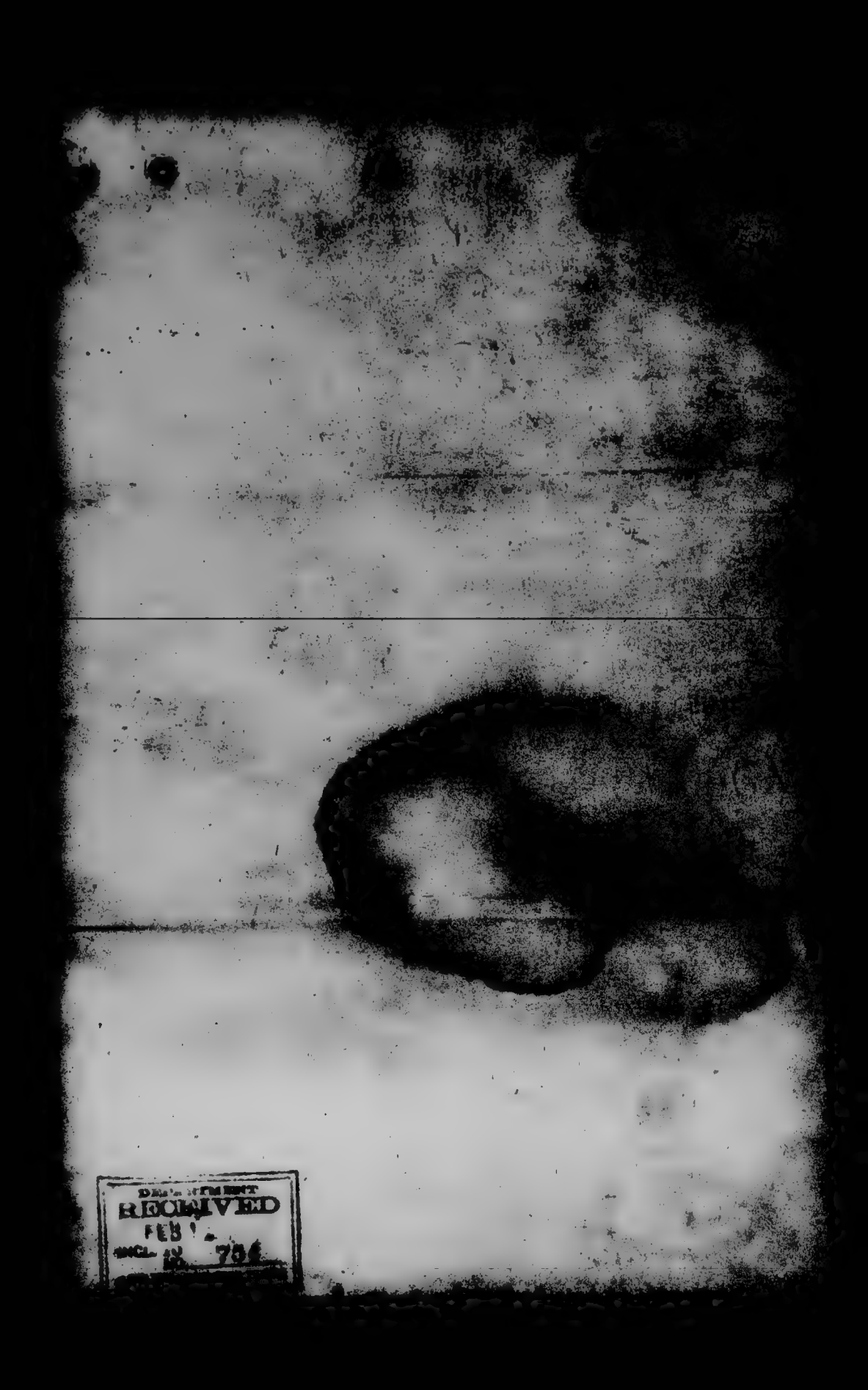
E B Meritt

Assistant Commissioner

DEPARTMENT OF THE INTERIOR
COMMISSION OF FISH AND WILDLIFE
FILED
FEB 2 1971

DEPARTMENT
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ENCL. TO
NO. 754
SUPT. FIVE CIVILIZED TRIBES

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754


RECEIVED
FEB
INCL. NO. 754

[redacted]

COPY

Cherokee Nation

Muskogee, Indian Territory, February 28, 1906.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings had in the matter of the application of Mansfield Lynch for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his minor child, Emelie Lynch, as a citizen by blood, of the Cherokee Nation, including the Commission's decision dated February 8, 1906, granting said application.

You are hereby advised that the Cherokee Nation, through its counsel, has entered its protest against the action of the Commission in this case, a copy of which protest is enclosed.

Respectfully,

Tams Bixby.
Acting Chairman.

Enc. M-267

Through the
Commissioner of Indian Affairs.

COPY.

Muskogee, Indian Territory, February 16, 1905.

Mansfield Lynch,

Vetoya, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the record of proceedings had in the matter of your application for the enrollment of yourself as a citizen by intermarriage, and for the enrollment of your minor child, Lucile Lynch, as a citizen by blood, of the Cherokee Nation, together with a copy of the Commission's decision, dated February 2, 1905, granting said applications.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest has been furnished you by the attorney for the Nation.

The decision, together with the record of proceedings had in this case, has this day been transmitted to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as the Commission is informed of same.

Respectfully,

Tams Bixby

Acting Chairman.

Enc. K-67

Register.

COPY.

Cherokee Nation

Muskogee, Indian Territory, February 13, 1903.

W. W. Hastings,

Attorney for the Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

You are hereby advised that the Commission has this day transmitted to the Secretary of the Interior, for review, the record of proceedings had in the matter of the application of Mansfield Lynch for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his minor child, Lucile Lynch, as a citizen by blood, of the Cherokee Nation, including the Commission's decision, dated February 9, 1903, granting said application, and the protest of the Cherokee Nation against said decision, dated February 9, 1903.

The action of the Secretary will be made known to you as soon as the Commission is informed of same.

Respectfully,

Tams Bixby.

Acting Chairman.

(copy)

Refer in reply to the following: Department of the Interior,
Land. 11,790-1905. Office of Indian Affairs,
Washington, Oct. 27, 1905.

The Honorable

The Secretary of the Interior.

Sir:

There is inclosed herewith, a report from the Commissioner to the Five Civilized Tribes, dated February 15, 1905, transmitting the record relative to the application of Mansfield Lynch, et al., for enrollment as citizens of the Cherokee Nation.

Mansfield Lynch applied for the enrollment of himself as an intermarried citizen and for the enrollment of his minor child, Lucile Lynch, as a citizen by blood.

February 2, 1905, the Commission held that the applicants were entitled to enrollment -- Mansfield Lynch as an intermarried citizen, and Lucile Lynch as a citizen by blood.

The Cherokee Nation protests against the Commission's decision.

The record in this case shows that Mansfield Lynch was lawfully married to Rosa May Cumiford December 5, 1893, in accordance with the laws of the Cherokee Nation. Rosa May Cumiford was admitted to citizenship in the nation by the tribal authorities February 26, 1897, and the minor applicant is the issue of this marriage.

[redacted]

D. C. 10619
I.T.D. 7764-1903.

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

March 23, 1904.

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

February 12, 1903, you submitted the case involving the application for enrollment of Mansfield Lynch as a citizen by intermarriage of the Cherokee Nation, and for the enrollment of his child, Lucile Lynch, as a citizen by blood of said nation.

February 2, 1903, you rendered your decision in the case holding that the applicants should be enrolled.

October 29, 1903, the Commissioner of Indian Affairs, reporting in the matter, recommended that your decision be approved so far as it relates to Lucile Lynch, but that the rights of Mansfield Lynch, as an intermarried citizen, be not passed upon until the Court of Claims shall render its opinion pertaining to the cases submitted to it by the Department February 24, 1903, relative to persons claiming citizenship in the Cherokee Nation by intermarriage.

Your decision is hereby affirmed as to Lucile Lynch.

The case will be held for future action upon the application of Mansfield Lynch.

A copy of Indian Office letter of October 29, 1903, is inclosed.

Respectfully,

Assistant Secretary.

Cherokee D-1132.

Muskogee, Indian Territory, April 7, 1904.

W. W. Hastings,

Attorney for Cherokee Nation,

Tahlequah, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated February 2, 1903, granting the application of Mansfield Lynch for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his minor child, Lucile Lynch, as a citizen by blood of the Cherokee Nation, was affirmed by the Secretary, as to Lucile Lynch, on March 28, 1904.

The Department's letter states that the Commission's decision as to Mansfield Lynch will not be passed upon until the Court of Claims has rendered an opinion upon the question submitted to it by the Department, February 24, 1903, relative to persons claiming citizenship in the Cherokee Nation by intermarriage.

Respectfully,

Commissioner in Charge.

Cherokee 2-2128.

Muskogee, Indian Territory, April 7, 1904.

Mansfield Lynch,

Wateva, Indian Territory.

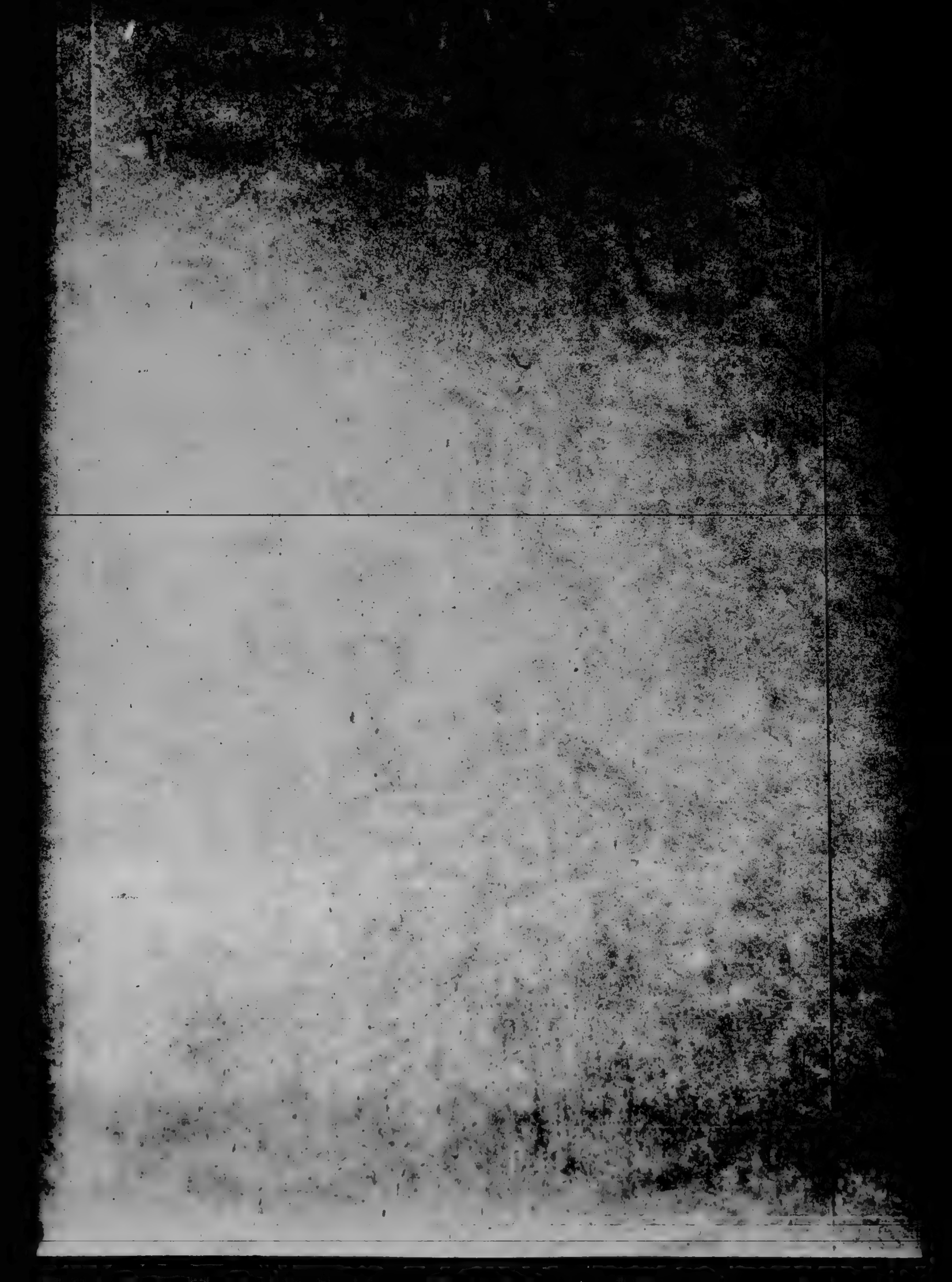
Dear Sir:

You are hereby advised that the Commission's decision, dated February 8, 1904, granting your application for the enrollment of yourself as a citizen by intermarriage, and for the enrollment of your minor child, Lucile Lynch, as a citizen by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior, as to your said child, on March 28, 1904.

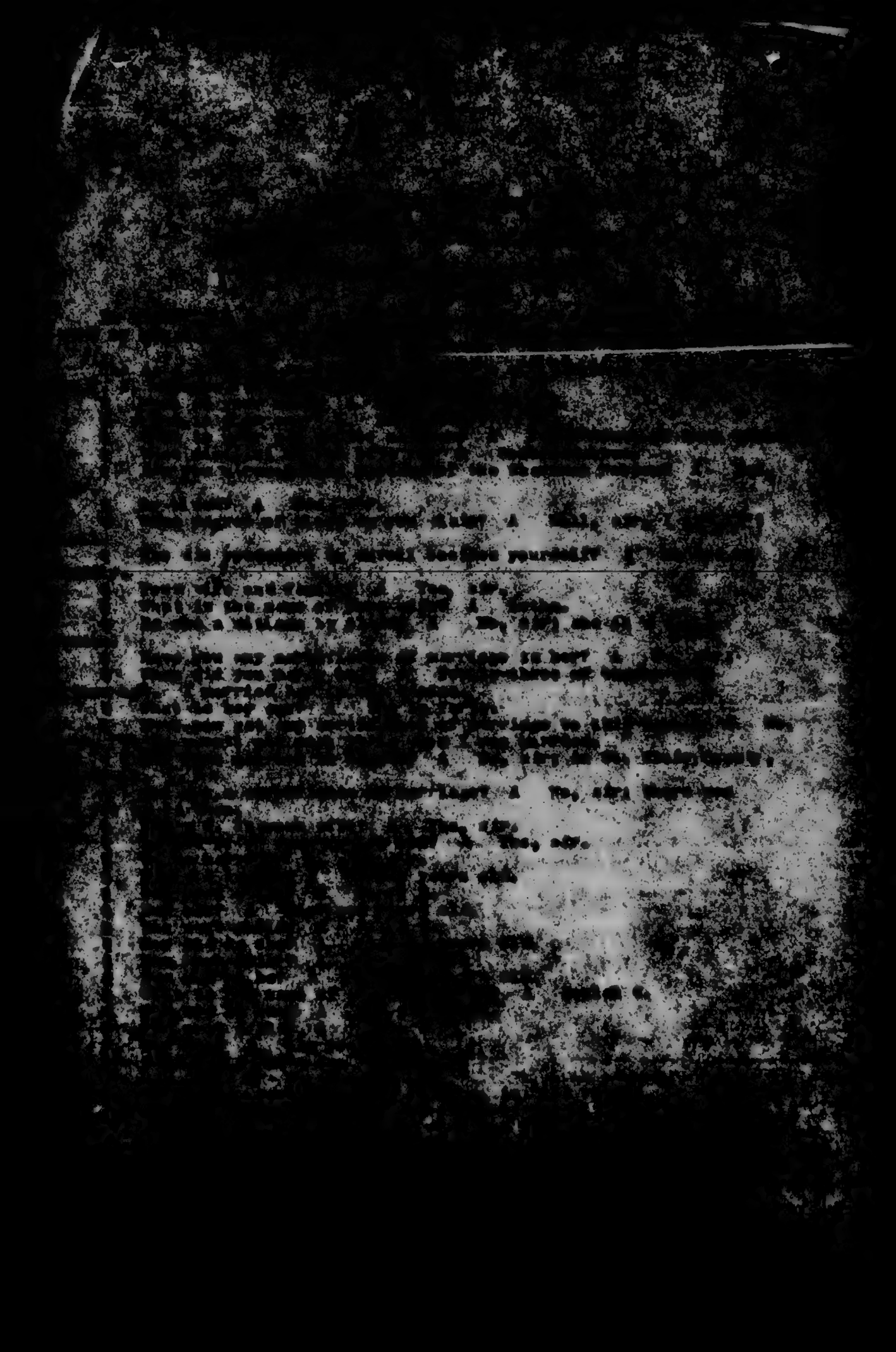
The Department's letter states that the Commission's decision as to yourself will not be passed upon until the Court of Claims has rendered an opinion upon the question submitted to it by the Department, on February 24, 1903, relative to persons claiming citizenship in the Cherokee Nation by intermarriage.

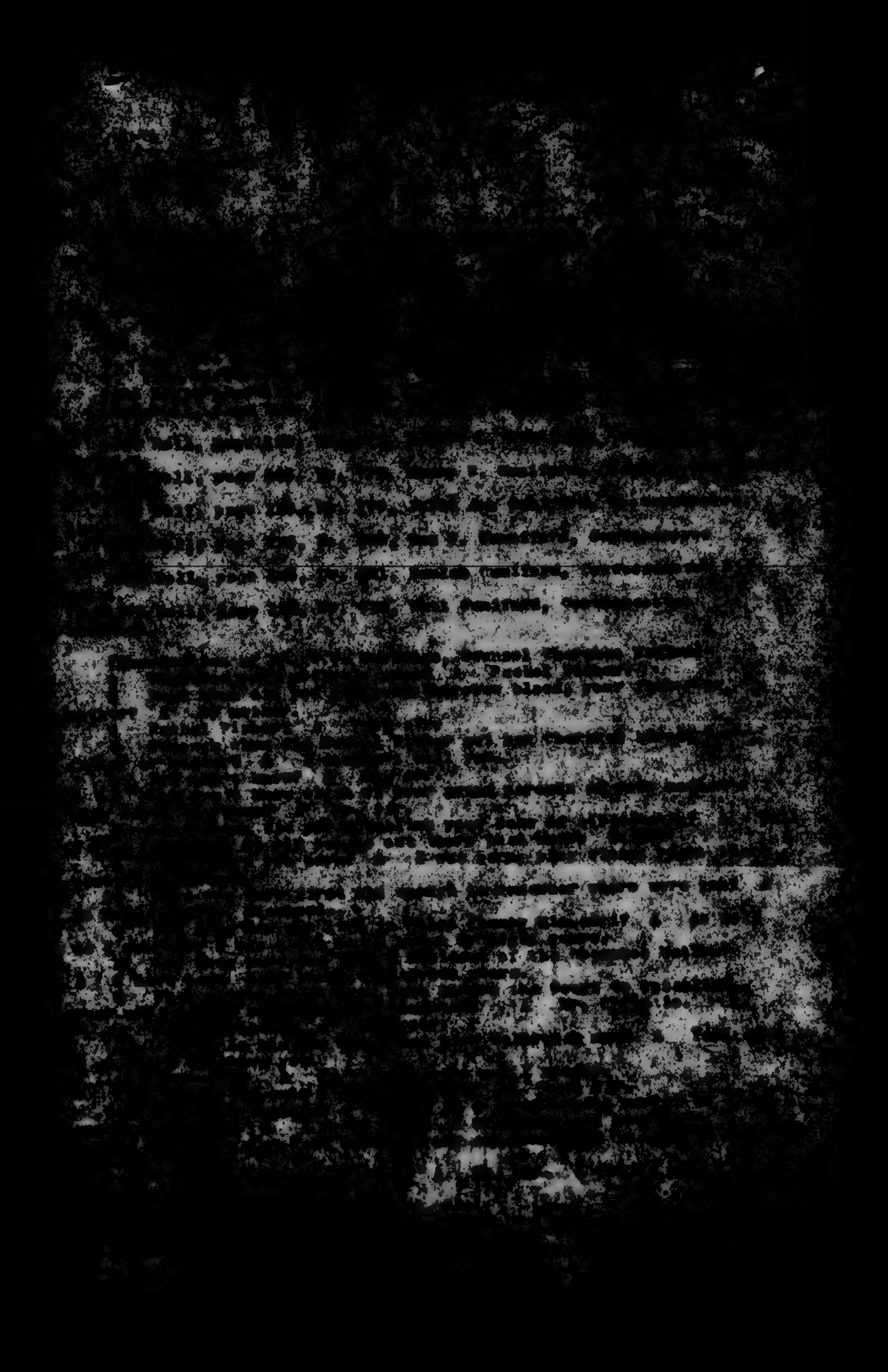
Respectfully,

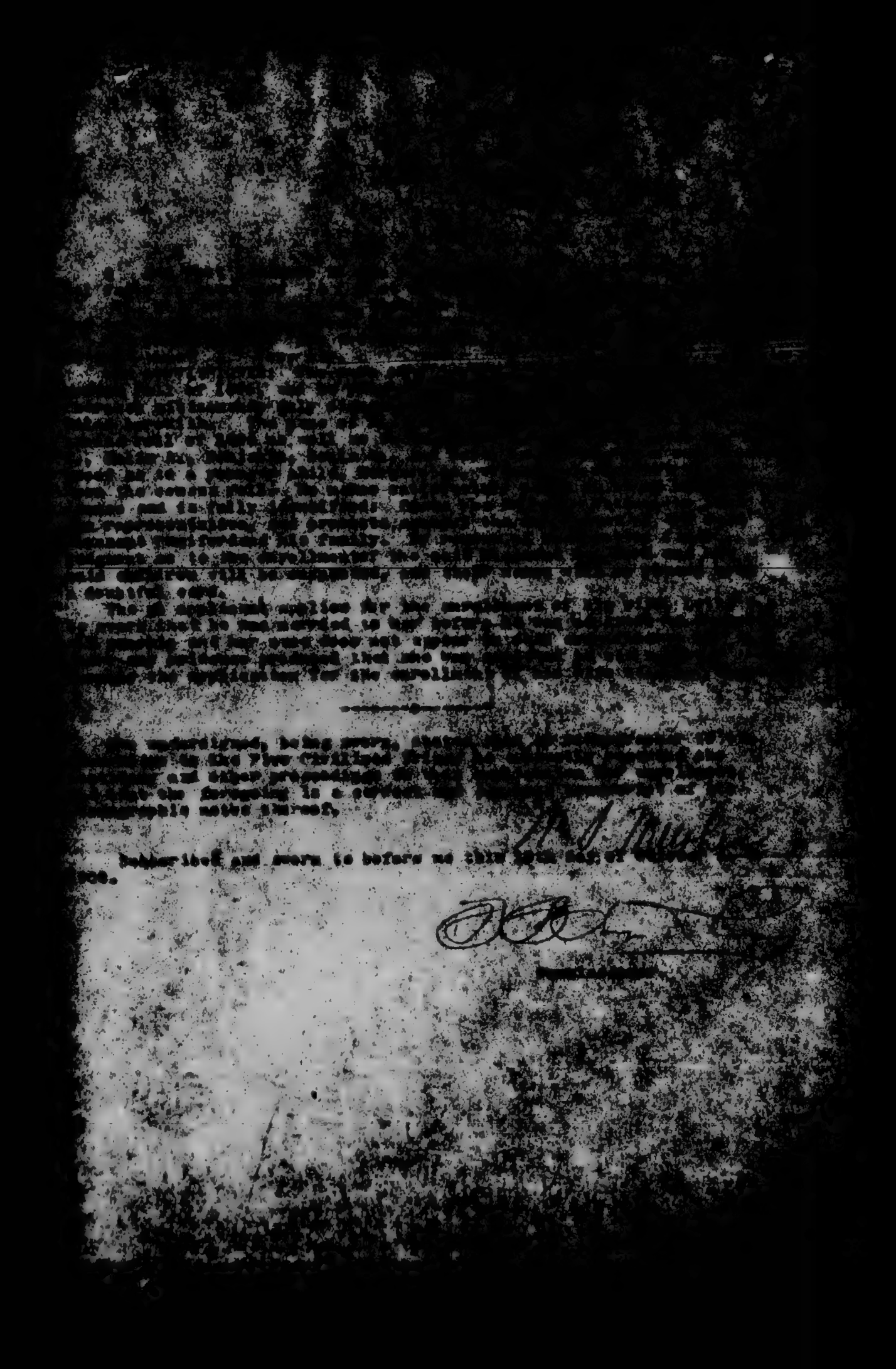
Commissioner in Charge.



COMMIS







BILL 13

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
NOV 9 1900

ACTING CHAIRMAN.

4

CHEROKEE BY BLOOD AND REGISTERED

NOV 9-

Robert L. Crawford of Town Creek P.O.

District COOWEESCOOWEE Year 1896 Page 125 No. 776

Citizen by blood Yes Mother's citizenship Rachel Fisher -C-

Intermarried citizen No

Married under what law Court Date of marriage

License Certificate

Julia Lesbia Crawford

District COOWEESCOOWEE Year 1896 Page 125 No. 781

Citizen by blood No Mother's citizenship

Intermarried citizen Yes

Married under what law Date of marriage

License Certificate

Names of Children:

Robert L. Crawford	Dist. COOWEESCOOWEE	Year 1896	Page 125	No. 777	Age 21	
Henry L. "	Dist. "	Year "	Page 125	No. 778	Age 18	
Julia A. "	Dist. "	Year "	Page 125	No. 779	Age 15	
Benjamin F. "	Dist. "	Year "	Page 125	No. 780	Age 13	
Beulah C. "	Dist. "	Year "	Page 125	No. 781	Age 10	
Watt "	Dist. "	Year "	Page 125	No. 782	Age 8	
Margrette "	Dist.	Year	Page	No.	Age	
	Dist.	Year	Page	No.	Age	
	Dist.	Year	Page	No.	Age	
	Dist.	Year	Page	No.	Age	

Lesbia C. Crawford

Her 1896 Roll as Robert L. Crawford

" " " " Ben F. Crawford

" " " " Julia Ann Crawford

" " " " Beulah "

Affidavit attached

Protest by Cherokee Regs

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
NOV 9 1900

ACTING CHAIRMAN

Admission to Cherokee Citizenship

OFFICE OF COMMISSION ON CITIZENSHIP,
TAHLEQUAH, CHEROKEE NATION.

To all Whom it May Concern—GREETING:

This is to Certify, That the following named, to-wit: Pleasant Crumford age 31 years. Rosa May Crumford age 9 years. R. S. Crumford age 7 years. H. S. Crumford age 5 years. Benj. F. Crumford age 3 years. Julia Ann Crumford age 2 years did, pursuant to the provisions of an Act of the National Council of the Cherokee Nation, approved December 8th, 1886, entitled "*An Act providing for the appointment of a Commission to try, and determine, applications for Cherokee Citizenship,*" make such application to and before said "Commission" on the 26 day of February 1887; that the proof submitted by the above named Pleasant Crumford in support of his said application was found, and is hereby declared and certified to be sufficient and satisfactory to the said Commission according to the requirements of Section Seventh of said Act of the National Council—and that, by virtue of such finding of fact by the Commission, and in conformity with the Fourteenth Section of said act, the above named parties (applicants for citizenship) are, from this, the date of said finding and decision of the Commission as announced and recorded, re-admitted by the National Council, as provided in said Fourteenth Section, to the rights and privileges of Cherokee citizenship under Section 2, Art. 1 of the Constitution of the Cherokee Nation; and this certificate of the said decision of the Commission and of re-admission by Council is made and furnished to the said parties accordingly.

IN WITNESS WHEREOF, I hereunto sign my name, as Chairman of the Commission, on this the 28 day of February 1888

J. T. Adair
Chairman Com. on Citizenship.

ATTEST:

W. W. Pipe
Clerk Com. on Citizenship.

Approved and endorsed:

Lewis Ross
Principal Chief C. N.

J. B. Mayes
Private Secretary

DEPARTMENT OF THE INT
MISSION TO THE FIVE CIVILIZED
FILED
JAN 10 19

[illegible] IN CASE 3,771 [illegible]

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., December, 18th 1902.

WATT CHRISTY being sworn before Commissioner Needles, testified:
By the Commission:-

Q What is your name? A. Watt Christy.
Q What is your age? A. 54 or 55.
Q What is your post office? A. Vamoosa
Q Are you a full blood Cherokee? A. 1/2 blood.

BY CHEROKEE REPRESENTATIVE, W. W. HASTINGS

Q Do you know Pleasant Comifort? A. I cant say that I have always known him, but I suppose that I have known him since he was a little boy, and he is always insisting to me that he is a Cherokee.
Q Did you know Comifort's mother? A. No sir.
Q Did you know Comiforts father? A. No sir.
Q Just took Comiforts word for it that he was a Cherokee? A. Yes sir.
Q Dont know any of his people? A. No sir.
Q Didnt he give you a horse to testify for him? A. Yes sir.
Q And you dont know anything about him except what he told you? A. Yes sir.
Q He told you that he didnt have any other brethern? A. Yes sir, that he was the only one.
Q Where did you first see him ? A. He came to my house where Bill Mc Christy lives, my old place.
Q And told you he was a Cherokee? A. Yes sir.
Q Told you that he wanted you as a witness? A. Bird Kemp[illegible] send Comifort to my house.
Q You didnt know Comifort when he came here? A. No sir.
Q He told you who he was didnt he? A. Yes sir.
Q And he told you that he would give you a horse to testify for him A. Yes sir.
Q He give you that horse didn't he? A. Yes sir.

Chas. von Weise, being sworn states that as stenographer to the Commission to the Five Civilized Tribes he reported in full all the proceedings in the above cause and that the foregoing is a full, true and correct transcript of his stenographic notes thereon.

Chas. von Weise

Subscribed and sworn to before me this the 18th of January, 1903.

[illegible]
Commissioner.

Supl.-C.D.#771.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 8, 1902.

SUPPLEMENTAL in the matter of the enrollment of PHEASANT CUMFORD, ET AL., as citizens of the Cherokee Nation:

The applicant was notified by registered letter February 18, 1902, that his application for the enrollment of himself and minor children as citizens of the Cherokee Nation would be taken up for final consideration by the Commission at its offices in Muskogee, Indian Territory, on the 8th day of March, 1902, and that on said day he might appear before the Commission either in person or by attorney when an opportunity would be given him to introduce any further testimony affecting his application. The applicant having this day, to-wit: the 8th day of March, 1902, been called three times and failing to respond either in person or by attorney, the case is considered completed and will be reported to the Commission for final decision based upon the evidence now of record.

Mr. J. C. Starr, Cherokee Representative, present.

Commissioner.

J.O.R.

aab

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Pleasant Cumiford, et.al., for enrollment as Cherokee citizens consolidating the applications of:

Pleasant Cumiford, et. al. . . .Cherokee D 791
Letha C. Cumiford, ...Cherokee R 364.

D E C I S I O N.

The record in these cases shows that on November 9, 1900, Pleasant Cumiford appeared before the Commission at Claremore, Indian Territory, and then and there made application for the enrollment of himself and his children, Robert S., Henry S., Julia A., Benjamin F., Beulah C., Watt and Margarette Cumiford, as citizens by blood of the Cherokee Nation, and for the enrollment of his wife, Letha C. Cumiford, as a citizen by intermarriage of the Cherokee Nation. On December 15, 1900, further proceedings were had at Tahlequah, Indian Territory, relative to this application.

The evidence shows that Pleasant Cumiford and his four children, Robert S., Henry S., Benjamin F. and Julia A., were admitted to citizenship in the Cherokee Nation on February 26, 1887. He had been previously married to his wife, Letha C., in 1876 or '77. The Cherokee Supreme Court in the cases of Cherokee Nation vs. Nancy Rogers and Melissa Dawson vs. W. A. Dawson held that a white woman married to a Cherokee Indian at the time of his admission to citizenship acquires thereby the rights of Cherokee citizenship. The said Pleasant Cumiford, his wife, Letha C., and the above named children, excepting the youngest, are identified on the Cherokee Census roll of 1896. An examination of the tribal rolls, in the possession of this Commission, shows that Pleasant Cumiford and his four older children are identified on the Strip payment roll of 1894. The youngest child, Margarette, is too young to be upon any roll, but she is identified by a birth affidavit on file with this Commission.

The evidence further shows that the said Pleasant Cumiford and the four children admitted with him have resided in the Cherokee Nation since the date of such admission. The residence of the wife, Letha C., is necessarily that of the husband. It further appears that all of the applicants herein were residents of the Cherokee Nation at the date of this application.

It is, therefore, the opinion of this Commission that Pleasant Cumiford, Robert S. Cumiford, Henry S. Cumiford, Julia A. Cumiford, Benjamin F. Cumiford, Beulah C. Cumiford, Watt Cumiford and Margarette Cumiford should be enrolled as citizens by blood of the Cherokee Nation, and that Letha C. Cumiford should be enrolled as a citizen by intermarriage of the Cherokee Nation, in accordance with the provisions of



DEPARTMENT OF THE INTERIOR.

Commission to the Five Civilized Tribes.

Muskogee, I. T. August [illegible], 1906.

In the matter of the application of Pleasant Cumiford et al for enrollment as citizens of the Cherokee Nation.

In this case is consolidated the following applications:

Pleasant Cumiford et al--- D 771

Lethia C. Cumiford---------NB 364.

Motion for Rehearing.

Comes now the Cherokee Nation and moves the Commission for a rehearing in the above case for the reason that the testimony conclusively shows that the applicant Pleasant Cumiford obtained his citizenship in the Cherokee Nation by means of bribery and perjured testimony.

The testimony shows that his only witness before the Commission in 1887 when he was admitted to citizenship in the Cherokee Nation was one Watt Christie who the applicant avers knew his grand parents and his ancestors; knew that he was a Cherokee by blood and in fact it was upon Watt Christie's testimony alone that the applicant was admitted to citizenship in the Cherokee Nation because the applicant himself did not know through whom he derived his Cherokee blood and nothing back of his grand parents of his own people.

Watt Christie his witness was introduced at Tahlequah who swore that he never knew the applicant until he came to get him to testify for him. That he never knew that he was a Cherokee by blood; that he did not know his parents and that the applicant gave him a horse to testify for him before the Commission in 1887. If it be true that Watt Christie was the only witness of importance for Pleasant Cumiford as he himself admits and if Watt Christie did not know any thing of his ancestors he did not know the applicant himself until the time that the applicant was admitted, then the applicant was admitted wholly upon perjured testimony secured by bribing his witness Watt Christie with a horse and we do not believe that the attention of the Commission was called to this phase of the case because we can not believe that the Commission would admit the applicant if their attention was called in the first [illegible]

DEPARTMENT OF THE INTERIOR

COMMISSION TO THE FIVE CIVILIZED TRIBES,

Muskogee, I. T., Sept. 17, 1902.

In the matter of the application of Pleasant Cumiford for the enrollment of himself, wife and children as citizens of the Cherokee Nation, consolidating the applications of

Pleasant Cumiford, et al., Cherokee D 771,
Letha C. Cumiford, . . . Cherokee R 364.)

MOTION TO REOPEN CAUSE.

STATEMENT OF RECORDS.

The record in this case shows that on November 9, 1900, Pleasant Cumiford appeared before the Commission to the Five Civilized Tribes at Claremore, Indian Territory, and made personal application for the enrollment of himself and children, Robert S. Cumiford, Henry S. Cumiford, Julia A. Cumiford, Benjamin F. Cumiford, Beulah C. Cumiford, Watt Cumiford and Margarette Cumiford, as citizens by blood of the Cherokee Nation, and for the enrollment of his wife, Letha C. Cumiford, as a citizen by intermarriage of the Cherokee Nation. Further proceedings in the matter of said application were had at Tahlequah, Indian Territory, December 15, 1900, and at Muskogee, Indian Territory, March 8, 1902. On the 11th day of August, 1902, the Commission rendered a decision granting the application of Pleasant Cumiford for the enrollment of himself and children as citizens by blood, and for the enrollment of his wife as a citizen by intermarriage, of the Cherokee Nation.

Under date of August 26, 1902, the Cherokee Nation, by its representative, filed a motion to reopen cause, alleging that Pleasant Cumiford procured his admission to citizenship in the Cherokee Nation by fraud and deceit.

ORDER.

It is, therefore, ordered by this Commission that the motion to reopen this case be, and the same is hereby allowed, and that the decision of the Commission, heretofore rendered, be set aside and held for naught.

It is further ordered that this cause be set down for further hearing at the office of the Commission to the Five Civilized Tribes, at Muskogee, Indian Territory, on the 31 day of October 1902.

Commissioners.

Dated at Muskogee, Indian Territory,
this 15 day of October 1902.

Cherokee D 771.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskogee, I. T., October 31, 1902.

In the matter of the application of Pleasant Cumiford for the enrollment of himself and his children, Robert S. Cumiford, Henry S. Cumiford, Julia A. Cumiford, Benjamin F. Cumiford, Beulah C. Cumiford, Watt Cumiford and Margaret Cumiford, as citizens by blood of the Cherokee Nation, and for the enrollment of his wife, Letha C. Cumiford, as a citizen by intermarriage of the Cherokee Nation.

It appears from the record in this case that under date of August 11, 1902, the Commission rendered a decision in the consolidated case of Pleasant Cumiford, et al., Cherokee D 771, and Letha C. Cumiford, Cherokee R 364, granting the application of Pleasant Cumiford for the enrollment of himself and his children, Robert S. Cumiford, Henry S. Cumiford, Julia A. Cumiford, Benjamin F. Cumiford, Beulah C. Cumiford, Watt Cumiford and Margaret Cumiford, as citizens by blood, and for the enrollment of his wife, Letha C. Cumiford, as a citizen by intermarriage, of the Cherokee Nation.

Under date of August 26, 1902, the Cherokee Nation filed with the Commission a motion for a rehearing, alleging that Pleasant Cumiford obtained his citizenship in the Cherokee Nation by means of bribery and perjured testimony.

Under date of October 15, 1902, it was ordered by the Commission to the Five Civilized Tribes that the motion of the Cherokee Nation to reopen the case be, and the same is, allowed, and that the decision of the Commission theretofore rendered be set aside and held for naught, and it was further ordered that this cause be set down for further hearing at the office of the Commission to the Five Civilized Tribes, at Muskogee, Indian Territory, on the 31st day of October, 1902.

It further appears that under date of October 16, 1902, Pleasant Cumiford and the representative of the Cherokee Nation were furnished with a copy of the order of the Commission reopening the case, and notified that the same would be set down for further hearing at the offices of the Commission, at Muskogee, Indian Territory, on the 31st day of October, 1902.

Comes now the representative of the Cherokee Nation and moves that this cause be continued until November 10, 1902, for the reason that the Cherokee Nation was unable on this date to introduce the witnesses that were subpoenaed.

The motion of the Cherokee Nation will be entertained and the case set down for hearing at the offices of the Commission, at Muskogee, Indian Territory, on November 10, 1902, and the Cherokee Nation will be required to make satisfactory proof of service on the applicant before the testimony will be heard.

---ooOoo---

Retta Chick, being first duly sworn, states that, as stenographer to the Commission to the Five Civilized Tribes, she recorded the testimony and proceedings in the matter of the foregoing application, and that the above is a true and complete transcript of her stenographic notes thereof.

Retta Chick

Subscribed and sworn to before me this 31st day of October, 1902.

Notary Public.

Cherokee D-771.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., December 11, 1902.

In the matter of the application of Pleasant Bamford for the enrollment of himself and children, Robert S., Henry S., Julia A., Benjamin F., Beulah C., Watt and Marguerite Bamford, as citizens by blood of the Cherokee Nation.

J.C.Starr, being sworn and examined by the Cherokee representative, W. W. Hastings, testified as follows:

Q What is your name? A J. C. Starr.
Q Are you stenographer for the Cherokee Nation? A Yes sir.
Q I will ask you if you have tried to get service upon the applicant? A Yes sir., I have; I have been trying to locate the applicant in this case and received letters from S. H. Mayes at Pryorcreek and A. Foyil at Foyil, I. T., and have been advised by these parties that they do not know where the applicant now lives.
Q Did he give his postoffice address at Pryorcreek in the original application? A Yes sir.
Q Did you ever send notice to Pryorcreek? A I sent notice to S. H. Mayes at Pryorcreek and he returned it and said he didn't know where he was.
By Mr. Hastings: Comes now the Cherokee Nation and moves to be permitted to take testimony in this case for the reason that service cannot be had upon the applicant as provided for by the rules established by the Dawes Commission.
By the Commission: The motion will be granted and the testimony taken.

William T. Hutchings, being sworn and examined, testified as follows:
By W.W.Hastings: What is your name? A William T. Hutchings.
Q What is your postoffice? A Muskogee.
Q Were you attorney for the Cherokee Nation in citizenship matters in 1896? A I was.
Q Do you remember about how many applications were filed at that time for enrollment before the Dawes Commission? A About five thousand.
Q I will ask you if Wat Christie was a witness in a great many of these cases at that time? A He was a witness in a very large number of cases that were filed before the Commission at that time, and a witness in a very large number of cases previously presented to the Cherokee authorities.
Q I will ask you if you made any investigation to ascertain his reputation throughout the country for truth and veracity? A I did ask I expect possible about one hundred people about him at Tahlequah and elsewhere at that time and since.
Q I will ask you what that reputation was, good or bad? A I found his reputation for veracity was universally bad. I will say that I took the affidavits of prominent citizens of the Cherokee Nation, saying that and they are on file before the Commission in Cherokee citizenship cases.
By the Commission: Do you know where Mr. Christie resided during the year 1896? A I do not. I believe it was very many Tahlequah. I infer that from this fact, that one or two people who had appeared before the Commission told me that they were going out after his affidavit and they took horse and buggies and went out there and I don't think it was very far from there.
(Starr's note: Your last above question is "Same.")

[illegible]

[illegible] being sworn and examined, testified as follows:

By W. W. Hastings: What is your name? A [illegible]

Q Your postoffice is Vinita? A Yes sir.

Q You are a practicing attorney? A Yes sir.

Q I will ask you if you were one of the [illegible] Cherokee Nation in citizenship matters in 1896? A Yes sir.

Q I will ask you if during that time [illegible] and since that time, both in the representation of the Cherokee Nation and in the practice of law and otherwise were you generally regarded as [illegible] quite a good deal? A Yes sir, I suppose I may be an average of being in Tahlequah at least one a month for the last five years; often I stayed there for thirty days at a time.

Q I will ask you if you were well acquainted with the people in and around Tahlequah? A Yes sir, I have a general knowledge in and throughout Tahlequah District.

Q I will ask you if you are acquainted with the reputation of an old Cherokee man residing near Tahlequah by the name of Pat Christie? A Yes sir, I am.

Q I will ask you what that reputation is, whether it is good or bad in connection with citizenship matters? A The reputation with regards to truth was bad; in fact his reputation was that he would make an affidavit to anything for compensation.

Q I will ask you if he was generally known as a citizenship witness? A Yes sir. The year before Congress gave the Dawes Commission power to pass upon citizenship there were several that met, on anything that came up, Pat came in with an affidavit. In 1896 when the Commission was there I am satisfied that out of the five thousand cases he gave one hundred and fifty affidavits in different cases.

Q Did you ever talk with Pat Christie with reference to his being a witness in citizenship cases? A Yes sir, I did in September, 1896.

Q Did he acknowledge that he was generally paid a small consideration for testifying? A Yes, he said he got a dollar, $1.50 to $2.00.

J. C. Starr recalled and examined by W. W. Hastings:

Q Your name is ——— A J. C. Starr, and the witness, postoffice Vinita, I. T.

Q You are a Cherokee citizen? A Yes sir.

Q I will ask you if you were born in [illegible] Cherokee National counties, but grew to [illegible]

Q I will ask you if you were personally acquainted with [illegible]

Q Do you know anything about his reputation for testifying in citizenship cases, I mean his reputation for veracity? A Yes sir.

Q Testifying before Citizenship Commissions and Court? A Yes sir.
Q What is his reputation? A His reputation for truth and veracity in citizenship cases is very bad. I was a member of a Citizenship Committee prior to 1896 for about two terms and I know the Committee disregarded his testimony entirely.
Q Paid no attention to it? A Paid no attention to it.
Q Wasn't his reputation most exceedingly bad? A Yes sir.
Q Was his testimony disregarded? A Yes sir, disregarded by the Senate Committee on Citizenship.
Q Do you know Pleasant Gumiford, the applicant? A Yes sir.
Q How near did he live to you up there? A Lived within about two miles from where I lived on Cowskin Prairie.
Q Did he have a brother up there? A Yes sir.
Q Did he claim citizenship in the Cherokee Nation? A No sir, not to my knowledge.

By Mr. Hastings: For the purpose of showing the contradiction in the testimony of Wat Christie whom applicant alleges testified in his behalf before the Commission which admitted him on January 20, 1888, the Cherokee Nation offers in evidence the original testimony, taken from the files of the Executive Department of the Cherokee Nation, of Wat Christie in the case of Pleasant Gumiford vs. the Cherokee Nation, and desires to call the attention of the Commission to the fact that in his orignal testimony Wat Christie testified that applicant's mother was Rachel Fisher; that she was a relative of his; that she lived near him; that she had one child and that he recognised the applicant as that child. Whereas, in his testimony before the Commission to the Five Civilized Tribes on December 15, 1900, Christie said that he didn't know Pleasant Gumiford's mother, neither did he know his father, and that he didn't know anything whatever about the applicant except what the applicant himself had told him, and that the applicant had given him a horse to testify for him; and he further testified that he didn't know Pleasant Gumiford when he came there, meaning when he came there to get him to testify for him.

W.W. Hastings, being sworn and examined, testified as follows: My name is W. W. Hastings, my postoffice is Tahlequah; I am the attorney for the Cherokee Nation before the Dawes Commission in the matter of Cherokee citizenship. I have been connected with Cherokee citizenship for the Cherokee Nation since about 1893 almost continuously. I knew Wat Christie personally; he is now dead, having died this year some time. He lived around Tahlequah most of the time with his daughter who is Sam Manus' wife. He was quite an old full-blood and was used before every citizenship commission and the committees of the Council and before the Dawes Commission in 1896 by all designing fraudulent citizenship attorneys and by fraudulent citizenship applicants, and his reputation throughout the whole of the Cherokee Nation I might say, and particularly in and about Tahlequah, his home, was universally bad for testifying falsely in citizenship cases for truth and veracity. His testimony was not regarded at all by any of those people in authority, and I have found perhaps only this one case where any applicant was admitted upon the sole testimony of Wat Christie, and the only way I can account for them being admitted in this one was because this case was among the first cases that that Court admitted and they were perhaps not at that time quite acquainted with the reputation of Wat Christie ~~for truth and veracity~~. I have talked with Wat Christie during his lifetime, and a number of times, about this case, and I remember a conversation I had with Christie while Pleasant Gumiford appeared before the Commission at Claremore for enrollment, and from my recollection of it I asked whether or not he hadn't given Christie a horse to testify for him. Christie told

[redacted]

[redacted]

[redacted]

[redacted]

Subscribed and sworn to before me this [redacted]

[redacted]

Exhibit
Affidavit of
Wm. C. Christie.

Pleasant Crawford
(TS)
Cherokee Nation

Applicant for
Cherokee Citizenship

Matt Christie who being duly sworn,
makes the following statement. I'm B Hilton
Illinois in Going Snake Dist. I. T. I am
about 70 years of age,

I am acquainted
with the applicants mother - Her name was
Rachel Fisher - I saw her just after the war -
She was a Cherokee, I dont know when she
went to, Her husband came and got and
took her out North, She had one child
about 6 or 7 years old - a boy - I recognize
the boy to be the son of Rachel, when he
came back he hunted me up, as we were
kin folks I dont know what become of Rachel
she never come back any more, I recognize
the applicant to be a Cherokee and relation
of mine Rachels name should appear
on the Rolls of 1852

— X Examination —

Mother of applicant lived in Going Snake
Dist. I saw when I was before she went off -
She was a first cousin of mine - Father of
applicant was a white man. Applicant was
born in Going Snake Dist. He is I guess 30
years old -

No. 2

Applicants came back not quite a year ago. I met him about a year ago after he came back, I recognized the applicants from his features when I met him. and after talking to him a little. Mother of applicant was about 3/4 Cherokee. she went off soon after the war, I dont know anything about the applicants children. the white man that she went off with had no other children. only the applicants when they went away. — Rachel was small when she came out with. Emigration. her father & mother lived near Tuscip. town. on the Elijay. in old Nation, her father & mother came to this country. her father was name Fisher. Fishers Name. father of Rachel should appear on the Rolls of 1835

January 20th 1888

C. C. Lipe

Clerk, Commission

Cherokee D-771.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Pleasant Cumiford et al., for enrollment as citizens by blood of the Cherokee Nation.

D E C I S I O N.

The record in this case shows that on November 9, 1900, Pleasant Cumiford appeared before the Commission at Claremore, Indian Territory, and made application for the enrollment of himself and his minor children, Robert S., Henry S., Julia A., Benjamin F., Beulah C., Watt and Margarette Cumiford, as citizens by blood of the Cherokee Nation. Further proceedings in the matter of said application were had at Tahlequah, Indian Territory, on December 15, 1900, and at Muskogee, Indian Territory, on October 31, and November 11, 1902. The application also included the enrollment of Letha Cumiford as a citizen by intermarriage, but her status as such is not passed upon at this time nor is she embraced in this decision. The record further shows that on August 11, 1902, this Commission rendered its decision, wherein Pleasant Cumiford and his minor children were enrolled as citizens by blood of the Cherokee Nation. Thereafter on August 26, 1902, the Cherokee Nation, through its legal representatives, filed with this Commission a motion for rehearing, and on September 17, the Commission allowed said motion to reopen and this cause was set down for further hearing at Muskogee, Indian Territory, on October 31, 1902.

The evidence shows that Pleasant Cumiford and four children, Robert S., Henry S., Julia A. and Benjamin F. Cumiford, were admitted to citizenship in the Cherokee Nation, on February 26, 1887, by a duly and legally appointed commission on citizenship of said nation. The other applicants, Beulah C., Watt and Margarette Cumiford, were born subsequent to their said father's admission to citizenship as hereinbefore shown, and are his children by his wife Letha, and both the respective descendants of said Pleasant Cumiford, under the rule announced by the Department in the case of Martha J. Hill et al., (I.T.D. 3886-1903), said descendants being residents of the Cherokee Nation, are considered to have acquired the status of their said ancestor. All the applicants herein are identified on the Cherokee

census roll of 1896, except Margarette Cumiford, who is duly identified by a birth affidavit made a part of the record herein. It is further shown that Pleasant Cumiford has lived in the Cherokee nation continuously since his admission to citizenship therein, and his residence is considered to govern that of the minor applicants herein.

The Cherokee Nation alleges that the judgment admitting Pleasant Cumiford was procured "by means of bribery and perjured testimony." The right of the Cherokee Nation, acting through its duly constituted tribunals to confer citizenship upon whomsoever it saw fit, has always been recognized; provided, said tribunals were acting within their jurisdiction and their judgments were not procured by fraud. This Commission holds to the view that the judgments of a duly constituted Cherokee Commission on Citizenship, if valid, should be given full faith and credit upon the question therein adjudicated, if the same were within its jurisdiction.

As will be seen from the motion for rehearing, the Cherokee Nation does not attack the jurisdiction of the Commission on Citizenship, but relies solely upon the alleged fact that the admission of Cumiford was procured "by means of bribery and perjured testimony." The only question, it appears, to be determined herein is whether the judgment admitting said Cumiford was so procured. It is a well settled rule of law that fraud will not be presumed but must be clearly proven by the party alleging it. It is especially necessary that the proof be clear when the solemn written judgment of a court of competent jurisdiction is sought to be impeached by fraud.

In their allegation charging bribery the Cherokee Nation relies upon the fact that one Watt Christie, a Cherokee Indian, the only witness before the Cherokee Commission on Citizenship in behalf of Pleasant Cumiford, was given a horse by said Cumiford. The transaction, standing alone as it does with not the slightest scintilla of proof to show that it was in consideration of the said Watt Christie perjuring himself, the Commission must incline to the belief that it was purely a business transaction, and that upon the showing made, fraud does not exist. In their charge of bribery the Cherokee Nation makes the charge but adduces no proof in substantiation thereof; neither do they attack the jurisdiction or the integrity of the Commission admitting Cumiford. They do not show that a bribe was either offered to or accepted by the Commission on Citizenship to influence their action in the premises, nor is it shown that any bribe was offered to or accepted by Watt Christie which prompted the testimony given by him before the Commission, and it is not shown that said Christie was suborned by said Cumiford.

In the absence of any proof tending to show subornation of perjury or the practice of fraud upon the Cherokee Commission on Citizenship in the procurment of the judgment rendered in favor of the principal applicant, Cumiford, and granting to said Cumiford the rights of Cherokee citizenship, this Commission is constrained to accept said judgment as being a valid and legal determination of that tribunal. The effect of the judgment is not at all dependent upon the correctness of the verdict or finding upon which it was rendered. It not being set aside by subsequent proceedings, by appeal or otherwise, it is equally effective as an estoppel upon the points decided,

whether the decision was right or wrong.

There is no doubt [illegible]
according the children of
of their private [illegible]
land, because they [illegible]
but when the party [illegible]
different nation, [illegible]
writ of error [illegible]

It is, therefore, [illegible]
Pleasant Guilford, Mary L. Guilford, [illegible]
Guilford, Reginald M. Guilford, [illegible]
and Marguerite Guilford should be enrolled [illegible]
the Cherokee Nation, in accordance with the provisions
[illegible] of the act of Congress approved June 28, [illegible]
1906, and it is so ordered.

COMMISSION TO THE FIVE CIVILIZED [illegible]

C. R. Breckinridge

[illegible]

32 #10778

IN RE
THE DEATH OF

Benjamin F. Bumford
a citizen of the

Cherokee Nation.

Approved July 28 1904
C. R. Breckinridge.
Commissioner

JR

DEPARTMENT OF THE INTERIOR

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the death of Benjamin F. Bumford (Here insert name of deceased)

a citizen of the Cherokee Nation, who formerly resided at or near

Southwest City Mo (Here insert name of post office), ~~Ind. Ter.~~, and died on ~~the~~ _____ day of

February, 1903

AFFIDAVIT OF RELATIVE.

UNITED STATES OF AMERICA, INDIAN TERRITORY.
Northern District.

I, Pleasant Bumford, on oath state that I am 48 years of age and a citizen, by blood, of the Cherokee Nation; that my post office address is Southwest City Mo (Here insert name of post office) Ind. Ter.; that I am father (State relationship as: the father; an uncle; a cousin, etc.) of Benjamin F. Bumford (Here insert name of deceased), who was a citizen, by blood, of the Cherokee Nation; and that said Benjamin F. Bumford (Here insert name of deceased) died on the _____ day of February, 1903

Pleasant his X Bumford mark

WITNESSES TO MARK:
(Must be Two Witnesses)
R Palmer
G F Smith

Subscribed and sworn to before me this 21 day of July, 1904

Samuel Foreman
Notary Public.

AFFIDAVIT OF ACQUAINTANCE.

UNITED STATES OF AMERICA, INDIAN TERRITORY.
Northern District.

I, Robert S. Bumford, on oath state that I am 24 years of age, and a citizen, by blood, of the Cherokee Nation; that my post office address is Southwest City Mo (Here insert name of post office) Ind. Ter.; that I was personally acquainted with Benjamin F. Bumford (Here insert name of deceased) who was a citizen by blood, of the Cherokee Nation; and that said Benjamin F. Bumford (Here insert name of deceased) died on the _____ day of February, 1903

Robert S Bumford

WITNESSES TO SIGN:
(Must be Two Witnesses)

Subscribed and sworn to before me this 21 day of July 1904

Samuel Foreman
Notary Public.

JCR

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
CHEROKEE LAND OFFICE,
Tahlequah, I. T., May 5, 1906.

In the matter of the application of Pleasant Cumiford for the enrollment of himself and children, Robert B., Mary J., Julia A., Benjamin F., Beulah C., Watt and Margaretta Cumiford as citizens by blood of the Cherokee Nation. No. 10421.

JULIA ANN MORRISON, being duly sworn and examined by the Commission, testified as follows:---

Q What is your name? A Julia Ann Morrison.
Q How old are you? A 19.
Q What is your post-office? A Southwest City.
Q Post-office use to be Pryor Creek? A Yes sir.
Q Your father named Pleasant Cumiford? A Yes sir.
Q Have you married since you enrolled? A Yes sir.
Q What is the name of your husband? A Joe Morrison.
Q Is he a citizen of the Cherokee Nation? A No sir, he is a white man.
Q When were you married? A A little over two years ago.
Q What month was it? A It was November, I believe.
Q Last November 2 years ago? A Yes sir.
Q Do you know the day? A Second day.
Q Are you and he living together now? A Yes sir.

Joe Chambers, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony in this case, and that the above and foregoing is a true and complete copy of his stenographic notes.

Subscribed and sworn to before me this 5th day of June, 1906.

Notary Public.

JC

FILED

HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BOGGESS.

ALLISON L. AYLESWORTH
SECRETARY.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 18, 1902.

Mr. Pleasant Cumiford,

Pryor Creek, Indian Territory,

Sir:-

You are hereby notified that the application of yourself, [illegible] children

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on

the eighth day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Cherokee D-771
Register.

Yours truly,

Acting Chairman.
Commissioner in Charge.

[redacted]

Muskogee, Indian Territory, October 24, 1908.

Pleasant Cumiford,

Pryor Creek, Indian Territory.

Dear Sir:

There is enclosed herewith a copy of a motion for rehearing, filed by the representative of the Cherokee Nation, in the matter of your application for the enrollment of yourself, wife and children as citizens of the Cherokee Nation; also, a copy of the order of the Commission, under date of October 21, 1908, directing that the cause be set down for further hearing at the office of the Commission to the Five Civilized Tribes, at Muskogee, Indian Territory, on the 31st day of October, 1908.

The representative of the Cherokee Nation has this day been furnished with a copy of said order.

Respectfully,

[redacted]

Acting Commissioner.

Enclosure K. No. 2.

Cherokee 3 7th.

Muskogee, Indian Territory, October 25, 1902.

W. W. Hastings,

Attorney for the Cherokee Nation,

Muskogee, Indian Territory.

Dear Sir:

In the matter of your motion for a re-hearing in the case of Pleasant Cumiford et al, applicants before the Commission for enrollment as citizens of the Cherokee Nation, you will find herewith, a copy of the order of the Commission, dated October 15, 1902, directing that the cause be set down for further hearing at the office of the Commission to the Five Civilized Tribes, at Muskogee, Indian Territory, on the 31st day of October, 1902.

The applicant in chief, has this day been furnished with a copy of said order.

Respectfully,

Acting Chairman.

Enclosure H. No. 3.

[illegible]

December [illegible]

The Commission
to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

It appears from the records in the case of [illegible] Lynch, et al., received with your letter of February [illegible], Rose May Lynch, the wife of said Mansfield Lynch, is [illegible] Pleasant Cumiford, admitted to citizenship in the Cherokee [illegible], it is stated in your decision February 26, 1897, and in the [illegible] of the Nation January 28, 1888, by the Cherokee Citizenship Commission.

The attorney for the Nation states in the Pleasant Cumiford case (D771), there was introduced the original testimony in the case of Watt Christie that was introduced before the Citizenship Commission in 1887 or 1888, etc.

The Department desires to consider the Pleasant Cumiford case in connection with the pending case of Mansfield Lynch, and if no objection appears you will transmit, as soon as practicable, the Pleasant Cumiford case to the Department.

Respectfully,

(Signed) Thos. Ryan
Acting Secretary.

[illegible]

Muskogee, Indian Territory, January 22, 1904.

W. W. Hastings,
Attorney for the Cherokee Nation,
Tahlequah, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated January 22, 1904, granting the application of Pleasant Cumiford for the enrollment of himself and Robert S., Henry S., Julia A., Benjamin F., Beulah C., [illegible] and Margarette Cumiford as citizens by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you may desire to make against the action of the Commission in this case. You are requested, however, to file your protest at as early a date as possible as the Department has requested that this case be transmitted to the Department as soon as practicable. If you fail to file protest within the time allowed this decision will be considered final.

Respectfully,

Encl. V-80.

Commissioner in Charge.

COPY.

Cherokee D-7?8

Muskogee, Indian Territory, February 8, 1904.

Pleasant Cumiford,

Pryor Creek, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the record of proceedings had in the matter of your application for the enrollment of yourself and your seven minor children, Robert S., Henry S., Julia A., Benjamin F., Beulah C., Watt and Margarette Cumiford, as citizens by blood of the Cherokee Nation, together with a copy of the Commission's decision, dated January 22, 1904, granting said application.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest has been furnished you by the attorney for the Nation.

The decision, with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

T. B. Needles,

Enc. D-5
Register.

Commissioner in Charge.

COPY.

Muskogee, Indian Territory, February 5, 1904.

The Honorable

The Secretary of the Interior.

Sir:

Referring to Departmental letter of December 2, 1903 (I.T.D. 7754-1903), there is herewith transmitted the record of proceedings had in the matter of the application of Fleasant Cumiford for the enrollment of himself and his seven minor children, Robert S., Henry S., Julia A., Benjamin F., Beulah C., Watt and Margerette Cumiford, as citizens by blood of the Cherokee Nation, including the Commission's decision, dated January 22, 1904, granting said application.

You are advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest is enclosed.

Respectfully,

T. B. Needles.

Commissioner in Charge.

Through the

Commissioner of Indian Affairs.

Land. 10817-1904.
D. C. 9914-1902.

DEPARTMENT OF THE INTERIOR,

C O P Y. OFFICE OF INDIAN AFFAIRS,

WASHINGTON, March 12, 1904.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted herewith for the consideration of the Department the record of the proceedings had before the Commission to the Five Civilized Tribes in the matter of the application of Pleasant Cumiford for the enrollment of himself and his minor children, Robert S., Henry S., Julia A., Benjamin F., Beulah C., Watt, and Margarette Cumiford, as citizens by blood of the Cherokee Nation. It further appears that the name of Letha Cumiford was included in said application as a citizen by intermarriage, but that her status as such is not passed upon at this time and she is not embraced in this decision.

On January 22, 1904, the Commission rendered a final decision in this case, from which it appears that on August 11, 1902, the Commission rendered a decision herein enrolling the said Pleasant Cumiford and his minor children as citizens by blood of the Cherokee Nation; that afterward on August 20, 1902, the Cherokee Nation through its legal representatives filed a motion with the Commission for a rehearing and that

of September 17, 1902, and [illegible]

hearing of the case [illegible]

The Commission is [illegible]

dence that Pleasant Cumiford and his [illegible]

Robert S., Henry B., Julia A., and [illegible]

to citizenship in the Cherokee Nation on [illegible]

a duly and legally appointed Commission to [illegible]

Nation, and that the other children were born [illegible]

the said admission of their father and are considered [illegible]

acquired and taken his status. The Commission further finds

that all of the applicants are identified on the Cherokee

census roll of 1896 except Margarette Cumiford, who is duly

identified by a birth affidavit made a part of the record

herein. The Commission further finds that the said Pleasant

Cumiford has resided in the Cherokee Nation constantly since

his said admission to citizenship therein. Said decision of

the Commission then takes up the charges of the Cherokee Na-

tion to the effect that said judgement of admission was procur-

ed by means of bribery and perjured testimony. The Commission

finds that the Cherokee Nation does not attack the jurisdic-

tion of the Commission on citizenship, but relies solely upon

the charge that the admission of this applicant and his said

children, admitted with him, was procured by means of bribery

and perjured testimony, and the Commission considers that the

only question to be determined is as to whether or not said

judgement was so procured. The Commission then sets out in

its said decision a short review of the testimony, reaching

the conclusion that the nation has failed to show that said

[illegible] applicant and [illegible] by blood of the Cherokee Nation [illegible] visions of section 21 of the act of Congress approved 1898 (30 Stats., 495).

Attached to the record is a protest of [illegible] Nation to said decision of the Commission, wherein the mony submitted is reviewed at length and a rehearing appeal made to the Department to have the said decision Commission reversed. Inasmuch as the question of [illegible] the sole basis for this protest the attention of the Department is invited to the first paragraph of section 21 of the act of June 28, 1898 (30 Stats 495), relative to the provision determining who shall be enrolled as Cherokee citizens. Said paragraph after affirming the Cherokee roll of 1880 authorizes the Commission to enroll ("all persons who have been enrolled by the tribal authorities who have heretofore made permanent settlement in the Cherokee Nation whose parents by reason of their Cherokee blood, have been lawfully admitted to citizenship by the tribal authorities, and who were minors when their parents were so admitted"). I am never certain that I know what this part of said section 21 means, for I do not consider that its meaning can be determined with any satisfaction from the wording contained therein. At first glance it appears to refer to but one class of persons, but I am quite certain that a proper construction of the phrase shows that two classes of persons were thereby intended to be

enrolled, [illegible]
by the tribal [illegible]
settlement in the [illegible]
("All persons) those parents [illegible]
have been lawfully admitted to citizenship by the tribal
authorities and who were minors when their parents were so
admitted".

Whether I am correct or not in this construction it is quite evident that the principal applicant in this case and his four children who were admitted by the tribal authorities, come within its provisions and are entitled to be enrolled as Cherokee citizens by reason thereof. It will be noticed that there is no exception made in regard to this class of persons and all are to be enrolled without regard to the manner in which they were admitted by the tribal authorities whether through fraud or otherwise. Said paragraph of section 21 then continues as follows: "And they (the Commission) shall investigate the right of all other persons whose names are found on any other rolls and omit all such as may have been placed thereon by fraud or without authority of law, etc."

I consider that the word fraud, as here used, is limited strictly to the right of other persons found on other rolls and has no reference whatever to either those persons whose names are found on the 1880 roll or who have been admitted to citizenship by the tribal authorities.

[illegible] to be applicable to all persons who have been admitted by the tribal authorities.

It is also evident that in passing said act [illegible] never intended to raise the question of fraud as to [illegible] these classes.

By reason of the foregoing I do not consider that the nation has a right at this time to raise the question of fraud as far as these applicants are concerned, and that being the only ground upon which the protest is made I consider that these parties should be enrolled and said decision of the Commission affirmed, and so recommend to the Department.

Very respectfully,

A. G. [illegible],

Acting Commissioner.

WCB-Ma

L.R.S.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

On February 8, 1904, you transmitted for review the matter of the application of Thomas Gunsford, for enrollment of himself and his seven minor children, Mary Henry S., Julia A., Benjamin C., Watt, and Margarvite [illegible] as citizens by blood of the Cherokee Nation, including your decision of January 22, 1904, granting said application.

The original application also included the name of Lotha Gunsford, as an applicant for enrollment as a citizen by intermarriage. Her status as such was not passed upon by you and is therefore not embraced in this decision.

The Department concurs in the recommendation of the Acting Commissioner of Indian Affairs in his letter of March 12, 1904, a copy of which is enclosed herewith. Your attention is further invited to the opinion of the Assistant Attorney-General rendered February 18, 1904, relative to the case of Francis M. Dawson, et al. Your decision is therefore approved.

Respectfully,

Thos. Ryan,

Enclosure.

[redacted]

Muskogee, Indian Territory, April 7, 1906.

Pleasant Smith,

Pryor Creek, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated January 25, 1906, granting your application for the enrollment of yourself and your seven minor children, Robert S., [redacted] S., Julia A., [redacted] F., Beulah C., Watt and Margarette Smith, as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on March 26, 1906.

Respectfully,

Commissioner in Charge.

Muskogee, Indian Territory, April 7, 1904.

W. W. Hastings,
Attorney for Cherokee Nation,
Tahlequah, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated January 22, 1904, granting the application of Pleasant Cumiford for the enrollment of himself and his seven minor children, Robert S., Henry S., Julia A., Benjamin F., Beulah C., Watt and Margarette Cumiford, as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on March 26, 1904.

Respectfully,

Commissioner in Charge.

Department of the Interior.
Commission to the Five Civilized Tribes,
MUSKOGEE, IND. TER.

OFFICIAL BUSINESS.

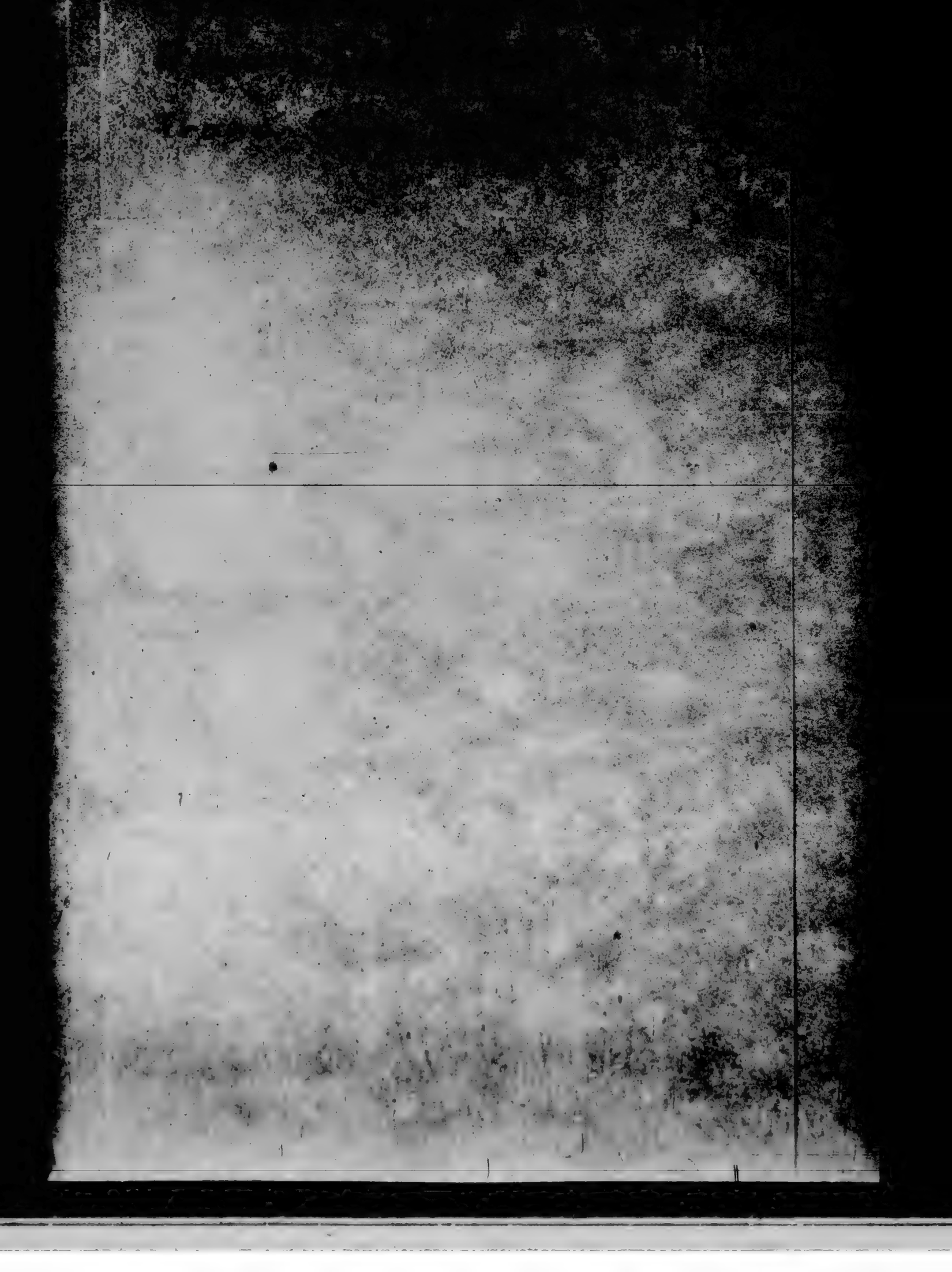
Penalty for private use, $300.

4166

REGISTERED
MUSKOGEE, IND. T.

Pleasant Bluff
Tryorcreek, Indian Territory.

MAR 22 1904



[illegible]

[redacted] Civilized Tribes,
[redacted] 1896.

[redacted]

[redacted]

[redacted]

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
OCT 16 1900

ACTING CHAIRMAN

Name Robert R. Dawson, Dakota, 21

District Nov. - Year 1890 Page 369 No. 11

Citizen by blood yes Mother's citizenship

Intermarried citizen No

Married under what law admitted in 1883 Date of marriage

License Certificate

Wife's name

District Year Page

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Born in 1894 (Roll as Robert Dawson,

Wallace make following note = See Dawes Doubtful Roll No 321,

ලංකා

COMMISSIONERS:
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, I.T. Feb 26-1902.

Received of the Commission to the Five Civilized Tribes one copy of the testimony in the matter of the application of Robert G. Lawson for enrollment as [redacted] of the Cherokee Nation.

Petitioner

A. S. McClennon
Attorney for Applicant.

No. 2.D. 1005

AFFIDAVIT.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT } ss

In the matter of the application of

Robert L. Dawson for enrollment as a Cherokee ~~Freedman~~ citizen.

No. F. D. 665

I, Robert L. Dawson, of lawful age, being duly sworn on oath states that on the 4th day of March, A. D., 1902 he registered to Robert L Dawson whose postoffice is Talala Indian Territory, a notice, a true copy of which is attached to this affidavit, and he hereto attaches the receipt of the Postmaster at Muskogee Indian Territory; and that on the 13th day of March, 1902 he received the return card which is hereto attached, signed by the said Robert L. Dawson, showing that he had received said notice.

Robert L Dawson

Subscribed and sworn to before me on this the 13 day of March A. D. 1901.

J. C. Starr

Notary Public.

C D. 605

D

D60

INDIAN TERRITORY,
CHEROKEE NATION.

I hereby certify that I served the within notice on ..... by delivering a true copy thereof on the ..... day of ..... A. D. 190....

Given under my hand this ..... day of ..... A. D. 190....

.....
Marshal for the Cherokee Nation.

I, the undersigned attorney for the within named applicant, hereby accept service of the within notice on this the ..... day of ....., 190....

.....
Attorney for applicant.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT. } S. S.

I do solemnly swear that I delivered a true copy of the within notice to ..... on the ..... day of ..... A. D. 190....

Subscribed and sworn to before me this ..... day of ..... A. D. 190....

.....
Notary Public.

FILED
MAR 15 1902

IN THE MATTER OF the application of Robert L. Dawson,
for enrollment as Cherokee citizens:
Case No. D 605

To Robert L. Dawson, Talala, I. T.

You are hereby notified that the Cherokee Nation will present before the United States Commission to the Five Civilized Tribes testimony on behalf of the Cherokee Nation tending to disprove your right to be enrolled as a Cherokee citizen at the office of the United States Commission to the Five Civilized Tribes in the town of Muskogee, I. T. Indian Territory, on March, 17, 1902. or from day to day thereafter until the same can be heard by said Commission during the usual business hours of said Commission for the taking of testimony both for and against applicants for enrollment as Cherokee citizens.

In testimony whereof, the undersigned representatives of the Cherokee Nation have hereunto set our hands this March, 10, 1902.

W. W. Hastings

Attorneys for the Cherokee Nation.

[redacted]

[redacted] and children [redacted] follows:

Q What is your full name? A [redacted]
Q [redacted]
Q [redacted]
Q [redacted]
Q [redacted]
Q Your wife? A Yes, sir.
Q How many children? A [redacted]
Q Do you apply for [redacted] a Cherokee by blood? A Yes, sir.
Q Is your wife a Cherokee by blood? A No, sir; she is a white woman.
Q How long have you lived in the [redacted]? A [redacted] years.
Q Were you admitted by the Cherokee Commission? A [redacted]

The applicant presents a duly authenticated certificate of admission to citizenship, showing that on the [redacted] day of January, 1883, certain persons were admitted by the Commission on citizenship, and among those appears the name of [redacted], Dawson.

Q What is your name in full? A [redacted]

This is recognized as [redacted] evidence of the facts stated.

Q Have you lived in the [redacted] ever since [redacted] admission?
A Yes, sir; in Delaware District, [redacted]
Q Give me the name of your wife? A [redacted]
Q How old is she now? A Forty-five.
Q Was she admitted with you? A No, sir.
Q Have you married her according to the laws [redacted]?
A Yes, sir.
Q You have not remarried since your admission? A No, sir; it was not necessary.

The applicant presents a duly authenticated certificate license and certificate, showing that he was married to his wife, as stated by him, in 1880, by the Reverend [redacted], in [redacted] County, Arkansas, the license being issued by the Clerk of that County.

Those papers are filed herewith.

Q Your wife was not admitted by the Cherokee Commission, when you were? A No, sir.
Q Or at any other time? A No, sir.
Q By act of the Commission or Council? A No, sir; she was placed on the rolls.
Q On the census rolls? A Yes, sir.
Q Give me the names of your children, please? A [redacted].
Q How old? A Seventeen.
Q Next child? A [redacted].
Q How old? A Fifteen.
Q Next child? A [redacted].
Q How old? A Fourteen.
Q Next child? A [redacted].
Q How old? A Ten.
Q Next child? A [redacted].
Q How old? A He is eight I believe.

Q Next child? A Laura.
Q How old is that child? A She is four years old.
Q Is that all? A Yes, sir; six of them. I have others, but they are not at home.
Q Are they married? A No, sir.
Q Are they over age? A Yes, sir.

(1896 Roll, Page 461, #902, Francis Marion Dawson, Delaware.
(1896 Roll, Page 560, #135, Katie Dawson, Delaware District.
(1896 Roll, Page 461, #903, Lula Dawson, " "
(1896 Roll, Page 461, #904, Ray Dawson, " "
(1896 Roll, Page 461, #905, Jesse James Dawson, Delaware Dist't.
(1896 Roll, Page 461, #906, Jacob Levy Dawson, " "
(1896 Roll, Page 461, #907, Hugh A. Donegate Dawson, " "
(1896 Roll, Page 461, #908, Laura Albertie Dawson, " "

Q Is this Lula or Lely? A Luly.

The applicant applies for the enrollment of himself, wife and six children:

Q Were these children all born since you were admitted into the Cherokee Nation? A Yes, sir.

The applicant is shown by the certificate of admission, cited in the testimony, to have been admitted to Cherokee citizenship, by the Commission on Citizenship, January 11th, 1883; he is identified on the roll of 1896, but the representatives of the Cherokee Nation desires to make inquiry into the methods of that time, and for that reason, the application of the applicant will at present be placed on a "Doubtful Card." He has lived in the Cherokee Nation ever since his admission to citizenship. His wife was married to him under tribal custom law, and was married prior to his admission, but has never been remarried according to Cherokee law. She has lived with him ever since his admission to citizenship, and is identified on the roll of 1896. The application for her enrollment will be placed on a "Doubtful Card."

[illegible] six children, as enumerated in the testimony are identified on the roll of 1896. They are living with him, all having been born since his admission [illegible]. These children will be placed with him on a "Doubtful Card." The applicant's marriage to the mother of these children is established by the marriage license and certificate filed herewith. If any additional papers, adverse are developed in this case, he will be given timely notice thereof.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

(Signed) R. R. Cravens.

Subscribed and sworn to before me this 18th day of September, 1900.

(Signed) C. R. Breckinridge,
Commissioner.

REPORT AND TESTIMONY TAKEN BY THE FIVE CIVILIZED TRIBES.

In the matter of the application
of E. F. [illegible] for
Cherokee citizenship.

Depositions of witnesses produced and sworn to on behalf of the applicant for enrollment were taken before me, [illegible], a Notary Public in and for the Northern District of the Indian Territory, duly appointed, commissioned and qualified, at the office of J. B. Dailey in the town of Vinita, Indian Territory, on the [illegible] day of October 1896, between the hours of nine o'clock A. M. and six o'clock P. M. of said day, pursuant to the agreement to take depositions, entered into between the applicants and the Cherokee Nation, by their respective attorneys, which agreement is hereto attached.

E. F. Thompson, being produced by the applicants, being first duly sworn to testify to the truth, the whole truth and nothing but the truth, testified as follows:

DIRECT EXAMINATION BY J. B. DENSON:

Q State your name, age, residence and occupation?
A E. F. Thompson, 38 years old, I live near Vinita, Cherokee Nation, I. T. I am a farmer.
Q How long have resided in the Cherokee nation? A All my life.
Q Are you a citizen of the Cherokee Nation at now entitlement?
A Yes, sir.
Q Upon what is that citizenship based, blood or otherwise?
A Blood.
Q What, if any official position have you held in the Cherokee Nation, and at what time?
A I was elected to the Cherokee Council in 1875 [illegible] I don't remember the exact year. I was also on the [illegible] Court.
Q Do you remember when that was? A Some like 14 years ago, I think, it may have been earlier.
Q Did that Commission or Court have anything to do with admission to citizenship in the Cherokee Nation? A Yes, sir.
Q State, if you remember, who the members of that Commission or Court there were, and who they were besides yourself?
A There were three, Tehee, Reif and myself, Tehee was President of the Court.
Q Where were the sessions of that body held? A Tahlequah, Cherokee Nation.
Q Did you have a Clerk? A Yes, sir.
Q Do you remember who that was? A R. W. C. Duncan.
Q Do you know whether the members of that Commission beside yourself, are living or dead? A Yes, sir, they are both dead.
Q Can you recollect now what period of time that Commission lasted?
A About two years I think, two, sessions, and there was one session each year.
Q Were the sessions of that body held in Tahlequah, open to the public at all times when it was in session?
A Yes, sir.
Q Were the cases coming before that body heard in open session?
A Yes.
Q Witnesses examined orally? A Yes, sir.

Q Judgments of the court of [illegible]
A In case of [illegible]
yes, the judgment [illegible]
Q What you [illegible]
was that after [illegible]
in secret session [illegible]
decision or [illegible]
went into secret session.
Q I will present you with a paper [illegible] will mark
exhibit 'A' and a copy of [illegible] and will ask you if [illegible]
and will ask you if with the [illegible] certificate of record
by H. L. Brogdon, Clerk, [illegible]
you recognize it as a [illegible]
A I recognize the signature to it, [illegible] the instrument.
Q Which signature on that paper is yours? A My own.
Q That signature is in your own handwriting? A Yes, sir.
Q Do you know whether Tahquette, [illegible] of the commission could write in English or not? A No, I don't think he could.
Q How as to Alexander Wolfe, a member of the Commission?
A I don't think he could write either. I don't think either of them ever wrote except by touching the pen.
Q Were you, and are you familiar with the handwriting of D. W. C. Duncan, the Clerk of that Commission?
A Tolerably well, but it has been a long time since I saw any of it.
Q Will you look at the paper again and say whether you recognize his signature attached thereto?
A Yes, that is his signature to the best of my knowledge.
Q Do you preserve any personal [illegible] of the application before that Commission of D. H. Dawson and other members of the Dawson family, to be admitted as citizens of the Cherokee Nation by that Commission?
A I remember D. H. Dawson and the [illegible] that is about the only ones I remember.
Q The question was not as to the personal recollection of the individuals, but as to the claim [illegible] by the Dawsons for admission?
A Yes, there was such a [illegible] the application.
Q Can you state as to [illegible] Tahquette, whether he was a citizen of the [illegible]
A Yes, sir; he was [illegible] full blood besides.
Q What is your knowledge of [illegible]
A About the same; he was [illegible] and recognized as a Cherokee.
Q Judge Thompson, if you [illegible] or have now any knowledge of any corruption [illegible] court or Commission, or any member [illegible] of the Dawson family or anybody connecting with the presentation of their claim for citizenship, state it fully?
A None whatever as far as I am concerned, and I don't think there was by the balance of the Court.

CROSS-EXAMINATION BY [illegible]:

Q Do you mean to say Mr. [illegible] that your name attached to the certificate shown you in [illegible]
A Yes, sir.
Q When Mr. Duncan [illegible] that was [illegible] of the decision in the case, he is [illegible]
A No, I don't know. [illegible] I don't know as not the original I did not sign it; I [illegible]
Q You state that the witnesses [illegible] the Court, don't you know that is almost every case [illegible] parte

affidavits of witnesses when [illegible]
A I think we ruled [illegible]
Q Did you have any [illegible]? Mr. Dawson did all of the [illegible]
Q Was the evidence [illegible]
A Yes, sir, I think it was.
Q What was done with that evidence, what was any of it ever put?
A I suppose it is at Tahlequah in the office of the Executive or Secretary.
Q When you went into secret session did you have Mr. Benge send that evidence to you?
A Yes, sir, we went over the evidence [illegible]
Q Did you allow the applicants or their attorneys admission to any of your secret sessions?
No, sir.
Q When you got ready to render your decisions did you then send for the applicants or their attorneys?
A No, sir.
Q And you rendered them in secret also, did you? A Yes, sir.
Q Have you any recollection who testified in the Dawson case, as to their claim? A No, sir, I have not.
Q Have you any recollection as to who they claimed their Cherokee ancestors were? A Yes, sir, they claimed the Rogers.
Q Did they claim relationship with any of the present families of Rogers residing in the Cherokee Nation?

The applicant objects to this question as tending to elicit testimony wholly incompetent and irrelevant to the issue, and not cross-examination of this witness.

A I don't know that they did, particularly.
Q How would your court determine when they claimed descent through some Rogers family, that that family was of Cherokee blood?

The applicant objects to the question upon the same grounds as their objection to the previous question.

A By the evidence they produced.
Q Didn't you make them prove that that family was well known at one time to be connected with the Cherokee Nation, and were citizens thereof? A Yes.
Q Who was the attorney for the Dawsons? A Old man Houston Benge.
Q Could either Tehee or Wolfe speak English? A They could understand, but they never spoke English, they had an interpreter.
Q Did you ever talk to either of them as to whether they got anything for deciding this case? A No, sir.
Q How long were you considering the case altogether?
A I could not say as to that. I think we were on it two or three weeks anyhow. I could not say positively now, they were a long time getting in testimony.
Q There were only two or three witnesses examined all told, were there not?
A I think so, three I think, they had quite a lot of affidavits, but we did not consider them.
Q Well the Court was a good while arriving at its conclusion after the evidence was closed?
A Yes, quite a good while, I don't remember the exact time.

RE-DIRECT EXAMINATION:

Q Do you remember who the interpreter the Commission had during the hearing of the Dawson case.
A His name was Reese, I forget his given name.

Q Do you [illegible]
A I don't [illegible]
Q [illegible]
A [illegible]
Q [illegible]
A No, sir, we lived [illegible] I think in Sequoyah.

(Signed) T. B. Thompson.

Copy of Ex. "A" to T. B. Thompson's testimony.

CERTIFICATE OF RECORD.

United States of America,
Indian Territory,
Northern District.

I, Marshall L. Bragdon, Clerk of the United States Court in the Indian Territory, her by certify that the instrument hereto attached was filed for record in my office the 8 day of March, A. D. 1893, at 10-30 o'clock A. M. and duly recorded in book C. Misl Record Mortg. & Liens, page 388,

Witness my hand and seal of said court at Muscogee, in said Territory this 16 day of March, A. D. 1893.

(SEAL) M. L. Bragdon,

Clerk.

Transcript to which this is attached, endorsed on back as follows:

"No. 108, Supt. Dawson et al, VS the Cherokee Nation, Transcript of Judgment, Filed March 8, 1893 10-30 A. M. Marshall L. Bragdon, Clerk."

OFFICE OF COMMISSION ON CITIZENSHIP,
TAHLEQUAH, CHEROKEE NATION, JANUARY 11th, 1893.

Robt. Dawson, F. M. Dawson, Albert Dawson, Jasper Dawson, John Dawson, Josephine Dawson, Joseph Dawson, Jane Dawson, Molly
No. 108 Dawson, Wilson Dawson, James Dawson, Rial Dawson,
VS,
The Cherokee Nation.

And now on this, the 11th day of January, A. D. 1893, this cause coming on for final hearing and all the evidence introduced in the case being carefully read and fully considered by the Commission, it was adjudged and determined by the Commission on Citizenship, that the claimants, Robt. Dawson, F. M. Dawson, Albert Dawson, Jasper Dawson, John Dawson, Josephine Dawson, Joseph Dawson, Jane Dawson, Molly Dawson, Wilson Dawson, James Dawson and Rial Dawson, the descendants of Rachel and Wm. Dawson are entitled to all the rights and privileges of citizens [illegible] within the Cherokee Nation, and that they should be, and they should be, and they are hereby

admitted to the full and complete enjoyment of the same in all respects as native born citizens.

B. [illegible] Hansen, Clerk of Commission. [illegible], President of Com. [illegible], Commissioners.

I hereby [illegible] of the decision of the [illegible] as appears of the records in my office.

B. F. C. Hansen, Clerk of Commission.

January 11th, 1883.

Executive Department,
Tahlequah, Cherokee Nation,
January 11th, 1883.

I hereby certify that the within named Commission on Citizenship, composed of Thomas Pegg, President, Alex Wolf and E. F. Thompson, are now and were at the time the within named persons were admitted to Cherokee Citizenship, a duly authorized and Commissioned Commission on Citizenship, and that their actions as such are legal and binding.

Witness my hand the

Witness my hand and the seal of the Cherokee Nation, on the date above written.

John L. Adair,
Asst. Ex. Secretary.

United Stated of America,
Indian Territory,
Northern District,

I, Lewis T. Martin, a Notary Public in and for the Northern District of the Indian Territory, duly appointed, qualified and acting as such, do hereby certify that the above and foregoing two pages, consisting of this one and the preceding one which is attached hereto, is a true, correct, and perfect copy of the transcript of the judgment of the Commission on Citizenship as the same was presented to me during the examination of T. F. Thompson as a witness, and identified by me at the time by writing thereon "Exhibit A" to testimony of E. F. Thompson, L. T. M. - M. P. Oct. 4, 1900. " The foregoing copy having been carefully compared by me with the said original.

Given under my hand and seal of office as such Notary Public, this 4th day of October, A. D. 1900.

(SEAL) (Signed) Lewis T. Martin.

Notary Public.

My commission expires Feb 3rd, 1902.,

D. [illegible] being [illegible] by the [illegible] [illegible] [illegible]

Q Was that [illegible]
Commission to [illegible]
for citizenship
A It all [illegible]
a paper of [illegible]
to sign Tehee's [illegible]
own name.
Q You didn't [illegible] what I int[illegible] applicants [illegible] now shown you, [illegible] certified by you as [illegible]
A My recollection is [illegible] to the applicant when they [illegible] judgment was not read when the [illegible] signed by the judges, and [illegible] to the applicants I think it was [illegible]
Q If you had any knowledge at the time the [illegible] family, F. M. and others whose [illegible] was pending before that Commission, as [illegible] corruption by bribery, or attempted corruption or [illegible] the Court or any of its officers, by T. M. Buffington, or any [illegible] in any manner with the claim of the Buffington [illegible] the Cherokee Nation, state it fully?
A I never heard a thing of the kind, I knew nothing of the kind, all that I have ever heard about a transaction of that kind is that has originated recently, since the enrollment commission has been inaugurated.

CROSS-EXAMINATION BY M. T. MOTLOW:

Q If as you certify, this paper was a transcript of the record, why did you have the judges sign it?
A I know no reason further than there was the question at that time, the members of the Court being present I presume it was thought it would be as good or better than the signature of the Clerk.
Q Examine that signature of Lr. Thompson, examine the name T in his name and the T in Tehee's name and tell if it is not like your own handwriting?
A No, I would not call that mine, there is a resemblance between the letters but I am satisfied it is a very fortunate accident.
Q How was the evidence taken on these cases?
A It was taken by the witness being present and detailing his knowledge of the case, I wrote it down sentence by sentence as it was delivered.

Q Do you know whether that evidence is in existence or not?
A I do not, the last I saw of it was when I turned the records over to the Executive office at Tahlequah, and I have not seen it since.
Q You say you never heard any talk about this being an improper case until very recently?
A Well, that would depend upon what you term by recently, I don't think I ever heard of it prior to these recent days I am certain any that did not.

[redacted]

A [redacted]
[redacted]
Q. [redacted]
only in the [redacted]
A. I do.

(Signed) [redacted]

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT,

I, LEWIS T. MARTIN, a Notary Public in and for the Northern District of the Indian Territory, do certify that the foregoing testimony of T. J. Thompson and D. W. C. Duncan were taken before me at the time and place set in the caption hereof, and that T. J. Thompson and D. W. C. Duncan, having been first by me sworn that the evidence they should give in said matter should be the truth, the whole truth and nothing but the truth, and that their statements were reduced to writing by me on the typewriter in my presence; the claimants being present in person and by their attorney O. B. Denning, and the Government matter being represented by W. T. Hutchings, Esquire its attorney.

Given under my hand this 4th day of October, A. D. 1906.

(SEAL) (Signed) Lewis T. Martin.

Notary Public.

My commission expires 2/2/1908.

[redacted]

Joseph R. Bowman, being sworn and examined by the Commission, testified as follows:

Q What is your name? A Joseph R. Bowman.
Q [illegible] A I will be 21 the 15th day of June.
Q Are you related to the applicant here in this case, Francis M. [illegible]? A Yes, sir.
Q What are you related to him? A Brother.
Q Did you know his former wife, Julia? A Yes, sir.
Q Is she living or dead? A She is dead.
Q Was she a full blood or white person? A I couldn't say what; she was married in the states.
Q If you knew what she was would like to hear A Yes, sir.
Q What was it? A About the close of the war.
Q Who married them? A Parson Stanley.
Q Were you present when they were married? A Yes, sir.
Q Did they continue to live together as man and wife up until the time his wife Julia died? A Yes, sir.

John K. Stevens, being sworn and examined by the Commission, testified as follows:

Q What is your name? A John K. Stevens.
Q How old are you? A 22 years old.
Q What is your postoffice address? A Afton.
Q Are you acquainted with the applicant here in this case, Francis [illegible]? A Yes, sir, I am with him [illegible]
Q How long have you known him? A [illegible] with him [illegible]
Q Did you know his first wife, Julia? A Yes, sir.

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[illegible] and [illegible] his testimony [illegible] convenient [illegible] stand that [illegible] he is an old man [illegible] and it [illegible] and therefore [illegible] submit to a [illegible] official of this [illegible] testimony b[illegible]

After consultation [illegible] found to be agreeable [illegible] morrow morning at [illegible] and directed with an official of the Commission with a stenographer leave from the office of the Commission [illegible] to-morrow morning.

FRANCIS M. DAWSON, the applicant, re-called for additional cross-examination on part of the Cherokee Nation:

MR. HUTCHINGS:

Q What is your name? A Francis M. Dawson.
Q Where do you reside? A In Afton.
Q You have been examined in this case heretofore, have you?
A I don't know which case it is.
Q In your own case? A Yes, sir.
Q Are you the one that is commonly called Bud Dawson? A Yes, sir.
Q You made the original application in the Dawson family for admission to citizenship in the Cherokee Nation, didn't you? No, sir; my brother.
Q What was his name? A A. E. Dawson.
Q You and Robert Dawson and Elbert Dawson and others applied September 24, '31, about that time? A Yes, sir.
Q And you were admitted about the 11th of January '33? A Yes, sir.
Q There were other members of your family that applied and were admitted after that time? A Yes, sir.
Q Do you or not remember the evidence offered in theirs to substantiate their cases was the relationship between yourself and Robert and others and the evidence of your admission by the Tenth Court. In all the subsequent admissions I mean the only evidence offered was the fact that you and your brothers had been admitted before and that they were kin to you; that was the only evidence offered in any subsequent cases, wasn't it; so far as you know?
A That is afterwards?
Q Yes, afterwards? A I think there was some other evidence introduced.
Q Don't you know that there was never any evidence offered in any other case except evidence of Dr. Baker of Arkansas? A Yes, sir.
Q Who else? A Oliver Miller.
Q Who was Oliver Miller; the records in this case have been somewhat destroyed and mutilated? A Oliver Miller lived in Arizona.
Q What was he, who was he? A He is a kin of mine at all.
Q Well, what station in life did he occupy; was he a farmer?
A Yes, sir, former.
Q Were you present when he testified? A Yes, sir.
Q Were you present when Dr. Baker testified? A Yes, sir.

Q [illegible] these two and
A [illegible]
Q [illegible]
Q [illegible]
A [illegible]
Q [illegible]
word.
Q [illegible]
send [illegible]
Q I will [illegible] or whether or
not it was [illegible]
(Article [illegible] and copy is
be [illegible]
Q Is that [illegible]
so long ago, I could not [illegible] it all.
Q Does that state the [illegible] as far as you know about it? A To [illegible]
Q Now, you [illegible] of what Dawson? A [illegible]
Q How many children did Robert Dawson have, and give me their names?
A Robert Dawson [illegible] Lila, Gregory, Frank, Harlan,
Q What is your [illegible]? A Yes, sir; Elizabeth Dawson, Josephine
Dawson, John [illegible] Dawson, Jane Dawson, James Dawson,
Edna Dawson, [illegible] Dawson, Wilburn Dawson.
Q [illegible]
Q [illegible] was [illegible]? A Ann Dawson.
Q Who [illegible] wife, your grandmother? A I have been told.
Q By [illegible] did you know? A She was called Polly Dawson.
Q Who was Anna [illegible]? A I don't know.
Q Never heard of [illegible] in the family by the name of
Anna Pruitt? A No, sir; that was away back in the old country;
I have heard [illegible] about it; old Dr. Dawson talking about it.
Q Your grandmother's name was Polly Dawson? A Yes, sir; I don't
remember anything [illegible] she died when I was small, died in
Texas.
Q Pollie Dawson? A Yes, sir.
Q And she was known as Pollie Rogers, her maiden name? A Yes,
sir.
Q Daughter of Captain John Rogers? A Yes, sir.
Q Now, she died in Texas what time? A I [illegible] remember.
Q Can't you guess at it? A Oh, I could [illegible]
Q Give your best recollection? A About '48, or no; '46
or '48; I don't say positive, just guessing at it.
Q How old a boy were you then? A I was [illegible] '48.
Q Have you any [illegible] of the [illegible] of Ann and Pollie
Dawson; that is, your father, uncles and [illegible]? I didn't not all
of them.
Q Do you know by family history the names of all of them? A Yes,
sir.
Q Will you [illegible] them to me?
A Betsy Ann Dawson; I believe her name was [illegible]
Q Did she marry a [illegible]? A Yes, sir; the name is Robert Dawson.
Q Your father? A Yes, sir.
Q Next one? A [illegible] was James Dawson; and I believe the
next one was [illegible]
Q Did he have a [illegible]? A Yes, sir.
Q Told me? A [illegible] was Levi Dawson; I never saw him either
Dawson.

Q [illegible]
A Any [illegible]
Q Did [illegible]
Q [illegible]
have [illegible]
Q [illegible]
Q [illegible]
and [illegible]
I was [illegible]
I think.
Q Do you [illegible]
remember [illegible]
Q Well, as [illegible]
say what your [illegible] A No, I don't remember.
Q What is [illegible]
A He testified in [illegible] father's case.
Q Well, didn't [illegible] testify in your case but Mr. Baker?
A Yes, sir, several other witnesses.
Q Who were they? A I don't remember my mother got them witnesses around [illegible] Mr. Dye.
Q Were you [illegible] Mr. Dye
Q You were only [illegible] Mr. Baker testified? A Yes, sir.
Q Now, do you [illegible] Dr. Baker's statement there?
A I could not say all of it or how correct or not, part of it is correct.
Q What part is [illegible]? A The part knowing the family over there.
Q Who is Buck Dawson? A My brother.
Q What is his name? A We always called him Buck, it is Albert, E. Dawson.
Q Who went with you the first time you went up to make application for citizenship do you remember? A With my brothers.
Q The first time? A I met my brother in Texas.
Q Which one? A My Dawson.
Q That is Albert Mr. Buck? A Yes, sir.
Q You were living in [illegible] A Yes, sir.
Q A And he was living [illegible] A Yes, sir, and another one of little brothers, Ray [illegible]
Q Mr. Dawson now? A Yes, sir.
Q What is his [illegible]
Q And you three [illegible] A Yes, sir.

Mr. Masterson: Applicants by their counsel object to all the statement of the witness relating to his testimony introduced both in the Dawson citizenship application, and the history of the family as detailed by him, because the same is incompetent and irrelevant, and cannot be used for the purpose of impeaching the integrity of the judgment of said Commission, or either of the Commissioners in granting said orders of the Dawson family.

The Court: The objection of the Attorney for the applicants [illegible] will be noted. The same will be filed [illegible] it is sworn.

(Attorney for [illegible])

C. E. TAYLOR, [illegible] recalled as a witness on part of the [illegible]
Mr. Masterson:

Q State your name? A C. E. Taylor.
Q Where do you reside, Mr. Taylor? A [illegible]
Q were you an attorney before [illegible]
[illegible] case in the Chancery Court of [illegible]
Q were you attorney for [illegible]
A Yes, sir.
Q Were you present at the taking of testimony in [illegible]? A No, sir; I wasn't present.
Q Do you know who conducted the cross [illegible] the witnesses that time? A Yes, sir.
Q Who were they? A Tom Jones and Alex Wylie and Mr. [illegible]
Q Do you know whether or not they [illegible] was decided? A No, sir, there were only two of them [illegible]
Q Which two? A Jones and Wylie.
Q Who was the Clerk of the Court at that time? A Mr. [illegible] D. W. C. Duncan.
Q Do you know what witnesses were used in the case of Ex parte [illegible] A No, sir; now I was the attorney in the case and the evidence had already been filed before the Court.
Q When were you made attorney? A I was only called in as an attorney at the— Well, Mr. Duncan came down there, and Mr. Bryant had the case and several other attorneys had the case and he employed me.
Q Did you read the evidence in this case? A No, sir.
Q Did you deliver any money? A Now, I was the attorney in the case and I don't think it would be right for me to make any statement.
Q Now, you have claimed your privilege, I ask that you answer the question? Did Dawson ever send you any money with the direction to pay it to either member of the Court or the Clerk of the Court, D. W. C. Duncan, and if so what the amount? A I had a heap of trouble over this matter.-

Commission: Just answer the question, Mr. Taylor.

A Now; the attorney I don't believe it is right for me to answer that question.

Commission: Do you refuse to answer? A Yes, sir.

Q Did the matter to which you object to testifying upon relate to the rendition of the decision admitting to citizenship or withholding (No response)

COMMISSIONER BRECKINRIDGE:

Q Do you desire to reply to the last question? A I don't think it is right: I was attorney in the case.

Q Mr. Taylor, do you object to answering that question? A Yes, sir.

Q You refuse to answer that question, do you? A I had rather not answer it.

Q Either answer it or say you won't answer it? A I had rather not answer it.

Q Mr. Taylor, you have answered a number of questions down to this point, but it is at this point that you prefer to plead your privileges, as an attorney, do you? A Yes, sir.

Com'r Breckinridge: The power in regard to these matters is lodged in the United States. The Court is clothed with special power with reference to matters which arise through this Commission. Of course the Commission desires and the Government needs for the prime of a correct roll the fullest information possible, but it is subject to the limitations of law, and it is not for this Commissioner to decide of the [illegible] a matter of this character with any authority as I understand it at this time, but to report the matter to the United States Court and let the Court pass judgment.

Under Section 21 of the Curtis law as it is commonly called Act of June 28[illegible], the members of the Commission shall in performing all duties [illegible] authority to [illegible] and for papers and [illegible] and the power is given [illegible] to enforce obedience. The law having [illegible] goes on to say so far as all others are [illegible] said Commission to take [illegible] punish anyone who may in any manner or by any means obstruct said work. Now, the Commission will report the facts to the United States Court and let the Court decide whether or not you are within your lawful privilege. It seems that you refuse to answer questions, or at least one question, which tends to establish as to whether or not you are claiming what, what is commonly considered a matter of privilege—according to an authority referred to by an attorney, but the enforcement of an answer seems clearly to be a matter for the Court to deal with.

Q Now, Mr. Taylor, in regard to the last question asked you by Mr. Hutchings, one of the Counsel for the Cherokee Nation, I direct that you make answer, and if you refuse I shall report the matter to the United States Court: do you refuse? A Yes, sir.
Q Now, you have read to you, Mr. Taylor, the first of the two questions propounded to you by Mr. Hutchings, and which you declined at the time to make answer; viz: as to whether Mr. Dawson sent you money to pay to the Court or to any officials of the Court, it seems to come to the question as to whether there was any collusion between you and Mr. Dawson and any member of the Court; now, I understand that you refuse to answer that question upon the grounds that you were Mr. Dawson's attorney? A Yes, sir.
Q Now, I require that you answer that question, do you refuse? A Yes, sir.
Q I shall also report that refusal to the United States Court as it seems to come under the provision of law, relating to conspiracy between you and Mr. Dawson which apparently considered a privilege matter, and you base your refusal now, not upon the ground that you are incriminating yourself, but that you were counsel for Mr. Dawson, I will report the matter to the Court and you will be informed at the time of any proceedings in the matter I caution you not to talk with Mr. Dawson or any of the applicants in this case.

Mr. McKennon: Applicants do not object and have not objected to the witness answering on account of his privilege as an attorney or for any other cause whatever, they only want to object to the incompetence and irrelevancy of the testimony, with the privilege of cross-examining upon any testimony given by the witness.

COM'R BRECKINRIDGE:
Q You still refuse having the consent of the attorneys in the case to make answer? A I will just ask your Honor to let the matter go over until morning.

Commissioner Breckinridge: It will rest until it is coming at its present status: it is [illegible] hours [illegible].

As for the objection made by Captain McKennon, Counsel for the applicant, it will be taken into consideration, but will not be granted at the present.
(The Commission adjourns until 1:30 P. M. to-day on afternoon, March 13, 1902.)

Supl.-C. D. #384.

Department of the Interior,
Commission to the Five Civilized Tribes,
Fort Gibson, I. T., March 18, 1902.

SUPPLEMENTAL TESTIMONY in the matter of the enrollment of FRANCIS M. DAWSON ET AL., as citizens of the Cherokee Nation:

Appearances:
Mr. A. S. McKennon, of Counsel for applicants.
Mr. W. T. Hutchings, of Counsel for Cherokee Nation.

SAMUEL H. BENGE, being duly sworn, testified as follows on part of the Cherokee Nation:
MR. HUTCHINGS:

Q State your name? A Samuel H. Benge.
Q Where do you reside? A Fort Gibson.
Q How old are you? A I am 70 years old, going in 71.
Q Are you a citizen of the Cherokee Nation? A Yes, sir; Cherokee by blood.
Q State what official position you have held in the Cherokee Nation and what your general connection with the Nation officially in the last 40 years? A Well, I had several; I have been Sheriff, Councilman, Senator, Delegate to Washington; and a hand in making the treaty of 1866, I am the only one living that signed that treaty; President of the National Council of different tribes of Indians.
Q Were you acquainted with F. M. Dawson, commonly called Bud Dawson? A Yes, sir; I knew him.
Q State you connection with and what you know about his citizenship case before what is an on as the Thomas-Tehee Citizenship Court? A Mr. Dawson came down, I was living down below here, he come and employed me to tend to his case and we went to Tahlequah, I believe if I ain't mistaken in 1881 and filed his case there; we went several times and continued his case on for the want of evidence, and finally while we was up there we run across the old darkey by the name of Tosh Rogers; we got his testimony and after we got that testimony we concluded that it was sufficient to go into the trial with. Tosh lived here at Fort Gibson, he was a horse trainer down here and stayed here; he claimed that he knew the Rogers and belonged to one of them and after that we thought we had sufficient evidence we submitted our case to the Court for trial, and the Court went to work and rendered a decision against Mr. Dawson. I told Mr. Dawson right there that "our cake is dough", just made that remark, and he just made the remark "never mind", and next morning they taken up his case again and they rendered a decision in his favor. I filed no motion nor any evidence at all whatever; I give the case up right there and the decision was then given in his favor, and on our way back from Tahlequah, why we got to talking about the case and I told him: "it was a pretty hard blow when they rendered that decision against us." He said: "yes, but Duncan was the man to reach", but he reached him with five Hundred dollars.
Q What position did Duncan occupy? A He was Clerk of the Court.
Q Duncan an educated man or? Yes, sir; he was an educated man.
Q Who were the members of the Court? A Tom Tehee, Alex Wolfe and Tom Thompson.
Q How many of these could speak English at all? A One.
Q Which one? A Thompson.
Q Who was the Attorney that represented the Nation in those cases? A Wm Sanders.

Q What was his given name? A [illegible] Wilson Sanders.
Q Was he an [illegible] A Yes, sir.
Q Did Mr. [illegible] a good deal of [illegible]
Q Was any [illegible] of the case, and if [illegible] ever investigation [illegible]
MR. McKENNON:
Q Were you ever a witness in the [illegible] of those investigations that were made [illegible] don't know that you might call it a witness [illegible] me once at Tahlequah, and asked me to tell him [illegible] case was going against him, and he thought he [illegible] knocked out and I interceded and [illegible] Committee. I was not a witness but that is [illegible]
Q That was Mr. Graham, wasn't it? A Yes, sir.
Q Have you had conversations with Mr. Grahm since that time about it? A Now, I might, I don't recollect, I might have had conversations with him.
Q Well, after the Dawson Commission began taking evidence of the Cherokees and when they were about finished here, did you have a conversation with him here in Fort Gibson about the matter?
A Now, I just can't tell you; I have seen him on various occasions, but the conversations we might have had I can't state.
Q To refresh your memory I will ask you if he did not call you that they were taking a fight on the Dawson family and he wanted to know of you whether that judgment in favor of [illegible] family was fairly rendered, and did you not then tell him that it was all right, that it was fairly obtained? A Not as I recall, only all he was; that is as I have stated he talked to me in regard to his mother, himself and probably his brothers and sisters, I don't recollect how many there were, and he told me they were rejected, that is just the words he used.
Q When? A It has been sometime ago.
Q Here in Fort Gibson? A Well, that is I saw him here in Fort Gibson; anyhow I saw him in Tahlequah.
Q Well, did he here in Fort Gibson ask you particularly about the Robert Dawson judgment, as to whether it was fairly obtained or not? A No, sir; he was basing his claim on the Dawson case, that is the way he-
Q That is the principal Dawson family? A Yes.
Q When was this other written statement here made, when was this made by you? (referring to affidavit heretofore referred to.)
A Yesterday I [illegible]
Q Who came to take this? A Mr. Starr.
Q Who else was present when this was taken? A No, sir.
Q Whom had you told about this matter, Judge? A No one as I know of.
Q Do you know how it was that they knew that you knew this?
A No, sir.
Q You never made any statement? A Never made any statement that I recollect of except I might have talked with Scales, we and him talking about these cases a good many things; if I ever made a statement it was to Mr. Starr.
Q How did Mr. Starr know? A I could not tell you how Mr. Starr knew.

Q Be [illegible] A [illegible] a Notary Public. [illegible] that you [illegible] once, [illegible]
Q And [illegible] A [illegible] qualify [illegible]
Q Are you [illegible] Mr. Dawson [illegible]
A Yes, sir, [illegible]
Q Let me ask you if [illegible] and he went [illegible] next day or two after he left? A My recollection now is that I went together.
Q And returned here together? A Yes, sir.
Q Did he not leave you there and go back direct to Arkansas?
A No, sir, we came here together. If my memory serves me right, I might be mistaken but that I don't believe I am, he came from Webbers Falls up here to my house, that is according to his statement.
Q What amount of fee did they pay you? A I don't know as that is in connection with the case whatever the money they paid me.
Q How did they pay you? A Paid me the money.
Q Who paid it to you? A Dawson there and that fellow, young feller paid me some.
Q Mr. Graham? A Yes.
Q At the same time? A Oh, no, he wanted me to intercede for him at Tahlequah but paid me to do something for him which I did.
Q I will ask you if Mr. F. M. Dawson & Co did not obtain two copies of the judgment one of which you took in a letter in which you wrote to his brother living in Texas and that the copy is found, the one they called Buck, didn't send you $50 that they owed you? A No, if I ever got a lot of Buck whatever you might call him, I don't recollect it and if I ever got a nickel from him I don't recollect it. Old man paid me what money I got from it. I don't know nothing about his brothers; he told me he had an uncle living over in Arkansas, but not living down in Texas, I don't know about it.
Q Where did he pay you the money? A Paid it here at home.
Q Before you went out? A He paid me fifty dollars before we went up and then we went up yonder he paid me fifty dollars more; if you want to know what I got, I got one hundred dollars.
Q You were acting as his attorney in the case? A Yes, sir.
Q How many judges were there present when the judgment was rendered? A In his case?
Q Yes, sir. A Well, according to my recollect there was all there, but if they were not all there, Tom Thompson was sick. Tehee and Rolfe.
Q Don't you remember that they were all present? A No, I think they were present though.
Q Who else was present at the time? A Oh, I could not tell you, there were several people in the house; could not tell you at all.
Q Were there several in the house the evening before the judgment was rendered against them as you say? A Yes, there were several in the house.
Q And several in the house when the judgment was rendered the next day? A I don't know how many there was.
Q Do you remember the names of any of them? A Why not exactly, mighty few friends.
Q How long did you remain out at Tahlequah on that trip?
A I guess I was there about three days.

Q Tending to this case alone, or did you have other cases? A no, sir.
Q Do you know of your own knowledge that the [illegible] money (this question [illegible] objected to by Cherokee counsel.)
A I don't know whether the judge [illegible] or not.

---oooOooo---

I, J. G. Rowson, do hereby certify upon my official oath as stenographer to the Commission to the Five Civilized Tribes that I correctly recorded the testimony had this day in the above case, and that the foregoing is a true and complete transcript of my stenographic notes thereof.

(Signed) J. G. Rowson.

March 18, 1902. Commission convened pursuant to adjournment.

Appearances:
Mr. A. S. McKennon, of counsel for applicants.
Mr. W. T. Hutchings, of Counsel for Cherokee Nation.

C. H. TAYLOR takes the stand and continues his testimony.

BY MR. HUTCHINGS:

Q Mr. Taylor, you said you would consider the matter yesterday and let us know whether you would answer those questions today; have you decided what you would do about the matter? A Well, it is like this, of course I don't want to be held as in contempt of the Court.
Q You would be held in contempt and the other Court would make you answer? A That being the case of course I would make a statement.
Q Are you acquainted with D. W. C. Duncan, the Clerk of what is known as the Tehee Citizenship Commission Court? A Yes, sir.
Q Did you ever have any conversation with him about letting him know of the different character of cases that would come up before the Court that you knew of, whether they were good ones or bad ones? A No, the only thing that ever come up in that respect; he asked me if whatever large cases that would come up befor the Court to let him know.
Q Did you have any talk with him about the Dawson case during the progress of its trial or before and ever introduced Mr. F. M. Dawson to him, or carry him to him? A I spoke to him when Mr. Dawson came to Tahlequah to see about his case, and he said that he would take the papers over to his room, the Dawson papers.
Q Did you see him again that night? A Yes, sir; after supper I went down to his room.
Q Did he ask you about the Dawsons or Dawson case? A He asked me where Dawson was.
Q Which Dawson are you referring to now, F. M. Dawson, known as Bud Dawson? A Bud Dawson.
Q Well, what didyou reply to him? A I told him that I thought he had gone to church.
Q Did you find Dawson after church? A Yes, sir, he told me to go and bring Dawson down and I did and Dawson was in church.
Q You carried Dawson to him? A Yes, sir.

Q Did you remain during the conversation? A Only a minute.
Q What was said if naything while you were present? A Mr. Duncan spoke to Mr. Dawson and says "there is a hitch in your evidence."
Q Go ahead and state what else he said? A He said "if that was straightened out it would be all right," and I turned and went away, I says, "gentlemen, I will go home."
Q Did you know of their having any other conversation or communication after that? A No, sir.
Q You left them there together yourself? A Yes, sir.
Q Did Mr. Dawson give you any directions the next morning about submitting the case? A Yes, sir, he asked me to call it up the case.
Q The next morning? A Yes, sir.
Q Had there been any additional evidence offered? A No, sir; there was not additional testimony offered.
Q He told you the next morning to call up the case? A Yes, sir.
Q Was it called up and submitted the next morning? A Yes, sir.
Q Now, how many of the members of the Court were there present that morning? A There were only two, two full-blood Indians.
Q Could they speak english at all? A Tehee could talk a little, talk some.
Q Did that Court have open sessions all the time or what is called executive sessions sometimes? A Well, I don't remember about that; it was generally when the case was submitted th attorneys would go out. The parties would go out and they would determine the case.
Q Well, did they go out i to that sort of executive session the next morning on the Dawson case? A Well, we went out when the case was submitted.
Q And was the decision rendered that morning in their favor?
A Yes, sir.
Q Who notified you of the decision of the Court? A Why, Mr. Dawson.
Q Do you remember whether he went out with you or was in there during the consideration of the case? A I think he went out with me.
Q Did you at any time thereafter receive any money, checks or other evidence money from Mr. Dawson with direction to turn it in part over to D. W. C. Duncan, the Clerk of that Court? A Mr. Dawson gave me 20 dollars and said he would send the balance in a short time, said he would send some more money in a short time.
Q Well, did he send any money afterwards? A Yes, sir, in the course of ten days or two weeks he send a hundred dollar check, draft.
Q What did he direct you to do with it? A He directed me to give D. W. C. Duncan half of it.
Q Did you give him half of it? A Yes, sir.
Q Did he send you any at any other time after that? A Well, in the course of a couple of weeks he sent me a hundred dollars more.
Q Did he direct you to turn any of that and if so how much, to D. W. C. Duncan? A He told me to give him half of it,
Q Did you give him half of it? A I did, sir.
Q Do you remember whether on Dr. Arthur Baker was the principal witness in behalf of the Dawson case? A No, sir, I don't because I never had any connection with the case, but I heard that he was a witness in the case.
Q No argument was made when you submitted the case? A No, sir.
Q Just submitted it on the testimony? A Yes, sir.

MR. McKENNON:

Q Are you a citizen of the Cherokee Nation? A Yes, sir.
Q Were you born and reared in the Cherokee Nation? A No, sir; I was born in the old Nation.

Q [illegible] A [illegible]
Q [illegible]
A [illegible]
Q [illegible] A Yes;
Q [illegible] A Yes, sir.
Q Were you [illegible] A Yes, sir; I was convicted there on this same case.
Q And served a term of that length? A I was sent to the jail hospital for sixty days and I served in about 36 or 38 days, and I was released.
Q When was that? A I don't remember how long ago it was now.
Q You say it was in reg rd to this case? A Yes, sir; this case was the base of contention; Glen Rogers and the chief, they were the ones that had me arrested, carried to Muskogee.
Q Well, now, were you charged with an offense against the law in this case, or was it in regard to some other case? A Well, it was in regard to using the mail for fraudulent purposes.
Q Sending out propositions and obtaining cases for citizenship for people [illegible] e Cherokee Nation? A No, sir, it was for answering correspon[illegible]v.
Q Not relating to this case at all? A Well, this was the main charge, Glen Rogers went befo e the Court there and stated that I had got in at least three hundred Dawsons, that they were white people and not entitled to citizenship and that was the main trouble.
Q Well, now, was the charge based upon that or was it based upon your letters you sent out to other people? A That was the charge for using the mail for fraudulent purposes.
Q The use of the mails for fraudulent purposes not in connection of this case was it? A Not particular of this case.
Q Then the trouble you had was the prejudice of Glen Rogers and others caused by your connection with the Dawson case; that is that you mean to say? A Yes, sir.
Q Why did you say because you were charged with an offense based upon this case? A Well, the prejudice grew out of this case.
Q Now, then, you had full conversation with the representatives of the Cherokee Nation as to your testimony in this case, did you not befo e you came on the stand? A Yes, sir.
Q You had told them of these particulars before you came on the witness stand did you not? A Yes, sir.
Q Yet when you came on the stand you assumed to have conscientious scruples as to answering as to matters which occured between you and your client, Rud Dawson, in relation to this matter and declined to answer claiming your privilege as an attorney did you not? A Yes, sir; I didn't want to make a statement at all in the matter.
Q You had voluntarily made a stat ment to the representatives of the Cherokee Nation? A Yes, sir; I had stated to Mr. Hastings; he requested me and I come down here and I didn't want to make a statement to him but he insisted.
Q He had no power to compel you to make a statement? A No, sir.
Q You could then make it very freely and your conscience did not hurt you, but when you came on the stand you were very conscientious about it? A I didn't want to make a statement at all unless I I would be put in jail here if I didn't.
Q But you had armed them with information by which they could ask you these questions when you came on the stand? A I had told Mr. Hastings.

Q You knew when you gave him that information that you would be brought on the stand as a witness, did you not, by reason of that?
A No, I didn't know that I would be compelled to make a statement in the matter, a sworn statement.
Q You thought you would not be compelled to swear?
A I didn't think the law would compel me to make a statement.
Q Why then did you make a statement to him about it? A Oh, he was asking me about it, and I told him what I didn't want to make a statement, and I didn't for quite a while after I came down here.
Q When the enrollment division of the Dawes Commission was in Tahlequah, in the winter of 1900, did you not there meet F. M. Dawson and did you not then and there say to him "I told Shoemake I would be for him if he would employ me in his case and if he didn't I would be against him, and the same to you"? A No, sir; I said to him this; I says that if there is not something done that I will likely be summoned against you and Mr. Shoemake both.
Q What did you mean by that? A Well, I just meant this, I just left the matter with him to say what he wanted to do in the matter; I only spoke a word or two about it. I was going out of town just as he came in.
Q When you told him if something was not done you would be summoned as a witness against him; what did you mean by that? A Well, I just meant that the chances were that the Nation would summon me against him.
Q What did you mean by the expression "if there was not something done" that you would be summoned as a witness?
A Well, I meant this, if I was re-employed in the matter if he was to have a case and I was re-employed I would not be required.

Q You could be required to make a statement as to declarations made to you by your client to you on one instance, but if a little more money was put up you could not be required to make a statement; is that what you mean? A I didn't think I could be forced to make a statement at all in the matter.
Q Why did you make that expression to him "if something wasn't done you might be summoned as a witness" if you believed you could not be made to make a statement? A I meant if I was employed in the case.
Q If he would put up you would not testify? A That they could not force me to testify.
Q About the month of February, 1901, in the town of Wagoner, Indian Territory, did you not send your son to get Graham to come to the hotel at night, and did you not then and there say to Sid Graham; "you people are on the doubtful list and if you will give me $500. I will make it all right and see that you are enrolled and if you don't I will see that you don't get on"? A No, sir; I got a letter from Sid Graham in which he asked me to certify that the case was all right and after I met him I told him that I could not do it, that the case was crooked, he then said to me, he says, "I will give you a hundred dollars", he says "will you take a hundred dollars," I said "no, sir." I didn't make any bid, that is I didn't set no price with him.
Q You did not say to him then what I have embraced in that question there? A No, sir.
Q You did have a conversation with him about that time and at that place, did you not? A Yes, sir.
Q You say you didn't make any bid or set any price? A No, sir; he offered me a hundred dollars.
Q Why did you send for him to come to the hotel? A In answer to his letter.

A Did you not [illegible] yesterday morning on the street in Lawrence, Indian Territory, in a [illegible] with [illegible] say to him: "You have made a great [illegible] and to have the happiness [illegible] cap for? No, sir; I [illegible] employed in your [illegible] I said "it might have been [illegible] me in your matter? Well, he [illegible] case" and I says "No, there is [illegible] that I know of." He said all [illegible] don't know a thing on earth [illegible] a thing on earth [illegible] and decided in your favor."

Q You said nothing to him [illegible] to him "it might have been well if the Attorney had retained [illegible] their case." I said "I am surprised at the part of the [illegible] I don't want to make a statement and I regret if I can possible avoid it."

Q Was that before or after you talked with Mr. Hastings, the representative of the National? A It was afterwards.

Q You meant by that if you had refused to answer you would have gone to jail? A No, sir; if they had employed me before hand I meant not now.

Q You mean that if they had employed you before hand you would not have given this information to Mr. Hastings? A I would not be required, being the attorney.

Q Were you required to give him the information; did you know that you had to give him any information? A The [illegible] Mr. Hastings? A I did refuse him and he insisted.

Q Well, he no authority to compel you to do it? A No, sir; I don't know whether he did or not.

Q As a lawyer you knew that he did not have authority to compel you to make a statement to him? A I told him that I was an attorney in the case and I didn't want to make any statement at all.

Q Why did you do it? A Well, he intimated to me it would go any further. He said to me "I will not make this matter — I will not use it;" that is, what I stated to him was part in confidence.

Q And he pledged you his word that it would not be used? A Well, told him I could make a statement in confidence, and that I didn't want to make a statement before the Court.

Q Well, what did he reply, as you said just now? A Oh, he says make the statement and then I told him—I regretted very much to do it, and I regret very much to make a statement here. I tried to avoid it yesterday.

Q You stated just now that he said it would not be used; did he say that or not? A Well, something to that amount; oh, he says it wont make any difference or something to that effect.

Q Now, don't you know that Mr. Hastings did not intimate to you that the statement he was asking you to make would not be used? A Well, I didn't think that I could be forced to make a qualified statement before the Court here, because I thought my license would protect me in that matter.

Q Yet it did not protect you or prevent you from making a statement to the attorneys for the National? A No, sir.

Q Now, in this conversation with Thornbrough to which I before referred did you not ask him to again [illegible] you and tell him if he could you would make it all right for him? A No, sir; I didn't say that; no, I said if he had employed me in the matter [illegible] have been better for you." Now, he offered me when I was down here last week, he offered me five dollars to go down and talk with his lawyers on the matter, I didn't go I was busy.

[illegible]

Q [illegible]

Q [illegible]

Q [illegible]

Q [illegible]

Q [illegible]

that time.

Q [illegible]

Q [illegible]

Q [illegible] handed you

$50? A Yes, sir.

Q And without [illegible] any reason? A No, sir.

Q [illegible] and says "I will send you some respects - about that, back or so.

Q And then he sent you $100? A Yes, sir.

Q And wrote you to give Dr. W. C. Duncan $50 of it? A Yes, sir.

Q And then sent you another $100 and told you to give him half of it? A Yes, sir.

Q How much did they pay you? A Well, that was the agreement, was that he would pay me $50 a family.

Q How much did he pay you? A I think there was $150; now I am not sure about the $50, but it appears to me like there was a $50 sent, and Mr. Duncan asked me, as well as I remember, says "Have you got a letter from Lawson?" I told him "Yes, sir." It was either that or the $100, and he says "I would like to have some money", and I went to Stapler's and got it changed— I won't be sure about it being $50 or $100—I went to Stapler's and got him to cash the check and give him the part of it.

Q How much did he pay you for your services? A That is all I got.

Q How much? A I think it was $100, $120.

Q What did you do for them? A Didn't do a thing only called up the case and submitted it; never read the evidence.

Q Submitted it without remarks? A Yes, sir.

Q And for that you say it was paid you $120? A Yes, sir; $120.

Q Was Houston Benge present when that was done? A No, sir; I don't think he was.

Q Did you see him then at that time in Tahlequah? A I can't remember.

Q Have you associated with him in any manner in connection with this case? A No, sir.

Q You had a great deal of business of that character, have you before the Courts? A Yes, sir.

Q Were you paid like fees in other cases for like services? A Yes, sir.

Q In many of them? A Yes, sir, good many.

Q All like cases? A Oh, citizenship cases.

Q When was it you were in jail at Fort Smith? A I don't remember; Mr. Collette or Mr. Embry, he was there, he was my attorney.

Q Was it since 1900? A It was somewhere along there, along in 1899 somewhere.

Q That has been your principal business as a lawyer, has it not? A Yes, sir.

Q You have never practiced much in any other way have you? A Very little.

Q Were you in the habit of writing your cases through in the same manner in which you state you worked this through? A No, sir.

Q This was an exception was it? A I never [illegible] this case through. I simply [illegible] by request of Mr. Dawson. I read his statement that I knew what proof he had in it he just wanted me to tell the truth.
Q And he pointed to you and told you a family was dying back? A Yes, sir.
Q Was that what you understood of him? A That is what he agreed to pay. I says "what will you give?" He says "I will give you $50 a family.

MR. HUTCHINGS:

Q At the same time that the attorney for the Nation was talking to you about the Dawson case he also made inquiries about the Shoemake case didn't he? A Yes, sir.
Q And you told him at that time before you knew anything about whether you would be made or compelled to testify that so far as you knew there was nothing you knew detrimental to the Shoemake case? A Yes, sir: That is what I said.
Q You told him at the same time that you not only expected to claim you privilege as an attorney in the case, but that you told him, Mr. Hastings, with the full belief that the Court would sustain your position? A Yes, sir.

Mr. McKennon: That is very leading.

Q Now, did you think that the re-employment, being the attorney in the pending case would strengthen your position or weaken it, when you spoke to Mr. Dawson? A What I thought in the matter was before ever I would be summoned in the matter, a long time ago, that if I had been employed in the matter of course my position would have been such that I would not have been summoned or could not have been forced.
Q Did you think under those circumstances that Mr. Hastings would approach you about the subject? A No, sir: I don't think I would be forced to, having become to practice law.
Q Did Mr. Hastings tell you at the time that he was going to put you on the witness? A Yes, sir.
Q And let the Court decide? A Yes, sir.

MR. McKENNON:

Q Now, have you a license to practice in the United States Courts? A Yes, sir.
Q In the Territory? A Yes, sir.
Q And also in the Indian Courts? A Yes, sir: do you want to see them?

JAMES W. LEWIS, being duly sworn, testified as follows on part of the Cherokee Nation:

MR. HUTCHINGS:

Q State your name please? A J. W. Lewis.
Q James W. Lewis? A Yes, sir.
Q There is your postoffice, Mr. Lewis? A Afton.
Q How old are you? A 73 years old.
Q What is your business? ? A I work at the tin business and gun work.
Q Do you know one James Dawson, the brother of F. M. Dawson and the other Dawsons? A I know old man James Dawson.
Q That is the one I mean, old man James Dawson? A Yes, sir; I know him.
Q How long have you known him? A Well, some four or five years, I guess.
Q How long? A Four or five years I think.

Q When did you come to the country? A I have been in this country 40 or 45 years.
Q Well, [illegible] A [illegible]
Q [illegible] A [illegible]
Q Did you [illegible] A [illegible]
Q About how [illegible] the circumstances?
Q Did I make any statement to you about the use of money in getting his citizenship, and if so, state what it was?
A Well, he told me [illegible]
Q Didn't tell me he was old [illegible] didn't ask any questions.

MR. McKENNEY:

Q How old was he at that time, do you know? A I do not know exactly, but from [illegible] 70 years old, he might have been older than that, I don't know.
Q He was a very old and feeble man? A Yes, he was old and feeble.
Q He seldom ever got out away from his house? A No, sir, only short distance.
Q When you first knew him he was that kind of man? A Yes, sir.

J. L. CHICKERING, being duly sworn, testified as follows on behalf of the Government:

DIRECT EXAMINATION

Q State your name? A J. L. Chickering.
Q What is your [illegible]? A Vinita.
Q How old are you? A 57.
Q Were you ever [illegible] before the Dawes Citizenship Court in Muskogee? A Yes, sir.
Q About what time was that? A September 21, I think.
Q Did you meet there about that time, [illegible] Jack Drumm?
A Yes, sir.
Q How did you happen to meet him? A He and I stopped at the same place, [illegible] the name of Shipley.
Q You and he stopped there, did you, board there? A Yes, sir.
Q Well, did you have any talk about citizenship a time, yourself and him? A
A Yes, sir.
Q Where did he state that he was from? A Texas.
Q Well, state just your recollection of the conversation between you from time to time about citizenship in the Cherokee Nation?
A Well, we were there a few days [illegible] and we talked about it at different times, as in talking about the evidence we had there I, of course, told him how many witnesses I had and what I could prove and so on, and he said that he didn't have but one witness, Mr. Bailey from Arkansas, a man that was 85 or 90 years old, he said, and he hadn't sent and found he was to have that old man there, but he hadn't sent.
Q Well, what did he say about the matter's having anything?
A Well, he said he was 57 years old and didn't [illegible] straight off.
Q Well, did he say anything about giving him whisky?
A Well, he said he could [illegible] drink of Arkansas whisky and he would swear that was white.

Q You speak about having a dairy business there at Vinita, to what extent? A I am only milking about four cows now, I sold the others to the country.
Q Do you run a dairy wagon there? A No, sir.
Q You serve on the jury a good deal? A I have been serving on the Petit jury there this winter.
Q Generally? No, sir.
Q Are you a kind of a professional juror? A No, sir; I was on the regular petit jury, I was on the regular panel I suppose.

C. C. BRAUGHT, being duly sworn, testified as follows on part of the Defendant Hutchinson:

MR. HUTCHINSON:

Q State your name? A C. C. Braught.
Q What is your age? A 62 29th day of last January.
Q What is your post office? A Fairland.
Q How long have you been living in the neighborhood of Fairland?
A Been living there 19 years.
Q Do you know one Bud Dawson or F. M. Dawson as his name is?
A I do.
Q How long have you known him? A About 18 years.
Q How close do you live from him? A Half a mile of him.
Q Does he still own that place? A I think he does.
Q Were you an applicant for citizenship along about '81 or '2 at Tahlequah? A Yes, sir.
Q Did you have at any time a conversation with Bud Dawson about his and your citizenship cases? A Yes, sir.
Q State what he stated to you of citizenship cases in general and about his case in particular, you can state the two that you had these conversations as near as you can? A Well, I think it was in '83, he told me if I ever got in I would have to pay him; he said it cost him $700 to get in; he said he paid one witness three hundred dollars.
Q Did he state the name of that witness? A No, he did not.
Q Whom did he say he made arrangements with? A He said he made arrangements with the Court; that is, heads of families to get them in at one hundred dollars apiece.
Q Do you know what time of the year that was, whether it was in the summer or not? A I think it was in June.
Q Did he make any other statements to you at any other time?
A No, sir, I don't think he has in regards to that matter.
Q You have been living neighbors with him? A Yes, sir.

MR. McKENNON:

Q You say this was about June of '83? A I think it was in June, 1883, I won't be positive whether it was June or not.
Q You were an applicant; were you admitted? A No, sir.
Q Have you been admitted? A No, sir.
Q You are still an applicant? A Yes, sir.
Q Still trying to get in? A Yes, sir.
Q Where was this conversation had? A Had at Bud Dawson's house.
Q What part of the premises? That is, in his residence?
A Yes, sir.
Q In the house? A Yes, sir.
Q Who was present? A There wasn't anybody present; he just built the house and there wasn't anybody there.
Q Was there more than one room? A I won't be positive but I don't think there was but one room, log house.
Q Just one room? A Yes, sir.

Q And is that room he made this statement in your A Yes, sir.
Q He did you are sure and you say I don't think he
are mistaken.
Q You say you [illegible] part of the things
and part of the time, is that?
Q Haven't you had disagreements [illegible] between
your father? A No, that we didn't [illegible]
Q Didn't you have him little boy [illegible] a difficulty?
A Yes, sir.
Q And you say that you are not on bad terms with him?
A Why we speak, have conversation, have right right along all the
time.
Q Is it not a fact now that you and he have been all the while at
enmity? A No, sir.
Q You don't have any unkind feeling towards him? A No, sir.
Q What were your going statement? A I said no, sir, I didn't have
any unkind feeling towards him.

(It being 6 o'clock, the Commission adjourns until 8:30 o'clock to-morrow morning.)

March 19, 1908.
Commission convened pursuant to adjournment.

Appearances:
Mr. A. S. McKennon, of Counsel for Applicants.
Mr. V. T. Hutchings, of Counsel for Cherokee Nation.

C. C. BRAUER, re-called, further testified:

MR. McKENNON:

Q Mr. Brauer, you were a claimant under the Watts family are you not? A Yes, sir.
(Witness excused.)

CHARLES B. KENNEY, being duly sworn, testified as follows on part of the Cherokee Nation:
MR. HUTCHINGS:

Q State your name? A Charles B. Kenney.
Q What is your post office? A Tahlequah.
Q Are you a citizen of the Cherokee Nation? A Yes, sir; supposed to be.
Q Recognized as such are you? A Yes, sir.
Q How old are you? A There is no family record, my parents died when I was young, I just guess at my age, I am somewhere between 44 and 46 years old.
Q Were you personally acquainted with one Robert or Bob Bowers?
A I knew Bob Bowers when I was a boy.
Q Did you know him in the state of Texas, if so about what time?
A I knew Bob Bowers, knew him and saw him at different dates in Texas.
Q Well, in the year '83 in Clay County, Texas, did you ever see him?
A It was in '83 or 84, I think I knew him in both years.
Q Did you [illegible] him in the vicinity of Bill Smith. [illegible] and [illegible] Bill Smith [illegible] his children [illegible] were talking in regard to some land there like a [illegible]

[redacted]

Mr. Kellogg: The evidence object to all of the testimony of this witness because it is wholly immaterial and irrelevant.

[redacted]

THOMAS L. [redacted], being duly sworn, testified as follows on behalf of the defendant Indians:

[redacted]

Q Did you know one James Dawson? A Well, yes; I did; I have seen him time to time.
Q [illegible] A Yes, sir; I was there about five [illegible] was called.
Q Did you know Aaron Butler? A Yes, sir.
Q Who was he? A He was a Cherokee Interpreter for the Court.
Q Do you know Jimmy Smith? A Yes, sir.
Q Who was he? A He was the Nation's attorney before the Court.
Q Well, did you attend that time have a conversation with either Aaron Butler or Jim Smith in company with Mr. James Dawson? A Yes.
Q State the full particulars of it? A About that time this man Dawson and Butler came to me while they were all together, all three of them, and Butler came and called me off to one side, that was down at a colored church, it was after dark, and they called me off there and this man Dawson borrowed some money from me, he said he had to have it that night, his case was going to be submitted the next morning.
Q Well, did he say anything about whether he could get his case submitted if he had more money? A Well, from the language to me and Butler, he wanted this money; Smith had agreed to submit the case without further evidence in the matter.
Q Well, did you let him have the ten dollars? A Yes, sir.
Q Where did they go then? A They walked off up towards town.
Q Did they go together, those three? A Yes, sir.

MR. [illegible]:

Q Was that James Dawson, the leading applicant in that case?
A Yes, best of my recollection that was.
Q How old a man was he? A I don't know; I could not tell you; he looked, I don't know, he might have been—could not tell you anything about how old he was.
Q Well, about how old was he, 35, 30 or 40? A Yes, he was older than that, from my judgment I guess he must have been 45 or 50 years old.
Q Is he living or is he? A I don't know.
Q Where have you been living? A I have been living down here near Tahlequah.
Q That was the man's name, Dawson's name? A Jim Dawson I think.
Q You are certain of that? A Yes, sir; I am pretty certain.
Q They came to you with Smith, the Prosecuting Attorney, and Butler, the Interpreter? A Yes, sir.
Q Dawson took you off to one side? A Butler took me to where Dawson was and introduced me to Dawson and vouched for Dawson being all right for the money.
Q When did you first make a statement of this matter to anybody?
A I guess—I don't remember when.
Q How long have you been in Muskogee this time?
A I have been here since, I was summoned here last Friday.
Q Did you ever make any statement to anybody about this before that time? A Yes, I talked to Butler about it.
Q When? A Oh, about, [illegible] I remember it has been about two years ago, and Butler was talking to me about it; it was at my house.
Q Were you born a citizen? A Yes, sir.
Q You weren't admitted to citizenship by the Courts or Council?
A No, sir.
Q You have been living in the Cherokee Nation all your life?
A Well, I was born and raised here; ; I haven't been here all the time; I have been out and in.

Q You have never seen that man Dawson since? A If I have I have never known it, but I saw him the next day.
Q You saw him and took a good look at him, and know about what kind of man he was? I saw him around there about several times.
Q You think he was about 35 or 40 years old? A That would be my guess at it, my recollection.

Mr. McKennon: Applicants object to the testimony of this witness, all of it, because it is wholly incompetent and irrelevant.

DELIA A. BREWER, being duly sworn, testified as follows on part of the Cherokee Nation:
MR. HUTCHINGS:

Q State your full name? A My husband's name was O. P. Brewer, but generally I sign my name Mrs. D. A. Brewer.
Q What was your full maiden name? A Delia A. Vann; well it was really Delilah but I never was called by that name, it was De altogether in my young days.
Q What was your father's name? A His name was Joseph Vann.
Q Was he called by any nicknames and if so how many, and what? A None, but the Cherokees, the full-bloods called him Joe Aney.
Q What does that name mean when you talk English? A Rich Joe.
Q Did any of them call him Big Joe Vann? A I don't know; he was a large man; larger than the other Joe Vann.
Q There was another Joe Vann? A Yes, sir.
Q Did your father have any sisters and brothers? A He had quite a number of sisters.
Q Did he have a half sister? A Had two half brothers.
Q Did he have a half sister? A Had several half sisters.
Q Who did they marry? A Different persons; I knew the names of all of them but I have a bad memory, but I know that there was one, a Mrs. Ibbie Wolfe, and Mrs. Lamar, she was first a Mrs. Hightower and she became a Mrs. Lamar and lived in Alabama and never came to this country, but she has grandchildren in this country.
Q Well, did any of your father's sisters or half sisters ever marry a Rogers? A No, sir.
Q Never had any Rogers kin-folks? A No, sir, I certainly would have heard of them through my family, there was a great many of the kin-folks I never saw, but I heard of them.
Q The Dawson case was talked of here for many years, they claiming kin?
A I never knew until I understood they claimed to be kin to the Vanns, and I flatter myself that my family was prominent enough that they never claimed kin.
Q They never claimed kin at all? A No, sir.
Q Did your father ever had a sister or half sister by the name of Annie, Anna or Alsey? A No, sir.

Mr. McKennon: Applicants object to all the testimony of this witness because it is incompetent ad irrelevant.

SAMUEL TOLLIVER DAWSON, being duly sworn, testified as follows on part of the Cherokee Nation:
MR. HUTCHINGS:

Q State your name? A Samuel Tolliver Dawson.

Q What relationship you to the Dawsons? A Well, I am not acquainted with none of these Dawsons, I guess I am correct, that is what he told me.
Q Who was your father? A [illegible] Dawson.
Q What did you say your father knew you? A [illegible] Dawson.
Q Do you know what his full name was? A Samuel Riley Dawson.
Q What children had your father? A Why, he had got, you mean his first children or his whole family?
Q I want all of his children. A I don't know, I will have to count a while on them, there was nine or ten of them.
Q Just one or two of them I care for; is Mrs. Lewis your sister?
A Yes, sir.
Q Your full sister? A Yes, sir.
Q Was she a daughter of S. R. Dawson, Jr.? A Yes, sir.
Q Now who were the parents of your father, , Samuel Dawson?
A Why Sam Dawson was his father.
Q Sam Dawson was his father? A Yes, sir.
Q What was Sam Dawson's wife, if you know their family history, what your father said or what your grandfather said? A I have heard that she was a Pruitt, my father said; of course I don't know.
Q What was her given name? A Annie.
Q Did you ever see your grandfather, Samuel Dawson? A Yes, sir.
Q Saw him? A Yes, sir.
Q Do you know about how old he was when he died? A He was somewhere up about 90.
Q About how old were you when your grandfather died? A I don't remember exactly how old I was, I must have been somewhere near 12 years old when my grandfather died.
Q Was your father his youngest child? A Yes, sir.
Q Do you know about when your father was born? A Well, no, I don't, he died in '90 and he was 67 years old.
Q He died in about '90 and was about 67 years old when he died?
A Yes, sir.
Q And he was the youngest child? A Yes, sir.
Q Now, do you know how many children your grandfather had , that is brothers and sisters of your father? A I heard him say seven.
Q Well, did you ever hear your father or grandfather speak of whether or not your grandmother was a white woman or an Indian?
A Well, I heard my father speak about it, I don't know that I ever heard my grandmother say anything about it.
Q Well, what did he say about it? A I have heard him say his mother was not an Indian.
Q Did you fathercome here and apply once for citizenship?
A Yes, sir.
Q Was he admitted? A I think not.
Q Did you hear him make any statements about he grounds he expected to get in? A He said his brothers had moved their rights here and if his brothers had any rights he did, but I don't know.
Q Well, in that connection didhe say whether his father was an Indian or white woman? A Never heard him say that his mother was a white woman in speaking about that, I don't know whether he said anything about that or not; I have heard him say his mother wasn't no Indian.

Mr. McKennon: Applicants object to the testimony of this witness because it is wholly irrelevant and incompetent.

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(Taking of testimony continued by Stenographer M. D. Smith)

I, J. O. Bowman, do hereby certify upon my official oath as stenographer to the Commission to the Five Civilized Tribes that I correctly reported the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of the stenographic notes thereof.

(Signed) J. O. Bowman.

---oooOOOooo---

(Continued from testimony taken by Steno. J. O. Bowman.)

March 19th, 1902, at Muskogee, I. T.

Appearances:
Mr. A. S. McKennon and Mr. Mellette, attorneys for the applicants.
Mr. W. T. Hutchings, and Mr. W. W. Hastings, attorneys for the Cherokee Nation.

EMMA BRASHIERS, being first duly sworn, and being examined testified as follows:
BY MR. HUTCHINGS:

Q State your name? A Emma Brashiers.
Q What was your maiden name? A Emma Dawson.
Q What was your father's name? A Samuel Riley Dawson.
Q What was his father's name? A Samuel.
Q What was your grandfather's name? So far as you know from family history? A Her maiden name was Annie Pruett.
Q Then your father, if I understand you, was the son of Samuel Dawson and Annie Dawson, nee Pruett? A Yes, sir.
Q Did your father have a brother named Robert, and a brother named James? A Yes, sir; that is what I was told.
Q And had a sister named Mrs. Petty? A Yes, sir.
Q And another one named Mrs. McGee? A Yes, sir.
Q And another brother named John? A Yes, sir.
Q What relation are you to Mrs. A. S. Lewis? A Sister.
Q Did you ever see your grandfather, Samuel Dawson? A Yes, sir.
Q You have a distinct recollection of him? A I, yes. I can remember him, but I was small.
Q About how old were you you suppose when your grandfather died?
A About 6.
Q Was your father's birth recorded in the family Bible? A Yes, sir.
Q You know whether your grandfather's record of marriages and deaths were recorded in any Bible or not? A I was, but we haven't it.
Q What became of it? A Got burned.
Q Well, about what year do you remember that your father, Samuel Dawson was born? A I believe it was '23.
Q In 1823? A Yes, sir.
Q And how old was he when he died, if you recollect? A He was between 64 and '7.
Q Did you ever hear your father speak of his relations, his father and mother, as to whether they were white people or Indians?
A Yes, sir, they were white people.

Q. Was I now or either in the [illegible] you [illegible] spoken of by the name of Annie [illegible] sir.

BY MR. [illegible]: [illegible] to a question of [illegible] witness [illegible] is [illegible] irrelevant and incompetent.

ALEX S. [illegible], [illegible], first duly sworn and being examined, testified as follows:

BY MR. [illegible]:

Q State your name? A Alex S. Lewis.

Q What is your [illegible]? A Dawson, Indian Territory.

Q How old are? A 48 years.

Q What was your wife's maiden name? A Elizabeth Parales Dawson.

Q Who was your wife's father and mother? A Her father was Samuel R. Dawson and her mother was the wife of Samuel R. Dawson, did you want her maiden name?

Q Well, if you know the maiden name of your wife's mother, state how you know it? A Well she was called Margarett, Margarett Queen was her maiden name.

Q The maiden name now of your wife's father's mother? A Why the maiden name of my wife's father's mother?

Q Yes, sir? A From what her husband said my father-in-law told me it was Annie Pruett.

Q What was the name of your wife's father's father? A My wife's grandfather on her father's side, Samuel Dawson.

Q And his wife's maiden name was Annie Pruett? A Yes, sir.

Q Did you know this old gentleman, Samuel Dawson, you wife's grandfather? A Yes, sir.

Q Personally? A Yes, sir.

Q What opportunities had you to get acquainted with him? A He lived with his youngest son, my father-in-law, and visited us, my wife and I, after we were married, at [illegible] with us quite a while; I lived near my father-in-law and we visited very often.

Q When did he die? A '74.

Q Have you any particular method of recalling that date? A Well, I was away from the house when he was taken sick, and they sent for my wife and myself, and so when I got home my wife had gone to her father's to see her grandfather, he was sick, and I remember my first wife was a baby at that time.

Q And when was your first child born? A He was born December, '73.

Q You know how old you wife's father was when he died? A Why he was up in 60, but I don't remember his age.

Q Did the old original Samuel Dawson ever tell you his age? A Yes, sir, several times.

Q How old was he at the time of his death? A He was pas ed 90.

Q Did he ever tell you whether or not his wife Annie Pruett had any sister or brother? A Told me she only had one brother named Bob Pruett.

Q Have any of the members of this family named their children after him? A Make it a little plain, it is a little long; my wife's oldest brother was a particular favorite of his grandfather, and he always took this boy with him everywhere, and he has named one of his, - oldest child for this brother-in-law therefore a particular favorite of his grandfather; named it for him I understood.

Q Now, what is his name? A Of course I don't know why he named it, but he gave him the name of Robert Pruett, and I understood it was on one visit of his grandfather thereto, so much of Robert Pruett.

Q Did you ever hear the old Samuel Dawson speak of his mother-in-law? A Yes, sir; I have heard him say that he wished he had never had heard of Bob Pruett, he never had heard of him for a long

[redacted] of his children.

Q Well, [redacted] did he have? [redacted] family history, by and [redacted] child, [redacted]

Q Was John Dawson the eldest boy? A Yes, sir.

Q Which was the eldest girl that is the oldest by name? A I think it was Ira, Betty, was Bettie Dawson.

Q And John Dawson was the eldest boy? A Yes, sir.

Q And Samuel R. Dawson was the youngest boy? A Yes, sir.

Q You know something about the time John Dawson was born, have you any way of corroborating it, his eldest boy? A Yes, sir, I know what the oldest son and his wife told me.

Q What was that? A They said he was born in 1811.

Q Who was his oldest son? A Toliver H. Dawson told me his father was born in 1811.

Q Do you remember now whether the old man had occasion to say whether his wife, Annie Pruett was an Indian or white woman, or ever said anything about it? A I know that the old man said that she was, I don't know that I ever heard the question approached in that way, I have heard him speak as to her blood, but it was in a different way than we reached it.

Q What blood did he say she was? A Well he said that she was the daughter of Dob Pruett, a white woman; and that her father was Captain John Rogers, a white man who lived with the Cherokee Indians, and traded with them.

Q Did he say was Captain Juan Rogers afterwards married? A Said he had a wife in the Cherokee Nation.

Q But that Annie Pruett was not [redacted] A No, sir, she was the child of Mrs. Pruett.

Q A white woman? A Yes, sir, that was the half sister of Dob Pruett.

BY MR. MCKENNON:

Applicants object to all of the testimony of this witness, because it is wholly incompetent and irrelevant.

Q Did ever you apply for citizenship here? A Yes, sir, [redacted] wife.

Q When? A My father-in-law [redacted] the application, I don't know exactly when it was, I think probably about '86, I couldn't say

[redacted] to the Cato.

Q Before the Cherokee authorities? A Yes, sir.

Q Did he file an application before the Dawes Commission in 1896 also? A Him.

Q Yes, sir? A I don't think he did, no sir.

Q Did you? A I did.

Q On account of your wife? A Yes, sir.

Q Did you make affidavit to that application? A No, sir.

Q Who did? A I don't know, don't remember now.

Q You applied for your wife as an Indian by blood didyou not? A Yes, sir.

Q Are you still an applicant? A No, sir.

Q He died A No, sir.

Q She was denied was she? A Yes, sir.

Q Was there an appeal in her case? A Application was filed if I remember, before the Dawes Commission, and then appealed to the Cato, and from I appealed it to the District Court, which was rejected there and then I appealed.

Q Have you ever been arrested on any charge? A Yes, sir.
Q What [illegible]
Q [illegible]
Q [illegible]
Q [illegible]
Q [illegible]
supreme court, and it was [illegible]
acquitting on that charge.
Q That all the crime you have committed? A I [illegible]
Q Haven't you been [illegible]
A Tell me the question I have to [illegible]
one of my boys and one of W. [illegible]
Q You are [illegible] friendly with the Dawson family, and [illegible]
Mr. Wooley, that's all, don't speak, don't [illegible]
speaks to me either.
Q Well you are claiming some sort of lease on the Wooley farm, aren't you? A No, sir, I don't claim any lease on the Wooley farm.

B. W. ALBERTY, being first duly sworn, and being examined, testified as follows:
BY MR. HUTCHINGS:
Q State your name? A B. W. Alberty.
Q What is your post-office? A Tahlequah.
Q What is your present official position in the Cherokee Nation?
A Assistant Executive Secretary of the Cherokee Nation.
Q As such have you charge of the citizenship records and books etc. of the Nation? A Yes, sir.
Q Have you made search recently for the original records in the various cases of the Dawson family before citizenship Courts & Council? A Yes, sir.
Q Have you got what records you found with you? A I find what's supposed to be the original papers in the case, all that I could find. (Produces papers and hands to Mr. [illegible].)
Q Where did you find these papers? A I found them in the [illegible] in which papers of that character are filed and in the [illegible] Office at Tahlequah. (Applicant's attorneys examine papers produced by witness.)
BY MR. HUTCHINGS: The Nation here introduces in evidence an envelope marked No. 108, the names on the back of it are Robert, Elbert, Jasper, John, Frances, Marion, Josephine, Joseph, Jane, Mollie, Wilburn, James, Neal Dawson, versus the Cherokee Nation; the envelope and its contents.

BY MR. McKENNON: To the introduction of all of which the applicants object, because it is wholly incompetent and irrelevant.

The envelope above introduced by the Cherokee Nation is indorsed as follows:
"No.108, Rob. Dawson, Elbert Dawson, Jasper Dawson, John Dawson, Francis Marion, Josephine Dawson, Joseph Dawson, Jane Dawson, Molly Dawson, Wilburn Dawson, James Dawson, Neal Dawson, vs Cherokee Nation, Petition for Citizenship, Filed Sept. 24, 1901. Admitted Jan. 18th, 1893, D. W. C. Duncan, Clerk."
In pencil: "Robt Dawson."

The said envelope contains a document as follows:

"Office of Commission on Citizenship,
Cherokee Nation, Tahlequah, January 18th, 1893."

No. 108 Robert Dawson, et al.

vs.

Cherokee Nation.

Testimony for Claimants.

Witness:

Dr. Baker sworn & examined as follows, by name is Arthur Baker I reside at [illegible] Arkansas, Carroll County, my age is 73 years, I [illegible] the Cherokee Nation about three years when I first [illegible] I have been acquainted with him since [illegible] Carroll County were thirty five years (35) [illegible] last three words.) 35 years at my mother's house [illegible] I became acquainted with the claimant Polly Rogers [illegible] on mother's side, she was frequently at my mother's house though she & Ma Fruit lived in the Nation [illegible] claimed to be a half sister to Big Joe Vann, also claimed to be half Cherokee; the first time she brought the claimant's mother to my mother's house she the claimant's mother was about grown, when I was a lit le boy she called her daughter Polly Rogers said Capt. John Rogers who ran a boat on the river was the father of the child; I saw the girl frequently there at my mother's and there at Louis Rogers Store I saw her occasionally until I was 15 or 16 years old and I think then Old Capt John Rogers took her off to school. I saw her no more from the time Old Capt. John Rogers took her off till I saw her here in Arkansas the wife of old Samuel Dawson. I stayed all night there and she and I had a talk over our old matters, and I asked her when she became acquainted with Dawson and she said at the time she was going to school. And she said after she left school that Dawson followed her home to the Nation and they were to be married. I have told that precisely in the words she used.

Capt John Rogers claimed to be one fourth Cherokee, the claimant is the son of Polly Rogers and I know Polly Rogers to be the daughter of Anna Fruet, and I know the claimant to be the son of Polly Dawson Capt Rogers then resided in the Cherokee Country about twelve miles from Calhoun on the Hiawassee River.

Anna Fruet resided in the Cherokee Nation as long as I stayed there the Dawsons when I got acquainted with them Arkansas were recognized where they were as Cherokees. Robt Dawsons children is Robt, John, Marion, Jim and Polly, the children named in the petition I remember as also the claimants.

Question by Solicitor:

Ques. 1 How many children did Polly Rogers have?
Ans. 1 Five, I think that's all.
Ques. 2 Did you say something about someone being married twice?
Ans. 2 The claimant was married twice.
Ques. 3 Could Anna Fruet speak Cherokee?
Ans. 3 Yes she could speak it well
Ques. 4 Did Polly Rogers speak Cherokee?
Ans. 4 She could when she was young.
Ques. 5 How far do you live from Anna Fruet?
Ans. 5 Just across the river about 3/4 of a mile.
Ques. 6 Was Calhoun in the Cherokee Nation?
Ans. 6 It was on both sides of the river, part in the Nation and part out in the State.

[illegible]

Witness' hand paralysed is the reason he signs by a mark, this "X".

The above document is endorsed on back as follows:-

"Certified copy of original Affidavit made in Dower case, Robt. [illegible] Deceased by the [illegible] Some time ago [illegible] Augustus Reinecke."

BY MR. [illegible] ... I, ... of ... and ... [illegible] ... P. E. Dawson) ... [illegible]

BY MR. McKenzie: ... applicant ... irrelevant.

The ... "Exhibit ... children, ... D. V. C. Bundell, ... [illegible]

The contents of said envelope are as follows.

"Affirmation of ... Dawson, ... Exhibit, Wilmington Saloon, Sept. 14, 1888.

E. Dawson, ... No.181. ... Ida Dawson, ... Idell Dawson, ... Dallas Dawson, ...

... appeared ... open court ... the ... [illegible]

[redacted] in

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[illegible] citizens [illegible] the applicant [illegible] decision of [illegible] to authorize [illegible] to the issue [illegible] 8th, 1888, [illegible] a hearing [illegible] Nation upon the ground of [illegible] applicant must be a citizen, by the lineal descendant of a person whose name appears upon the census rolls of Cherokees taken by the United States." As are hereinafter enumerated. Neither the name of the applicant nor that of the person of whom he claims to be a lineal descendant appearing upon either of said rolls the Commission adjudge and decree that Samuel R. Benson and family are not entitled to re-admission as to citizenship in the Cherokee Nation as Cherokees by blood. This opinion includes the cases of Emiren J. Benson, James K. P. Benson, Jonnnah Barker nee Jonnah Benson and Jane Queen, nee Jane Benson, and their families, as enumerated in their respective applications.

(signed) Wm P. Ross,
Chairman.

This April 30th, 1889.
(signed) D. L. Williams,
Cl'k Com'n."

(signed) R. Benson, Commissioner,
John K. Hunter, Com'nr.

BY MR. HUTCHINGS: The Nation now introduces the envelope in the case of James K. P. Benson, and the contents, being the original testimony in the case of [illegible] and the judgment in said case, found on page [illegible], Book [illegible], containing the records of the Citizenship Commission of the Cherokee Nation, the date of said judgment being April [illegible], 1889; this book being also in the custody of this Commission.

BY MR. McKENNON: To the introduction of all of which the applicants object, because it is wholly incompetent, immaterial and irrelevant.

The envelope above introduced is indorsed on back as follows:

"Mare, James K. P. Benson, APPLICANT FOR CHEROKEE CITIZENSHIP. Address, - - - Age, - - Years, - - Roll of 1835, Ancestor, Riley Benson, filed the 3 day of Oct. 1887, Docket 989, Book C Page 116, Testimony on Journal - - Page - - - Decision of Commission Rejected 30 day of April 1889 Rejected."

The contents of said envelope are as follows:

"A. J. Benson, et al.,) Office Com. On Citizenship,
(vs) Tahlequah, I. T. Sept. 27th, 1888.
Cherokee Nation.)

R. Benson, who [illegible] duly sworn, upon his oath, deposes and says as follows, to wit:

I am a citizen of the Cherokee Na[illegible] I am about 40 years old. I am [illegible] the applicant, Andrew J. Dawson, he claims to be [illegible] of mine. I have known him personally about [illegible] He would be father and Joe Dawson. I know [illegible] applicant, from circumstances, and have no doubt but [illegible] is a relation of mine.

Joe Dawson, the father of the applicant was my father's brother. Joe Dawson was considered to be a Cherokee. I think he died on the Tennessee river in Tenn. I think he had four (4) children. I never saw any of them but Andrew J. Dawson, and Jim Dawson.

-Cross Ex.-

Joe Dawson has been dead about 35 years he lived west of the Mississippi River, I understand. My father had five brothers. I don't know how long Joe Dawson had been living in Tenn. before he died. All that I know of the affidavit that the son of my Uncle Joe Dawson, is from what he himself has told me, - My grandfather, Sam Dawson was a white man. The applicant could be of the Dawson name and not be related to me- My grandfather being a Dawson and a white man.

Attest

Cornell Rogers,
Clk. Com. on Citizenship."

This document is indorsed on back as follows:
"Testimony of E. Dawson in case A. J. Dawson."

The judgment above introduced, and found on page 126 of Book C of the Dockets of Cherokee Citizenship Commission, is as follows:

"James K. P. Dawson,
OFFICE COMMISSION ON CITIZENSHIP.

Tahlequah, Ind. Ter., Oct. 6, 1897.

Docket No.	Names	Age	Sex	Post Office	Attorney
	1 James K. P. Dawson,-		Male		
	2 William A. Dawson,				
	3 Richard A. Dawson,				
939					C. H. Taylor.

Applicant for
Cherokee Citizenship,
Census Rolls 1835
Ancestor,
Riley Dawson.

vs.

Cherokee Nation.

In red ink along age column are the words: "Rejected April 26, 1889."

- - - - - - - - - - - - - - -

"Adverse to Claimant.
See decision in this case in Bk of E. R. Dawson in Book (E) Page 26.
This April 26, 1889.
D. S. Wilson,
Clk Com.

Will P. Ross,
Chairman.
J. B. Oster, Com."

BY MR. [illegible]:

[illegible] envelope and its [illegible] being the [illegible] next as exhibit [illegible] of said judgment being [illegible]

BY MR. [illegible]: To all of [illegible] it is really [illegible]

The envelope just identified is indorsed on the back as follows:

"126, I. Anna Rebecca Dawson, APPLICANT FOR CHEROKEE CITIZENSHIP. Answer Heard, I. T., age 48 years. Roll, to 1852. Roll of 18— Absentee Nation, Filed the 5 day of Oct 1889. Docket 1019 Book C Page 144, Testimony on Journal- Page — Decision of Commission, Rejected 28 day of August 1889. Submitted by Mr. Dawson, Aug. 28, 1889." R"

The contents of said envelope are as follows:

"APPLICATION FOR CITIZENSHIP.

To the Honorable Commission on Citizenship:
Gentlemen:- The undersigned, your petitioner, this day makes this her application for re-admission to citizenship in the Cherokee Nation, in accordance with the Constitution, and with an act of the National Council approved [illegible] 1888, creating your Commission, And respectfully makes the following statement of the grounds for [illegible]

That Rebecca Dawson is the [illegible] Nation, the the undersigned firmly believes and [illegible] Census Rolls of Cherokee by blood, citizens of the Cherokee Nation, in [illegible]

The undersigned hereby presents the above facts as the lawful grounds for this application for citizenship by blood, and respectfully [illegible] shall be truly heard and [illegible] law.

Age, 48 years; Postoffice, Bunch, Okla. Ter. Family with their relationship attached is as follows:

No	Name	Sex	Age	Relationship.

In witness [illegible] I hereto set my hand on this the 4— day of October 1889.

(signed) Rebecca Dawson,

Doudinot & Rennie,
Attorneys."

- - - - - - - - - - - -

"COMMISSION ON CITIZENSHIP.
Cherokee Nation, Ind. Ter.
[illegible], August 30th, 1889.

Rebecca Dawson]
V. S.
Cherokee Nation.] The above case was called and submitted by

[illegible] without evidence the [illegible]
[illegible] 40 yrs is not [illegible]
[illegible]

[illegible]

The [illegible] cause in favor of Secretary [illegible] on Citizenship, on [illegible], page [illegible], to wit:

Rebecca Dawson,
OFFICE COMMISSION ON CITIZENSHIP
Tahlequah, Okla. [illegible]

Docket No.	Name	Age Sex	Date of Application.
1017	Rebecca Dawson	48 female	March 2, 1

Enrolled A B.
Applicant for
Cherokee Citizenship.

Census Rolls, 1835,
to 1852,
Ancestor,
Moton.

V. S.
Cherokee Nation.

Office Commission Citizenship,
Cherokee Nation, [illegible],
Tahlequah, Okla. [illegible]

The above case was called and continued by agreement
Reason: without evidence. The Commission decides [illegible] Dawson,
aged 48 years is not a Cherokee by blood and not entitled to
Citizenship in the Cherokee Nation.
Attest:
E. G. Ross,
Clerk Commission. [illegible] Com.

BY MR. HUTCHINGS: The Mat on next introduced a [illegible]
envelope and contents in the case No. [illegible], the
contents being the application for citizenship, and the judgment
as written up by the Court: also the judgment of the
Court as copied in Book 2, page 148,- said judgment being
rendered August 20th, 1902.

BY MR. McKENNON: To all of which the applicant object, because
the same is immaterial, irrelevant and incompetent.

The envelope just introduced is indorsed on back as
follows:

"No. 2. Ross, Mary Dawson, APPLICANT FOR CHEROKEE
CITIZENSHIP. [illegible] 1852 to
1852 Roll. [illegible]
[illegible]
[illegible]
Enrolled [illegible]

APPLICATION FOR CITIZENSHIP.

To the Immigration Commission, Office of Citizenship:

Gentlemen:- The undersigned [illegible]

[illegible]

[illegible]

[

[redacted]

(signed) [redacted]

[redacted]

The judgment as recorded in Book 8, page 145, of the records of the Cherokee Commission in Citizenship, in the following:

Mary Dawson,

Motion of Commission Citizenship.

Tahlequah, Ind. Ter., Oct. 5th, 1897.

Docket No.	Name	Age	Sex	Post Office	Attorney
1	Mary Dawson,	54	Female	[redacted]	
2	Walter Dawson,	18	male		

[redacted]

Cherokee Nation.

[redacted]

[redacted]

[redacted]

BY MR. McKENNON: To all of which the claimants except, because the same is immaterial, irrelevant, and incompetent.

The envelope just introduced above, in substance follows:

"Name, Andrew J. Dawson, APPLICANT FOR CHEROKEE CITIZENSHIP. Address, Nevada, Mo., Age 44 years, - - 1835, Roll of 1835, Ancestor, - - Filed this 11 day of February 1887, Docket 37 Book A, Page 38 Testimony on Journal - - Page, Decision of Commission, REjected, 26 day of April, 1888. Rejected."

The contents of said envelope are as follows:

"To the Commission on Citizenship.

Tahlequah, I. T.,
January 27, 1887.

	Age		
Andrew J. Dawson,	44	years	Male
E. E. Dawson,	16	"	"
Olive M. Dawson,	14	"	female
William H. Dawson,	11	"	male
Jenny K. Dawson,	9	"	"
Glennie D. Dawson,	8	"	female.

V.S.
Cherokee Nation.

Know comes Andrew J. Dawson, and five children claiming his right to Cherokee Citizenship by virtue of his Cherokee blood, he being a cousin of E. Dawson an infant of the same name admitted to Citizenship by the 2nd Term Court on Citizenship, which is a matter of record, we submit that as proof of the Justness of his claim, his ancestors will be found on the roll of 1835.

Respectfully,

Post-office, (signed) A. J. Dawson &
Nevada, Mo. five children,
by C. N. Taylor,
Attorney."

The judgment just introduced and found on page 38 of Book A, Records of Cherokee Commission on Citizenship, is as follows:

"Andrew J. Dawson,
Office Commission Citizenship,
Tahlequah, C. N., Feby 11, 1887.

Docket No Family	Name	Age	Sex	
1	Andrew J. Dawson,	44	Male	Nevada, Mo.
2	E. E. Dawson,	16	"	
37 3	Olive M. Dawson,	14	female	
4	William H. Dawson,	11	male	Applicants for
5	Jennie K. Dawson,	9	"	Cherokee Citizenship.
6	Glennie D. Dawson,	8	female	C. N. Taylor, Attorney.

Rejected April 26, 1888. (red ink.)

V.S.
Cherokee Nation.

Ancestors,

Filed Feby 11, 1897.

Adverse.

See decision in this case in Book of L. R. Dawson, Book P.20.
rendered April 30- 1869.
D. S. Williams,
Clk Com.

- - -

BY MR. HUTCHINGS: We next desire to introduce the records in the case of the same Andrew J. Dawson, before the Commission to the Five Civilized Tribes, filed September 7th, 1896, and the judgment of the Commission thereon. Number of said case being 4,694. And the judgment of said case on Page 294, Book B., Dawes Commission Record, 1896. Judgment was rendered November 17th, 1896, denying the application.

BY MR. McKENNON: To all of which the applicants object, because the same is immaterial, irrelevant and incompetent.

The records just introduced, being those filed before Dawes Commission, 1896, in Andrew J. Dawson, et al., are as follows:

Registry Receipt,
Post Office at Vinita, Sep. 7, 1896, Cherokee Nation, Ind. Ter., Registered Letter, No. 409, Rec'd, of A. J. Dawson, addressed to S. H. Mayes, Tahlequah, I. T., (signed) B. A. Fryer, L.-P. M.

- - -

"Commission to the Five Civilized Tribes,
Vinita, Ind. Ter., Sept. 7, 1896.

See that you swear to your petition.

Evidence of service of copies of Chief or Governor may be secured as follows: If convenient get his receipt to file with your papers. If you cannot do this, decline to file, and have some interested person to make affidavit in form about as follows:

I, S. M. Davidson, do solemnly swear that on the 7th day of September, 1896, I saw a package registered at the Post office at Vinita, Indian Territory, addressed to Hon. S. H. Mayes, Chief of the Cherokee Nation, Tahlequah, Ind. Ter., that registry receipt no. 409, received from postmaster, hereto attached, is a receipt for said package, which contained true copies of the application of Andrew J. Dawson, and of the affidavits of E. Dawson and F. M. Dawson in support of same.

(signed) S. M. Davidson,

Subscribed and sworn to before me, on this 7th day of September, 1896.

(seal) (signed) T. M. Kornegay,

Notary Public, First Judicial Division, of the Indian Territory.

Agents Testimony in this affidavit and accompanying papers to the commission at Vinita, Indian Territory, [illegible] the Clerk of the Federal Court [illegible] and petitioner are not properly [illegible] by the Agents and Commissioners.

xxx _____ for the Commission."

APPLICATION FOR ENROLLMENT.

To the Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss and Alexander B. Montgomery, United States Commissioners, authorized by an Act of Congress of June 4th, 1896, to hear and determine claims for citizenship in the Cherokee Nation:

Gentlemen:-

The undersigned, your petitioner, Andrew J. Dawson, ~~William H. T. Dawson Jesse K. D.~~ (Line in ink drawn through these names) for and on behalf of Minnie E. E. Dawson, Olive Maud Dawson, William H. T. Dawson, Jesse K. Dawson, Glen Dale Dawson, James K. P. Dawson, William A. Dawson, Maggie E. Dawson, Richard A. Dawson and Mary E. Dawson and heirs, this day make their application to you for the purpose being placed on the revised Roll of Cherokee Indians and of those entitled to share in the distribution of the funds and allotments of lands of the Cherokee Nation by virtue of their Cherokee blood, and petitioner states that they are Cherokee Indians by blood, deriving the same from Captain John Rogers, Polly Rogers, Daughter of Captain John Rogers, married Samuel Dawson, who's name will be found on the authenticated rolls of Cherokees by blood, taken in the years 1817, 1818, 1819 and 1835 & 1838 the same to be submitted to your Honorable Commission for a full and complete investigation, and if found correct as stated, to be granted all the rights, privileges and immunities of other Cherokee citizens, and petitioner hereunto files his proof in support of said claim, and respectfully awaits the time when his application can be heard and tried.

Respectfully submitted,
Andrew J. Dawson.

Enrollment of family, with relationship attached, as follows:

Names.	Ages.	Relationship.
Minnie E. E. Dawson,	26	Daughter,
Olive Maud Dawson,	23	daughter
William H. T. Dawson,	20	son.
Jesse K. Dawson,	18	son.
Glen Dale Dawson,	16	daughter.
James K. P. Dawson,	7	brother.
William A. Dawson,	15	Nephew.
Maggie E. Dawson,	8	Neice.
Richard A. Dawson,	17	Nephew.
Mary E. Dawson,	5	Neice.

I, [illegible] Dawson, hereunto set my hand this third day [illegible] 1896.

(signed) Andrew J. Dawson."

Jurat on back of following

United States of America,
Indian Territory,
Northern District.

Andrew J. Dawson, of lawful age, being first duly sworn on oath says that he has read the foregoing application and that the facts are true as he verily believes.

(signed) Andrew J. Dawson,

Subscribed and sworn to before me on this the 7th day of September 1896.

(signed) J. A. Tillotson,
Notary Public.

(Seal)
My Commission expires June 8th 1898.

Indian Territory,)
Northern Judicial Dis- (SS.
trict

Andrew J. Dawson, of lawful age, being by me first duly sworn on oath says that he is 52 years old that his post office address is Afton, I. T. Affidavit further says that he is a citizen of the Cherokee Nation and a Cherokee Indian by blood deriving his Indian blood from Polly Rogers daughter of Certain John Rogers, that Polly Rogers, a daughter of Certain John Rogers married Samuel Dawson near Calhoun, Tenn. on the Hiawassia river while emigrating to the west.

Affidavit further says that Samuel Dawson and Polly Rogers are his grandfather and grandmother and that Certain John Rogers was recognized by the National Council of the Cherokee Nation as a Cherokee citizen in the laws of the Cherokee Nation of 1852 as follows: An act of the Council of 1842 page 84, an act of Nov. 17th 1843, page 88, also an act of 1843 page 304.

Affidavit further says that he is a blood relation of E. Dawson, T. L. Dawson, Joseph Dawson, and John Dawson who were admitted to citizenship by the Cherokee Nation, and whose names appear upon the authenticated rolls of 1880.

(signed) Andrew J. Dawson.

Subscribed and sworn to before me this 5th day of September A. D. 1896.

(signed) J. A. Tillotson,
Notary Public.

(Seal)
My Commission expires June 8th 1898."

"Indian Territory,
Judicial Dist. } S.S.

J. M. Dawson, of lawful age, being by me first duly sworn on oath says that he is 54 years old and his post office address is Afton, Indian Territory. Affiant further says I have known Andrew J. Dawson for the past 10 years and have known him and recognized him as a Cherokee Indian and a cousin of mine, he claims to have original [illegible] from [illegible] Dawson and he was a son of [illegible] and Polly Rogers being daughters of [illegible] and certain John Rogers a Cherokee by blood and a recognized citizen
Indian.

share in the distribution of funds and allotments of land in Cherokee Nation, by virtue of their Cherokee blood, and I herewith submit the affidavits of E. Dawson, S. R. Dawson, W. A. Dawson & F. M. Dawson in support of said claim, and respectfully await the time when our application shall be heard and tried.

Respectfully submitted,
(signed) Joannah Barber.

Enrollment of family, with relationship attached, as follows:

Names	Age	Relationship.
Joannah Barber,	60	Daughter of Elizabeth or Betsy
Isaac J. " Husbd	65	Petty, nee Dawson, who was a
Onis E. "	26	daughter of Polly Dawson, nee
W. R. "	24	Rogers who was a daughter of
James E. "	18	Capt Jno Rogers and Ailey Rogers
Johny "	6	nee Vann a Cherokee Indian by
Joel A. Barber	39	blood as is shown by proof here-with filed.

In witness of which I hereto set my hand on this 6 day of August 1896,

(Signed) Joannah Barber."

Indorsed as follows: "Pd 3.50 No.... Petition of Joannah Barber for and on behalf of herself and heirs."

TO THE HONORABLE HENRY L. DAWES AND OTHERS COMPOSING THE COMMISSION TO THE FIVE CIVILIZED TRIBES:

Your petitioner, Joannah Barber, would state and show from the proof submitted to the Commission that she is a Cherokee by descent and by blood having been born in Carroll County, State of Ark. on the 5 day of Dec 1835. My father's name was John Petty. My mothers name was Elizabeth Petty, nee Dawson. That I now reside in the Cherokee Nation, and have resided there for 10 years. And she avers these facts can be established by proof to the satisfaction of the Commission under such rules and regulations as it may prescribe. And she further avers that these facts being proved she is entitled to be adjudged under the laws of such Nation and the laws of the Congress of the United States and the treaties of such Nation with the United States, a citizen of such Nation, with all the rights, privileges and protection of Citizenship in such Nation. Wherefore she herewith respectfully submit to the consideration of the Honorable Commission such proof and on the hearing she be adjudged entitled to such citizenship and her name be placed upon the proper roll as a citizen of such Nation.

(signature Joannah Barber.

INDIAN TERRITORY,)
) ss
FIRST JUDICIAL DIVIS)

Now on this 6 day of Aug personally appeared before me W. J. Pettis a Notary Public in & for the said Territory, Joannah Barber, who being duly sworn upon his oath states that the facts set forth in the foregoing petition are correct and true.

Subscribed and sworn to before me this 5 day of August [illegible]

(signed) W. J. [illegible]
Notary Public.
(seal)"

(Copy)

In the matter of the claim of [illegible] nee Joanna Petty to Cherokee Indian citizenship in the Cherokee Nation, Indian Territory.

Affidavit of S. R. Dawson.

Delaware District,
Cherokee Nation,
First Judicial Division,
U.S. Court, Indian Territory, } ss

S. R. Dawson, to me well known to be a reliable and respectable, after being duly sworn according to law states on oath, that he is a bona-fide citizen of the Cherokee Nation by blood- that he is a resident of said Nation- that his post-office address is Afton, I. T.; that he is fifty-one years of age- that he is well acquainted with the applicant Joanna Barber and has so long, as he can remember- that she is of Cherokee Indian descent- that her maiden name was Joanna Petty- that she was the daughter of one Elizabeth Petty, a person of Cherokee Indian descent- that Elizabeth Petty's maiden name was Elizabeth Dawson- that said Elizabeth Dawson was the daughter of Polly Rogers, a person of Cherokee Indian descent, who intermarried with Samuel [illegible] a white man- that the said Polly Rogers was the daughter of Captain John Rogers and Lilly Rogers both well known Cherokees by name.

He [illegible] is not directly nor indirectly interested in the result of this application.

(Impress of National Seal)

(signed) S. R. Dawson.

Subscribed & Sworn to before Jany 5 1897

(signed) W. J. Bibbett,
Notary Public."

"United States of America,
Indian Territory, } ss
First Judicial Division.

I, William F. Rapmund, a Notary Public within and for the Judicial Division aforesaid, do hereby certify that the next above is the within one page of an affidavit is a true and literal copy of the original as produced to me at Tahlequah, Ind. Terry, this the Third day of July A.D. 1897.

(signed) William F. Rapmund,
Notary Public, First Judicial Division, Indian Territory.
(Seal)" My Commission expires Feby 5, 1897."

(Copy)

In the matter of the claim of [illegible] Barber (nee Joanna Petty)

to Cherokee Indian citizenship in the Cherokee Nation
Ind Ter.

Affidavit of S. Dawson.

Northeastern District,
Cherokee Nation,
First Judicial Division,
U. S. Court, Ind. Ter.

S. Dawson, who is well known to me, reliable and responsible after being duly sworn, deposes & says on oath that he is a bonified citizen of the Cherokee Nation by blood- that he is a resident of said Nation with his post office address is Vinita, Ind Ter. that he is 68 years of age that he is well Acquainted with the claimant Joanah Barber and has been as long as he can remember any person- that she is a person of Cherokee Indian descent the her maiden name was Joanah Petty- that she was the daughter of one Elizabeth Petty, a person of Cherokee Indian descent- that Elizabeth Petty's maiden name was Elizabeth Dawson that said Elizabeth Dawson was the daughter of one Polly Rogers a person of Cherokee descent, who intermarried with Samuel Dawson, a white man, that the said Polly Rogers was the daughter of Captain John Rogers a well known Cherokee Indian.

Affiant is not directly nor indirectly interested in the result of this application.

(signed) S. Dawson.

Subscribed and sworn to before me this the 24th day of Feby 98

(signed) A. E. Williams,
Notary Public.

(Impress of
National Seal
here.)
Com. Expn. Sept. 26/98.

United States of America,
Indian Territory, } S S.
First Judicial Division.

I, William P. Ramsey, a Notary Public within and for the First Judicial Division, Indian Territory, do hereby certify that the next above and the within and foregoing is a true and literal copy of the original Affidavit as the same appears of record in my office at Tahlequah, Ind Ter. this the third day of March A.D. 1898.

(signed) Wm. P. Ramsey.

(Seal) Notary Public, first Judicial Division, Indian Territory, My Commission expires Feby 3, 1902.)

United States of America,
Western District of Arkansas, } SS.

In the case of one Joanah Barber claimant for citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before Cherokee Indian authority at Tahlequah Cherokee Nation, Indian Territory.

Personally came this day before me William P. Ramsey a Commissioner U. S. Court within and for the District aforesaid duly authorized to administer oaths &c. [illegible] personally well known to be reputable and entitled to credit, who being by me first duly sworn according to law, deposes and

[illegible] ...ers of ... [illegible]
...ing [illegible]
of [illegible]

as [illegible]
with [illegible]
was Elizabeth [illegible]
Elizabeth [illegible]
the sister of [illegible]
and [illegible] Indian [illegible]
sister of [illegible]
Cherokee Indian by blood- said Robert Dawson [illegible]
full brother to said James Dawson- that [illegible]
claimant, Joanah Barber is his [illegible] first cousin by
Cherokee Indian blood and that he so recognizes and acknowledges
her.

(signed) F. A. Dawson.

Subscribed and [illegible] before me at Tahlequah, Ind. Ter. y
this third day of December A.D.1894.

(signed) W. [illegible] Bowen,
United States Commissioner.

(seal)

- - - - - -

UNITED STATES OF AMERICA,
Western District of Arkansas. }ss.

In the case of Joanah Barber claimant for citizenship
in the Cherokee Nation, Indian Territory, as a Cherokee Indian
by blood, before Cherokee Indian authority at Tahlequah,
Cherokee Nation, Indian Territory.

Personally came this day before me William J. Bowen,
a Commissioner of the U. S. Dist. Court, [illegible] for the
District aforesaid duly authorized by [illegible] to [illegible]
F. A. Dawson, to me made personally well known to be [illegible]
and entitled to [illegible] and who [illegible] duly sworn according to law
deposes and [illegible] personally [illegible] Franklin [illegible] Dawson [illegible]
27 years, by occupation [illegible] Farmer, [illegible]
Farmer by occupation, [illegible] a citizen of the
Cherokee Nation, by virtue of [illegible] Indian blood.

And said deponent declares in relation to the above case
case as follows, to-wit; I am personally well acquainted with
the claimant Joanah Barber, [illegible] Elizabeth Dawson, a Cherokee
(commonly called "Betty") Petty, nee Elizabeth Dawson, a Cherokee
Indian by blood, said Elizabeth Petty was a full sister of
my father Robert Dawson Dec'd, a Cherokee Indian by blood-
and I acknowledge the relationship by Cherokee Indian blood of
Joanah Barber to me as first cousin and I know that the said
Joanah Barber therefore is of Cherokee Indian blood.

(signed) F. A. Dawson.

Subscribed and sworn to before me at Tahlequah, Ind. Ter.-
this 12th day of November A.D.1894.

(signed) W. J. Bowen,
United States Commissioner.

(seal)

Endorsed on back as follows: "No. 4 Indian Ter. 94 1007.
Jno. A. Fielder, Agent."

- - - - - -

[illegible]

[illegible]

[illegible]

Interpreter oath of Tellowaya [illegible] sworn by [illegible]
1877, Sam is [illegible]
Jenny, Daeboy, [illegible] and Ann [illegible]
A. Pinkston, Clerk. Also Oath [illegible]

[illegible]

BEFORE THE HONORABLE COMMISSION OF THE UNITED STATES OF AMERICA

[illegible] duly appointed and [illegible] to Act, [illegible] by virtue of the Act of Congress of June 4th 1898, to hear and [illegible] claims and [illegible] to [illegible] Citizens [illegible] to-wit:
Cherokee, Creeks, Choctaws, Chickasaws and Seminoles in Indian

In the matter of the application for [illegible] in the Cherokee Nation of [illegible] to-wit:
Emma F. Hardy, Minnie [illegible], Jesse, James E. Hardy, John Q. Dawes and Polly A. Dawes.

In the matter of the application for [illegible] in the Cherokee Nation of [illegible] to-wit:
Eddie W. Moore, [illegible] Moore, James A. Moore, Frankie Q. Barker, Jesse F. Moore and [illegible]

In the matter of the application for [illegible] in the Cherokee Nation of [illegible] to-wit:
Bertie [illegible]

In the matter of the application for [illegible] in the Cherokee Nation of [illegible] to-wit:
Claude M. Murphy.

In the matter of the application for [illegible] in the Cherokee Nation of [illegible] to-wit:
Anna J. Moore, [illegible]

In the matter of the application for [illegible] in the Cherokee Nation of [illegible] to-wit:
Hunt.

In the matter of the application for [illegible] in the Cherokee Nation of [illegible] to-wit:
George A. Scott and [illegible]

In the matter of the application for [illegible] in the Cherokee Nation of [illegible] to-wit:
[illegible] Goodnight, [illegible] to-wit: Lucile M. Goodnight, Geo. L. Darlington and Minnie L. Goodnight, [illegible]

And now [illegible] fully understood [illegible] of the [illegible] Hon Triple [illegible] to-wit:

[illegible] Polly [illegible] John [illegible] the [illegible]

-47-

[illegible]

DEPARTMENT OF THE INTERIOR.

[illegible]

Joanna Barker,
vs.
Oh roken Nation.

I, E. [illegible] Secretary of [illegible] do hereby [illegible] the above and foregoing [illegible] and correct copy [illegible] as the same appears [illegible] Tribes.

Given under [illegible] this 26 day of Feb. 1897.

[illegible] E. A. Hooper, Jr.,
Secretary.

[illegible]

[illegible]

Joanna Barker et al,
vs.
Cherokee Nation,

[illegible]

[illegible]

IN THE UNITED STATES COURT FOR THE INDIAN TERRITORY,
NORTH MCALESTER DIVISION, AT MUSKOGEE, IND. TER.

CHEROKEE NATION,

PETITION FOR APPEAL FROM THE DECISION OF THE COMMISSION
TO THE FIVE CIVILIZED TRIBES.

at [illegible] ...

...

...

IN THE UNITED STATES COURT IN THE INDIAN TERRITORY,
NORTHERN DISTRICT, AT MUSKOGEE.

JOE HARRIS et al.

-vs-

No. REPORT & SPECIAL MASTER.

THE CHEROKEE NATION

I, R. A. [illegible], Special Master herein, when by the Court [illegible] herein, I have examined the proof and [illegible] herein, which is hereto attached and [illegible] and report as follows:

I

That this cause was instituted on September 6th, 1898, before the Dawes Commission by the filing of Application by Joe Harris et al. [illegible] Cherokee Nation, and Penner J. Strong, [illegible] Cherokee Nation, [illegible] Harbor, Emil Joel A. Harris and [illegible] Hattie Tolliver, Oscar G., Francis [illegible] That the application [illegible] child Iona Brown, [illegible] Ex'x Lucy and her children [illegible] Gladys, Willie L. Hunt and [illegible] and [illegible] Darlie Young and her children Lyrilla [illegible] H. Davis et al. That this application was [illegible] tried and protested on October 27th, [illegible] ings for [illegible] 1898, the claimants [illegible] all live in the Cherokee Nation, Indian Territory.

II

That the [illegible] citizenship in the Cherokee Nation by reason of their descent from [illegible] and is claimed to be a Cherokee Indian by blood. [illegible] the application [illegible] [illegible] [illegible]

to be enrolled as citizens [illegible]

[illegible]

Foregoing papers in [illegible] enclosed in jacket indorsed [illegible]

NOTICE.

9C

UNITED STATES OF AMERICA }
INDIAN TERRITORY } ss
NORTHERN DISTRICT }

In the United States Court for said District.
In the matter of the application of Joanna Barber et al to be enrolled as citizens of the Cherokee Nation.

To the Commission to the Five Civilized Tribes.

You are hereby notified that an appeal has been taken in the matter of the application of Joanna Barber et al to be enrolled as citizens of the Cherokee Nation, from the said Commission, to the United States Court for the Northern District of the Indian Territory, and that your attorney is required to said Court at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcription of all the entries made in the docket of your tribunal relative to the cause, together with the certificate and testimony taken before said tribunal, the decision thereon, the specification, and all papers and orders relating thereto.

Witness my hand this [illegible] day of [illegible], Judge of said Court, and the Seal thereof, at Muskogee, Indian Territory, this [illegible] day of [illegible], 1902.

(SEAL) [illegible], Clerk.

Indorsed: No. [illegible] In the matter of the application of Joanna Barber et al to be enrolled as citizens of the Cherokee Nation. APPEAL ORDER OF U. S. COURT.

Foregoing papers enclosed in jacket marked No. 1097.

IN RE, HUTCHINS.

We now introduce the original record in the citizenship case of Irene J. Hutchins, et al, before the Commission in 1896, the exact number of case not known, said case being decided by the Commission, appealed to the United States Court, and the decision of the Commission affirmed.

In this case we desire to call special attention to the certified copy [illegible] of the testimony of Arthur Miller, the certified copy having been made in 1894, being the testimony of said party in the case of Robert Parson against Cherokee Nation, [illegible] citizenship decision, and which was made subject to [illegible].

[illegible] to all of which the [illegible] object, because the same is immaterial, [illegible] and incompetent,

This [illegible] was [illegible] proceedings [illegible] as follows:

[illegible] January 19, 1909.

No. 1687
Priest, Rogers et al
vs.
Cherokee Nation.

Testimony for Claimants.

Witness, Dr. [illegible] Baker, sworn [illegible] as follows:

My name is [illegible] Baker I reside at Berryville Arkansas Carroll County. I am [illegible] years old not a Cherokee. I lived in the Cherokee Nation about thirty years. Am I first came to Arkansas. I have been acquainted with him since he became a citizen of Carroll County. [illegible] 30 years - At my brothers house near Calhoun I became acquainted with the claimants Polly Dawson grandmother of brother's wife she was frequently at my brothers house though she lived in the Indian side. She claimed to be a half sister to Big Joe Rogers. She claimed to be full Cherokee. The first time she brought the claimants mother to my brothers house was the brothers mother was about grown when I was a little boy. She called her daughter Polly Rogers, said Captain John Rogers who ran a Boat up the River was the father of the child I saw the girl frequently visit at my brothers and there at Louis Rogers Store.

I saw her occasionally until I was 15 or 16 years of old and I think then Capt. John Rogers took her off to Memphis. I saw her no more for the first Mid Gayt. John Rogers took her off till I was last here in Arkansas the wife of old Samuel Dawson, I never saw Polly there and we are [illegible] quite old ratting and I asked her where she learned [illegible] Dawson and she said at the time of the war [illegible] and she had grown she left school [illegible] to the Acting and they were there married. [illegible] precisely in the month that the war [illegible] to be one Fourth Cherokee. The claimant is the son of Polly Rogers, and I know Polly Rogers to be the daughter of Anna Priest and I know the child and he is the son of Polly Dawson.

Q. t. Rogers I was residing in the Cherokee Country about twenty (Word "twenty" marked through) twelve miles below Calhoun on the Hiwassee River. Anna Priest resided in the Cherokee Nation as long as I stayed there I became acquainted with them. Arkansas were recognized there they were all Cherokees. Robert Dawson children is Buck, John, Marian and two girls. The children named in the petition I recognized as being the claimants.

Question by Solicitor:

No. 1 How many children did Polly Rogers have?
A.s. 1 Five I think that's all.
No. 2 Did you say so saying about one being married twice?
Ans. 2 She claimed was married twice.
No. 3 Could A. in what creek Cherokee?
Ans. 3 Yes; she could speak it well.

Ques 6 Did Polly Rogers [illegible]

Ans. 6 She [illegible]

Ques 7 [illegible]

Ques 7 [illegible]

Ans. 7 [illegible]

and next [illegible]

Ques 7 [illegible]

7 [illegible] of did you [illegible] the line.

Ques 8 Did the claimant [illegible]

Ans. 8 No the claimant did not [illegible]

9 with exception [illegible]

8 The claimant is the son of Polly Rogers

Lavina Rogers is the grandson of Polly Rogers.

10 Where does claimant now live?

10 He lives in Carroll Co Arkansas.

11 Do you know [illegible] Chief John Rogers was to Cherokee Rogers born in Cherokee?

11 They claimed in [illegible] they knew there were two John Rogers to be born in the Nation I am speaking of the time that I first gave to this enquiry about the year 1836.

12 Was Anna Prust the Maiden name of claimants grand father

12 Was that was her maiden name the Indian child her Sioux his

(signed) Arthur X Baker

mark

witness hand paralyzed in the reason why he signed by a mark thus X

I R T Hanks Assistant Executive Secretary do hereby certify that the foregoing document is a true and correct copy of the original now on record in the Cherokee Department of the Cherokee Nation.

Given under my hand and seal of the Cherokee Nation on this the 6th day of December 1906.

(signed) R. T. Hanks,

Asst. Exec. Sec.

(seal)

"To the Honorable the Dawes Commission in Session in the Five Civilized Tribes in the Indian Territory.

Your petitioner, Irene J. Bowne, undersigned, respectfully states that she is a Cherokee Indian by blood, and seeks to be enrolled as a member of the Cherokee Nation of Indians in the Indian Territory. That she derives her said Indian blood from Joanna Barber as mother, who is a Cherokee Indian by blood. The said Joanna Barber being a daughter of Elizabeth Petit who was the daughter of Polly Rogers and Samuel Barnes, the said Polly Rogers being the daughter of Captain John Rogers and Anna (also Vann) Prust, Cherokee Indians, as shown by a certified copy of the affidavit of Mr. Arthur X. Baker, which is hereto attached as Exhibit A and made a part hereof.

Your petitioner further states that she is [illegible] grounds for such application [illegible]

[illegible] and [illegible] in [illegible] [illegible] [illegible]
[illegible] Honorable
[illegible] [illegible]
[illegible] [illegible]
[illegible] [illegible]
Indiana.

I, [illegible] [illegible] [illegible] [illegible], Ind.,
for, [illegible] [illegible] [illegible] [illegible] my
husband and [illegible]
W. J. Young, [illegible] [illegible] [illegible] [illegible] years
Vinson T. Horne, [illegible] [illegible] [illegible] [illegible] years.

WITNESS my hand [illegible] day of [illegible], 1933.

(Signed) Vinson T. Horne.

Northern Judicial
District, Ind. Ter. ss.

Personally appeared before me, the undersigned, [illegible],
Irene F. [illegible] [illegible] [illegible] [illegible] [illegible]
petition, [illegible] [illegible] [illegible] [illegible] [illegible]
says that she is [illegible] [illegible] petition, that
she has read [illegible] [illegible] the said petition and knows the
facts therein [illegible] [illegible] [illegible] [illegible] [illegible]

(Signed) Irene F. [illegible]

Subscribed and sworn to before me [illegible], Ind. Ter.,
this 19 day of August, 1933.

(Signed) J. [illegible]
Notary Public, My Commission expires
June 8 1935.

(seal)

Exhibit A.

Northern Judicial Division,
Indian Territory.

Jennie Farmer [illegible] [illegible] [illegible] [illegible] [illegible]
state: My [illegible] [illegible] [illegible] [illegible] [illegible] old.
My post office address is [illegible] [illegible] [illegible] [illegible]
I, Farmer [illegible] [illegible] [illegible] [illegible] [illegible]
Indian by blood [illegible] [illegible] [illegible] [illegible]
Daughter of [illegible] [illegible] and Polly Farmer [illegible] [illegible]
said Polly Farmer [illegible] [illegible] [illegible] [illegible]
(now only [illegible] [illegible]) [illegible] [illegible] [illegible]
by [illegible] [illegible] [illegible] [illegible] [illegible]
[illegible] [illegible] [illegible] [illegible] [illegible]
and [illegible] [illegible] [illegible] [illegible] [illegible]

(Signed) Jennie Farmer.

Subscribed and sworn to before me this [illegible] day of [illegible], 1930.

(Signed) [illegible]
Notary Public, My Commission expires
June 8 1935.

(seal)

Exhibit B.

[illegible]
Northern Judicial District ss.

E. W. Swann being duly sworn according to law
deposes and says:

My name is F. M. Dawson; I am 54 years of age; my post office address is Afton Indian Territory I am a farmer by occupation and reside in the Cherokee Nation.

I am a recognized Cherokee citizen by blood. I was born in Carroll County Arkansas near Berryville. I derived my Cherokee Indian blood from my grandmother whose maiden name was Polly Rogers through my father Robert Dawson. My grandmother Polly Rogers was a Cherokee Indian and was married to Samuel Dawson my grand father in the old Cherokee Nation in Tennessee. My grand parents Samuel Dawson and his wife Polly came west from the Old Cherokee Country in about 1828 and settled in Western Arkansas and later came on to the Indian Territory and the father of this affiant Robert Dawson and family settled in the Cherokee Nation, Indian Territory, Robert Dawson, the father of the affiant was also a recognized citizen of the present Cherokee Nation by reason of his Cherokee Indian blood.

The said Robert Dawson father of this affiant and Elizabeth Dawson who married John Petty were full brother and sister by blood, both being children of said Samuel Dawson and his wife Polly Dawson whose maiden name was Polly Rogers The said Elizabeth Petty was the mother Of Joanna Barber who is a full cousin by blood of this affiant in the Indian side. The said Joanna Barber is the mother of Irena J. House nee Barber who is a second cousin of this affiant in the Indian side.

This affiant further states that he has seventy five to a hundred blood relatives who reside in the Cherokee Nation and are recognized Cherokee Indians by blood and drew their per capita money all the last payment; said citizens and relatives derived their Indian blood from the same source that the above named Irene J. House, derives her Indian blood and right.

This statement I have made to John H. Koogler, a Notary Public at Muskogee Indian Territory and it has been written down by him at my dictation. Such part of this testimony which refers to matters occuring previous to my recollection I know by means of family history and traditions which facts I have always been taught and told of by my parents and grand parents from childhood up, th facts stated as occuring since my childhood I know of my personal knowledge. Affiant further states that he is not personally interested in the prosecution of the application of said Irena J. House for citizenship in the Cherokee Nation.

(signed) F. M. Dawson."

"Indian Territory,
Northern District.

I John H. Koogler, hereby certify that the annexed and foregoing statement and affidavit was dictated to me by F. M. Dawson and was subscribed and sworn to by him and was written by me from his oral statement at my office in Muskogee Indian Territory this 14 day of August 1896, and I further certify that the said F. M. Dawson is personally known to me and that he is a creditable person and entitled to belief.

(signed) John H. Koogler,
(seal) Notary Public."

- - - - - - -

Northern Judicial District.
Indian Territory. Grimes J.

I, [illegible], being duly sworn, [illegible] on oath [illegible] in the [illegible] of the person duly [illegible] [illegible] and [illegible] Cherokee Nation. I am a recognized Cherokee Indian by blood, and entitled all the rights and privileges of a Cherokee citizen now living in the present Cherokee Nation. I was born in Carroll County Arkansas near Berryville. I derived my Cherokee Indian blood from my Grandmother Polly Rogers through my father, Robert Dawson. My grandmother Polly Rogers was a Cherokee Indian and was married to my grandfather Samuel Dawson in the old Cherokee Nation in Tennessee. My Grand Parents, Samuel Dawson & his wife Polly Dawson whose maiden name was Polley Rogers came West from the Old Cherokee Country in about the year 1832, and settled in Western Arkansas, and later came on to the Cherokee Nation. My father Robert Dawson was a recognized member of the Cherokee Nation when he died, by reason of his Cherokee Indian blood.

The said Robert Dawson, the father of this affiant, and Elizabeth Barber who married John Polly were full brother and sister by blood, both being children of the said Samuel Dawson and Polly Dawson his wife she being the same Polly Rogers as aforesaid. The said Elizabeth Barber wife the mother of Joshua Barber who is a full cousin by blood of this affiant on the Indian side, the said Joshua Barber is the mother of Irena J. Rouse, whose maiden name was Irena J. Barber and a second cousin of this affiant on the Cherokee Indian side. This affiant further states that he has seventy five to a hundred blood relatives who reside in the Cherokee Nation and are recognized Cherokee Indians of the present Cherokee Nation and exercise all the rights and privileges of such Cherokee citizens, they having drawn their shares of the funds heretofore at the last per capita payment made by the Cherokee Nation.

Said citizens and relatives derived their Cherokee Indian blood from the same source, as did the above named Irena J. Rouse.

I have made this statement before J. Harrington, Notary Public at Vinita, Ind. Ter., the affiant further states that he has no personal interest in the prosecution of his application for citizenship in the Cherokee Nation of the said Irena J. Rouse.

That he knows facts which are within the personal knowledge of the affiant or within his years of discretion he knows personally, and the other facts which occured before the recollection of affiant he testifies to for what he has been taught from his family history and traditions.

That the relationship existing among all his people in the Cherokee Nation he knos from his personal knowledge and that they are related to the Cherokee Indian side.

(signed) S. Dawson.

Subscribed and sworn to before me this the 19 day of August 1898.

(signed) J. Harrington,
Notary Public, My Commission expires June 3, 1899.
(seal). Notary Public.

[illegible] Dawson, [illegible] County, I.

Before me the undersigned authority this day personally appeared W. A. Dawson who being duly sworn and [illegible] deposes and says that he is [illegible] and that he is a citizen of the Cherokee Nation, and that he knows the [illegible] of Irene House, who is a native Cherokee and [illegible] Cherokee Nation.

Affiant further states that Irene House is the grand daughter of Mrs. Polly, who was a full sister of Robt & James Dawson.

Affiant further says that he knows that Irene House is a lineal descendant of Annie Dawson whose children (line drawn through word "children") who, Robt & James before spoken are recognized citizens.

Affiant further says he has no interest in this suit.

(signed) W. A. Dawson.

Sworn and subscribed to before me this 17 day of August 1896.

(signed) William Lynch
Notary Public.

(Seal) My term expires Feb 6 1900."

Foregoing indorsed on cover as follows:

"No. 5058 5464. Before the Dawes Commission on Citizenship in the Five Tribes. Irene J. House v.s. the Cherokee Nation. Petition and Proof, Will E. Linton, for Petitioner. Filed Sept 6 1896 A. B. McKennon, Com'r. Dawes. Filed Feb 26 1897 Jas A. Winston clerk."

- - - - - - -

"Received of W. M. Jacoway, jr., Secretary to the Commission to the Five Civilized Tribes the original papers in the cause of [illegible] Nation, as follows: [illegible] Witness my hand and official seal at Muskogee this the 26 day of Feb' 1897 J. A. Winston, Clerk."
(Seal)

Indorsed: "Court No. 238 No. 5464 Receipt for original papers in the case of Irene J. House vs. Cherokee Nation. Received and filed this ..... day of..... 189..."

- - - - - - -

"Irene J. House et al,
vs. No. 238
Cherokee Nation.

Mr. W. A. Gibson, Special Master to whom this cause was referred, submits the following report: (Insert report)

IN THE UNITED STATES COURT IN THE INDIAN TERRITORY.

NORTHERN DISTRICT AT MUSCOGEE.

IRENE J. HOUSE ET AL

VS

THE CHEROKEE NATION.

) 838 REPORT OF SPECIAL MASTER.

I, W. A. Gibson, Special Master herein, show to the Court that under the general order herein I have examined said proof and pleadings on file in this cause which are made a part of this report, and that I find as follows:-

I

That this cause is in reality a branch of Case No. 90, Jeanna Barber vs Cherokee Nation, the principal claimant herein being Irene J. House a daughter of Jeanna Barber.

That this cause was instituted on September 8, 1896 at which time application was made to the Commission to the Five Civilized Tribes for citizenship by blood in the Cherokee Nation.

That this case was tried by the said Commission on November 24, 1896 and the applicants denied, no reasons being given for the decision, and that on January 20, 1897, the parties appealed from said decision to this Court.

That this petition was made by Irene J. House, her husband, W. J. House, and their children Chas., C. Winston T., and Henry P. House. That they file in support of their application the affidavits of Jeanna Barber, W. P. Dawson, Arthur A. Baker, T. Dawson, and W. A. Dawson. That these Dawson witnesses are citizens by blood of the Cherokee Nation, and state that they are related by blood to the claimants herein on the Cherokee side. The claimants base their contention of a right to Cherokee citizenship upon the fact that the claimant Irene J. House is the daughter of Jeanna Barber, who is the daughter of Elizabeth Pat-y, who is the daughter of Polly Rogers, and that Polly Rogers was the daughter of Captain John Rogers and Ailsey Vann, who were recognized Cherokee citizens by blood. That the testimony shows that this Dawson family are recognized citizens of the Cherokee Nation, and that the claimants herein are claiming by blood upon the Indian side, and that they all claim through a son or one Polly Rogers and Captain John Rogers and Ailsey Vann, who were all recognized Cherokee Indians.

II

The appellee introduces in defense the record of the application of these claimants to the Cherokee Commission on Citizenship in the year 1896, and the record of the rejection of the claimants, and further the affidavits of W. J. Rogers and Mrs. Sarah Barber, a grand daughter both of whom state that they never heard of any daughter of Captain John Rogers by the name of Polly Rogers, and he had only one daughter, whose name was Cynthia.

III

The claimants contend that they are residents of the Cherokee Nation and are relatives of the Dawsons, who are

recognized
citizen
Nation
and
of
name
notice
Nation?

The Treasury Department, I find, has no objection to
the determination of
entirely possible
early date in the
absence of a
that these claimants
John Rogers by a
for the services
I find that the children
Nation, Indian Territory, where they have resided since 1887,
and that they are Cherokee Indians by blood.
I find the sum of
services herein as Special Master.
Respectfully submitted, this 9 day of May 1907.

(Signed) W. A. Gilpen,
Special Master.

My fee paid.
No Exceptions Filed.

Special Master, dated May 10 1907
Irene F. Rogers et al

foregoing report
'238, Irene F. Rogers, et al

BY MR. MCKENNON:
Tell us close for the present.

TESTIMONY INTRODUCED ON BEHALF OF THE

D. W. C. DUNCAN, being first duly sworn, and being examined,
testified as follows:
BY MR. McKENNON:
Q Please state your name, age and residence? A My name is D.
C. Duncan, my age is 72 years, my residence, Vinita, Indian
Q Are you a duly recognized citizen of the Cherokee Nation by
blood? A I am.
Q You gave testimony in this case once before did you not, before
the Dawes Commission? A I did.
Q Before this Commission I will say, made enrollment? A The Dawes
Commission? A Yes, I don't remember who, I corresponded with
that was taken as rights, or yours.
Q Were you in any way connected with the Cherokee [illegible]
Commission in 1896 known as Cherokee Commission? A I was clerk
of that Commission.

Q ...ror any length of time? A I don't recollect the exact length of time, but it was about thirty days from the rendition of the judgment, or thereabouts, of that decision.
Q You were the only clerk it had during its existence, were you?
A I think I was.
Q You speak [illegible] of that Commission when it rendered a judgment in favor of Robert Dawson et al, as found on page 11[illegible] of its record, numbered 108 (Dawson Enrollment records referred to.) Was it the composition of this Commission? A It was.
Q The members of that Commission were the same as shown by the signatures to this judgment were they? A The same, yes, sir.
Q Thomas Tehee, Pre ident of the Commission, Alex Posie and J. T. Thompson, Commissioners, that is correct, is it? A That's correct.
Q Were you present when this case was under consideration by that Commission and when it rendered this judgment in the case? A I was.
Q Were you at that time acquainted with F. M. Dawson, or as only called 'Bud Dawson' Campbell Taylor and Samuel H. Benge, who were attorneys, who were Cherokee attorneys at that time? A I might say that I merely knew Mr. Dawson; all I know of him was I saw him there as a party to the suit. I knew Mr. Taylor and Mr. Benge more extensively; I have known them a number of years.
Q They were recognized Cherokee citizens were they? A They were.
Q Was Taylor not known generally as a Citizenship Attorney?
A I think he was.
Q Do you remember seeing him and Benge present at the time this case was under consideration by the Court? A May I do not recollect seeing Mr. Benge, I cannot recollect, but I can recollect of seeing Mr. Taylor about the Court room now and then.
Q Do you know who submitted the case to the Court for the applicants? A Let me understand the meaning of that: who brought the case?
Q Who called it to the case? A No, I don't recollect.
Q Do you remember whether that Commission rendered any other decision than that found upon this record in that case? A I never had any knowledge only but one decision.
Q Was that in favor of or against the applicants? A It was in favor of them: I will say this: that if there was another decision other than the one that appears on the docket now before you, I have no recollection of it.
Q The only decision you have any knowledge of was as stated by you, in this book as here shown was it not? A That is the only one that I have any knowledge of.
Q Did Bud Dawson pay you any money in connection with that case?
A He did not.
Q Did he ever promise to pay you any money for your influence with the Court in that case? A Never.
Q Or paid you any money, either directly or through any other person? A For my influence in that case?
A Yes, sir. A Never.
Q Did you have any knowledge of his having paid to the Court or to any members of the Court any money for the purpose of influencing their judgment in that case? A None whatever.
Q Did you have opportunity of observing his conduct during that [illegible] time? A The only opportunity that I had was during the session of the Commission; I saw but very little of him during the sessions of the Commission; now and then I would see him in the [illegible]
Q Did you see anything in his conduct toward that Court which indicated that he had used undue influence in procuring that judg-

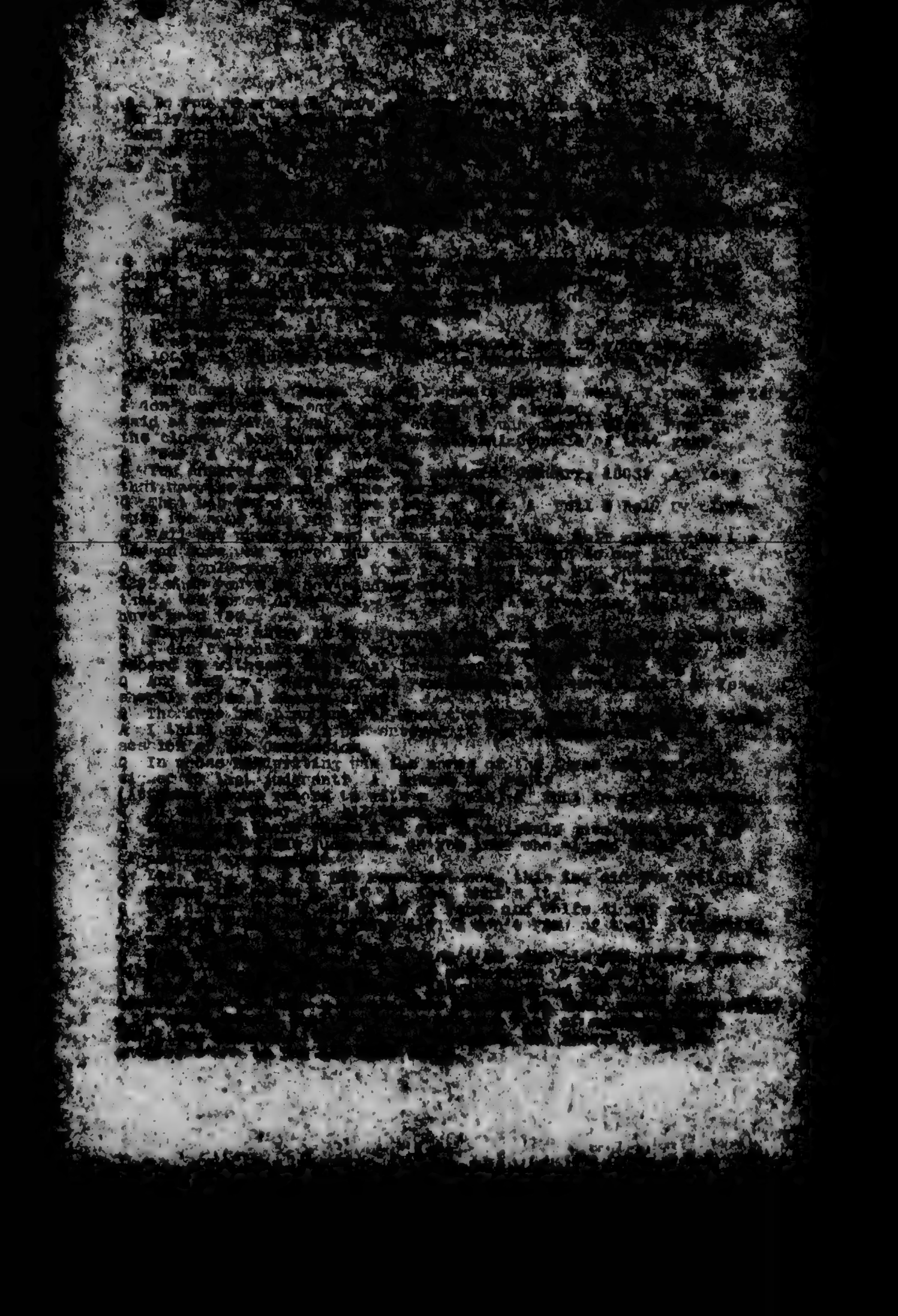
ment? A I never observed anything of the kind: nothing that awakened a suspicion in my mind that he was engaged in that kind of practice.
Q Did Campbell Taylor at any time after the rendition of that judgment pay to you any money as coming through him from Bud Dawson for any services which you had rendered to him in that case?
A Yes, he paid me some.
Q What amount? A My recollection is that, I think it was a twenty dollar bill, I don't know but I had better go and state the transaction, all about it.
Q Yes, sir. A Mr. Dawson, Bud Dawson, during the trial of the case occasionally applied to me at my desk for writing paper, issue of a subpoena or transcript, something of that kind; I always treated him with courtesy and proper official consideration. He seemed to appreciate it, and whenever I did services of that kind to him, says he, I have no money, Mr. Duncan, but I feel as I ought to pay you. I told him I made no charges for work of that kind. And in passing I might state that I never received a cent for any kind of that work which I had been in the habit of doing for various parties before the Court.

After his trial was concluded, in the afternoon a little while before supper time I went to my hotel, The National Brick Hotel in Tahlequah; went to my room, laid a little time, laid down upon the bed to rest. I recollect Mr. Duncan stepped into the room, drew a chair up to the bedside and sat down and commenced giving expression to his gratification at the success of his case, dwelling mostly upon the testimony in the case being so satisfactorily, establishing his Cherokee blood, and that he thought that he was entitled and that he had received justice by the Court. I listened to him, and we talked there I guess some ten or fifteen minutes; after a little he says, I must go to-morrow, I think he says to-morrow, I must go home,- he then lived down in Arkansas somewhere. Says he, Mr. Duncan, I believe I owe you something, ought to pay you something. Alluding, as I understood, to these little courtesies that I extended to him at my desk. Says I, I make no charges, Mr. Dawson, for services; if I have done you any good you are welcome. Well, says he, I feel indebted to you, I ought to pay you. I says, that makes no difference; I will leave that to you. Says he, I have hardly enough money to get back home. He shook my hand, and the last word he says to me, you shan't lose anything for your kindness to me. I thought he had reference to my services at the desk. That was the last I saw of Mr. Dawson, oh it must have been a year afterwards; I had located a little claim on the public domain up there in Delaware District, staked off what I intended to be a farm, merely stakes, I didn't make any other improvements, over there on Horse Creek. Went over in that part of the country to look after my claim, and I ran across Mr. Dawson, he had come into the country and located and built him a little shanty and was living in it; I called upon him, he was very glad to see me; I asked him what he was doing there; he said he had moved into the country, and I told him, says I, you are encroaching upon me here; he had spread his claim over part of mine; mine had been made so long it was outlawed under Cherokee law. Well, says Mr. Dawson, I don't feel like doing you any wrong, I will pay you for your claim, and we will settle the matter in that way, that he as soon as he got his little matters together that he would satisfy me for it. Well we parted at that point. It ran on then for a long time, I don't know how long,- I think I met him in Vinita, and says he, did Camp Taylor pay you any money that I sent to you? Says I, No, I have not seen Camp Taylor.

Petition for Citizenship

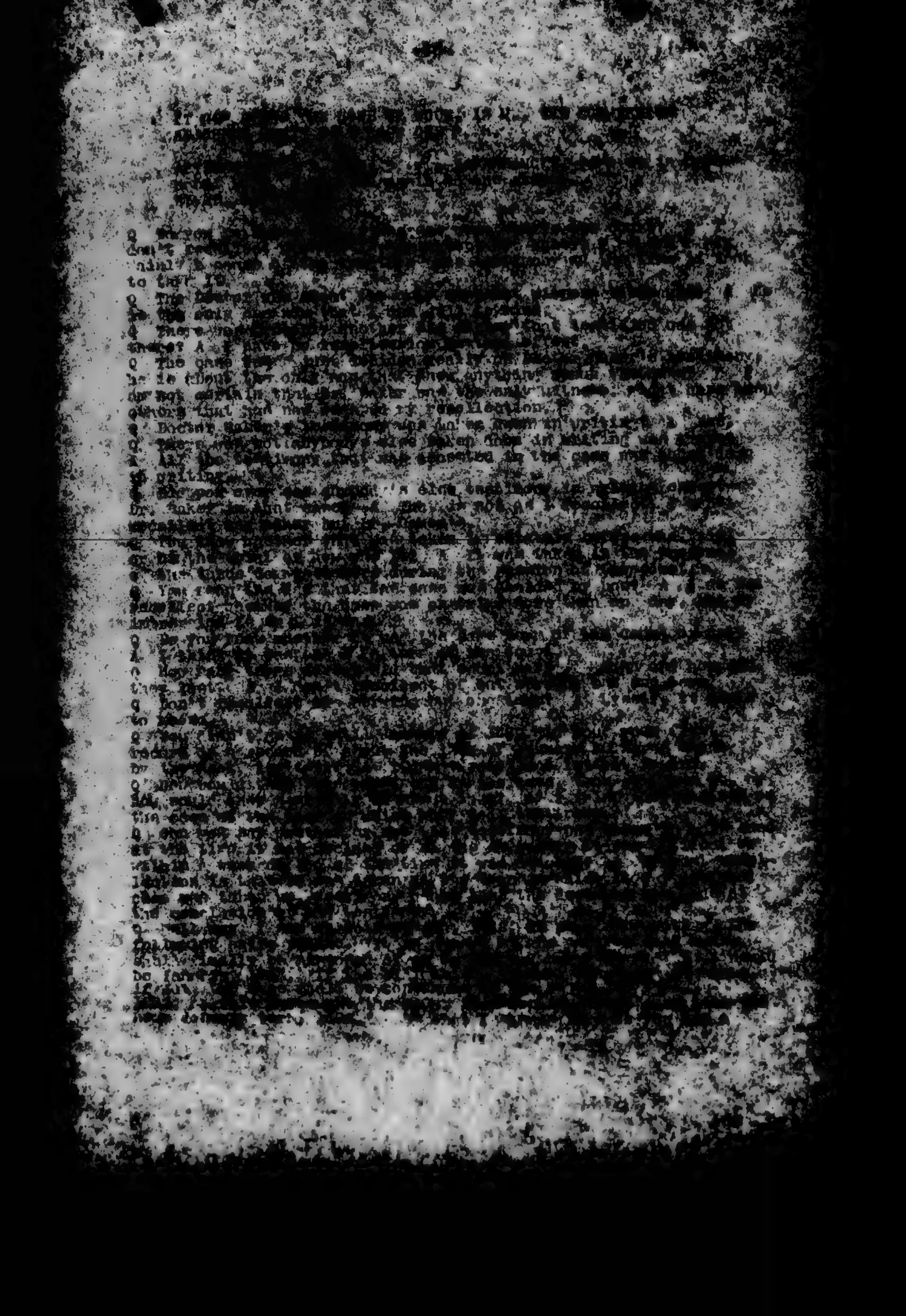
Followed by the Plaintiff, Oct. 5, 1931.

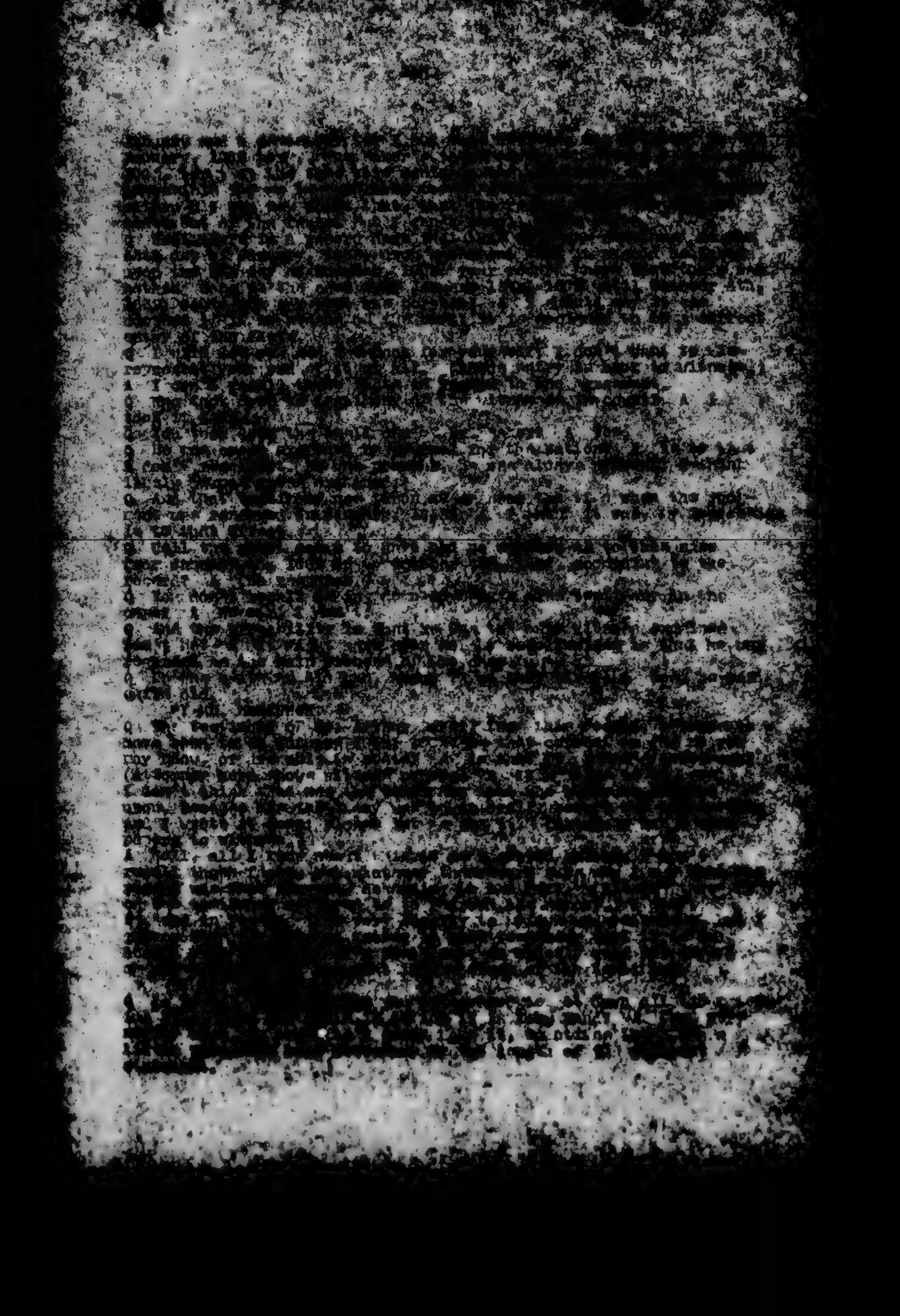
January 12th, 1932.



Q Will you look at the original transcript hereby shown you and referred to in the judgment and say who signed the names of the Commissioners there? A (Papers shown to witness) A I signed that there.
Q You recognize that as your handwriting? A I do.
Q What made you when you were testifying at Vinita before Mr. Martin, on looking at the same signatures, and being cross-examined by me, say that it was not your signature and that the signature thereto attached was the signature of Mr. Thompson? A Occurred in this way: I had not seen any of the records in the case for about nineteen years. The exact transaction in the court had vanished about entirely from my memory: I recollected at that time, however, when I gave in my testimony before the Commissioner, Martin, that that was a practice of the Court at the time I served by which I signed the names of the full-blood members of the Commission, and Mr. Thompson either uniformly or occasionally signed his own name. I based my statement in that deposition upon my knowledge of the rule or practice in the Court, without comparing the docket and refreshing my memory. I made an incorrect statement when I said that that was not my handwriting; I am convinced now that it is my handwriting. That is the way it occurred, the way it happened.
Q Then you consider your recollection of the fact that Thompson when he was present and rendering a judgment signed it himself, better than your own knowledge of your own handwriting?
A No, I didn't so regard it. I simply spoke without advisement when I gave in that testimony; I subsequently became better informed and concluded that that was my handwriting and not entered by Mr. Thompson under the rule, but was one of those cases in which he authorized me to do it myself, and I did it.
Q Then you have changed your testimony, because you think you have a better knowledge of the surrounding facts now than you had then, and not from the fact of your judgment on your handwriting at present? A I simply corrected my testimony in reference to my statement in regard to this handwriting, this case.
Q And you wouldn't know then as I understand you whether or not that is your handwriting if it was not refreshed by what you consider to be exterior facts? A I should know it by examining it and thinking over the circumstances, I think I should recognize my own handwriting, but if a question should be propounded instantaneously without any advisement or preconsideration I might make a mistake.
Q You did recognize the names of Thomas Tehee and Alexander Rolfe as being in your handwriting at that time? A I was very clear and positive, and so stated, that the names of those Commissioners were in my own handwriting, and I was made certain by reflecting on the rule that they never signed their names with their own hand, but always authorized me to do it. Hence there is no question in my mind in regard to my handwriting in their signatures.
Q And then the third name, right under it, as compared with your admitted handwriting, you had to wait and learn the facts afterwards to determine whether that was your signature or not? A No, I don't think that if I had considered the circumstances, I knew that there was a resemblance; what made me of the opinion that that might have been Mr. Thompson's signature was like this: I knew that he had been in the habit of at least sometimes signing his own name, and I was under the impression, and I do not now think I am much deceived- that his chirography bore at least some resemblance to my own, hence I doubted whether I had signed that name or not on that account.







[redacted]

B. F. [redacted], being first duly sworn, and being examined testified as follows:

BY MR. [redacted]:

Q What is your name? A [redacted] Feather.
Q What is your age? A [redacted]
Q You are a [redacted] and a member of the tribe? A I am.
Q Where do you reside? A [redacted] Oklahoma.
Q Do you hold any official position in your tribe? A Yes; I am President of the [redacted] Council of Indians, National Board of Health, and member of the [redacted] Council of the Indian Territory and of the Northern Pueblo Federation. Those are some, and the most important positions I hold at this time.
Q Are you a marriage citizen? A I am.
Q By blood or intermarriage? A Intermarriage.
Q Your wife is a citizen? A Yes, sir.
Q Do you know D. W. [redacted] Cherokee? A I do.
Q How long have you known him? A About twelve or fifteen years, about twelve years I should say.
Q Do you know his general reputation in the community where he resides for honesty and truthfulness of character? A I do, I think.
Q Is that good or bad? A It is good.
Q Do you know [redacted] himself? A I do.
Q How long have you known him? A [redacted] six or eight years, don't know exactly how long exactly it was, but I have known him about six or eight years.
Q Do you know his general reputation for truth and veracity? A I do.
Q Is that good or bad? A It is good.

BY MR. [redacted]:

Q Mr. Do you believe he is the man he claims to be? A Yes, sir.
Q And has for a number of years? A Well as I say I claim to [redacted] I have always so understood.
Q That's what you mean by your statement? A No, but he has attended church there and my impression was from him as a member of the church.
Q You didn't have any business before the Citizenship Court, of which he was clerk, did you? A No, sir, not that I know of.
Q You say he is a [redacted] while he was clerk of a Court like that? A I don't [redacted] I know.
Q Never had any business before that Court? A Not on business before that I [redacted] to my knowledge.

BY MR. [redacted]:

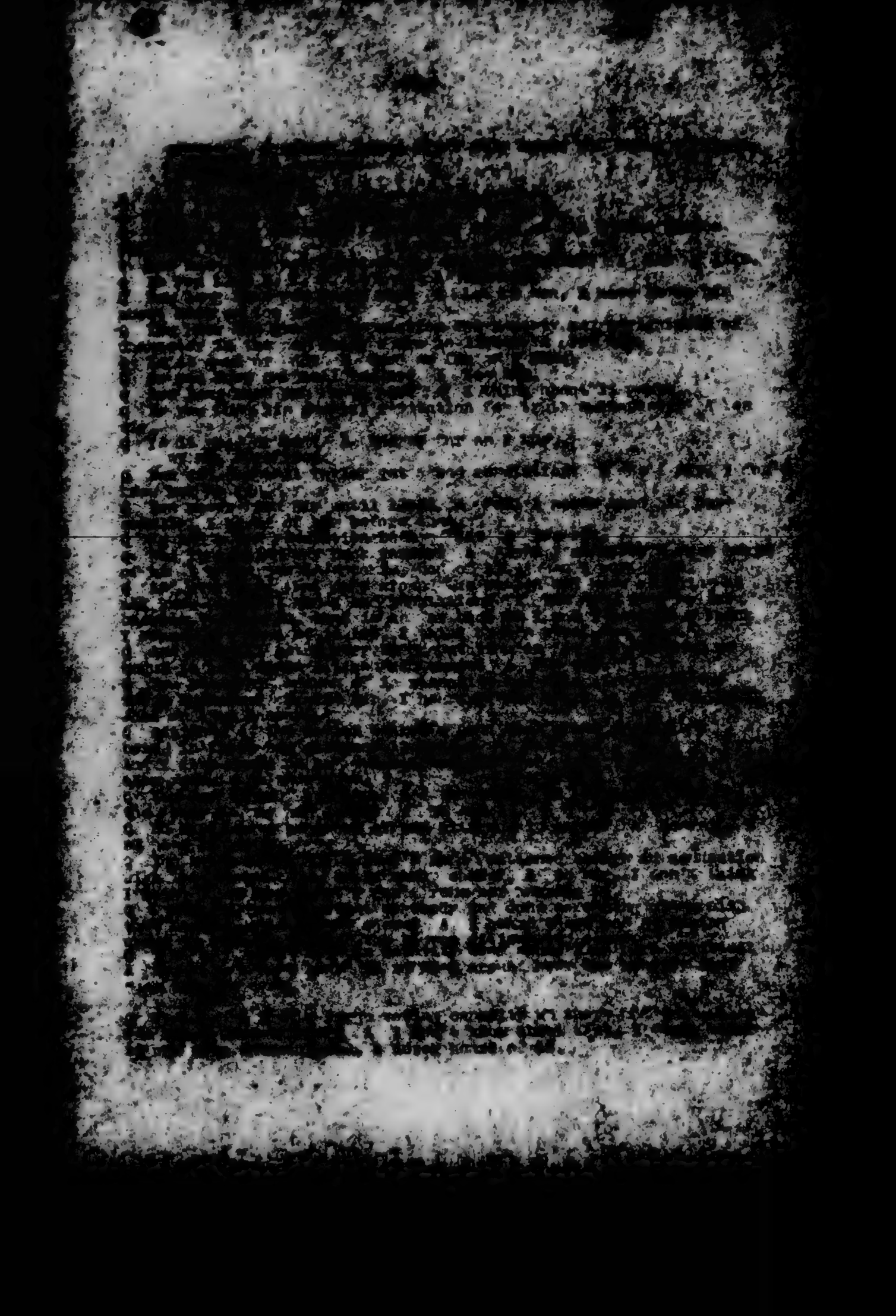
Q How many of [redacted] in the church as an [redacted] and a member of [redacted] Yes, sir.
Q I will ask you if [redacted] conversation don't objectively bad? A Yes, I have not understood it.

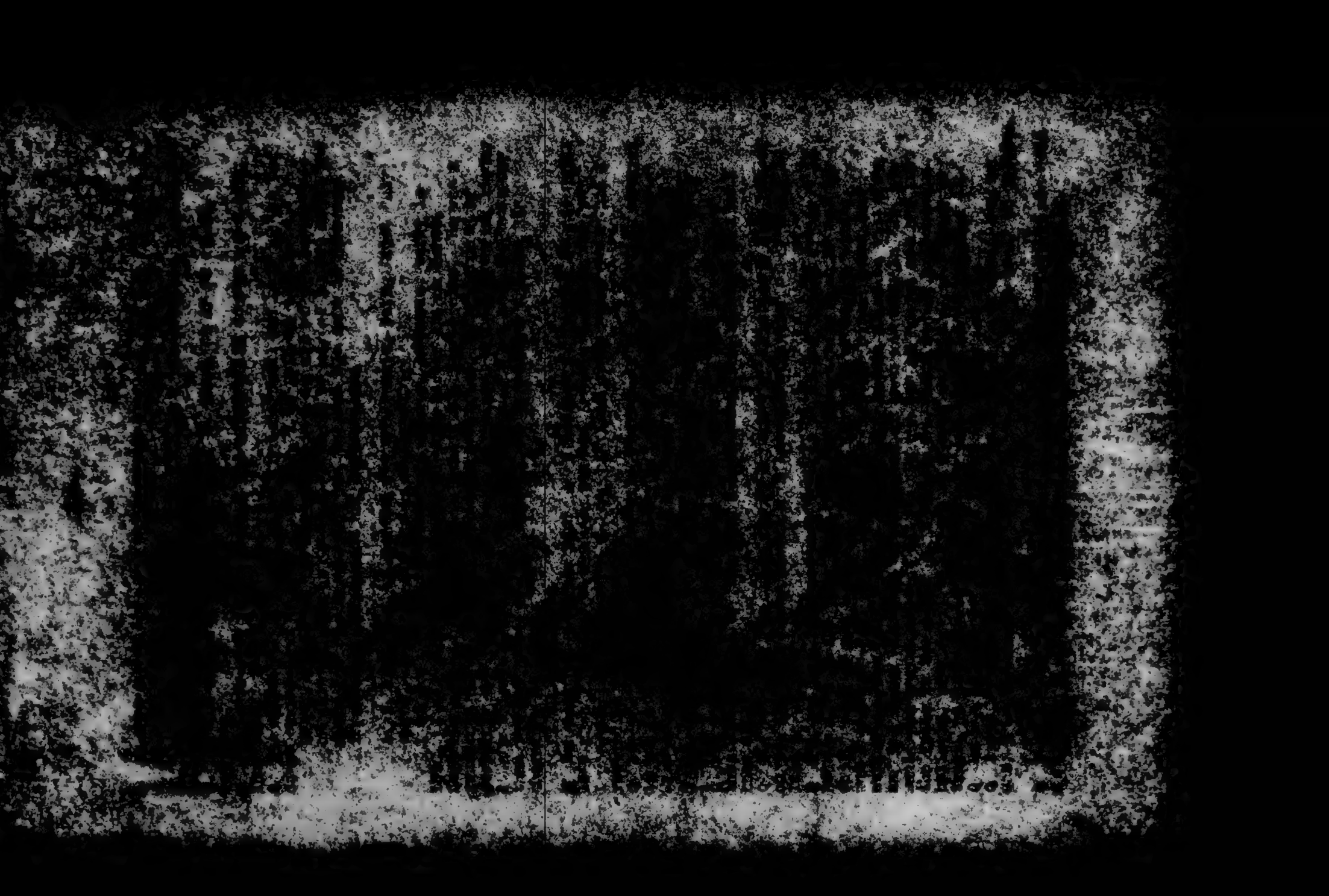
BY MR. [redacted]:

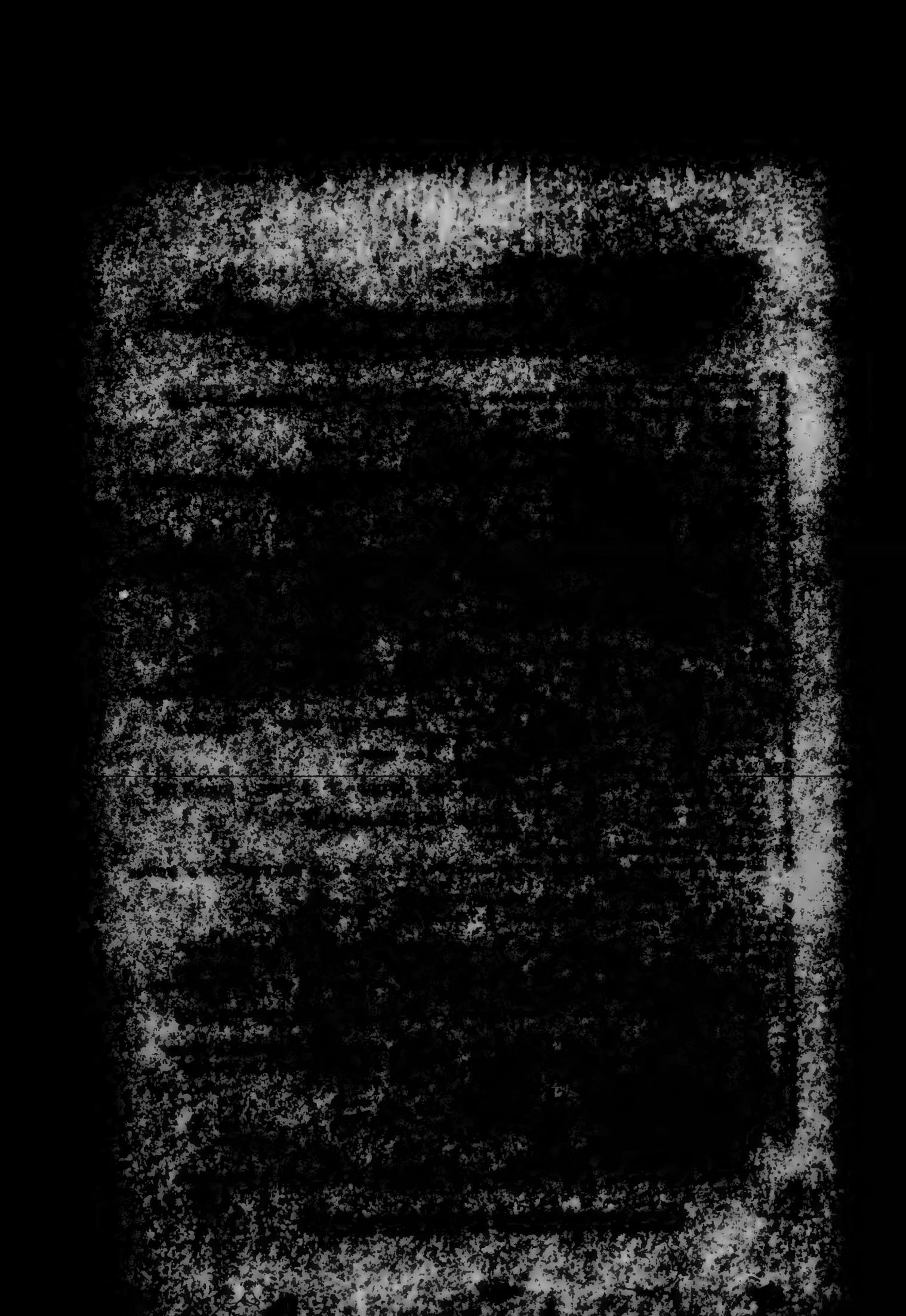
Q I will ask you if it was [redacted] in jest, [redacted] regular employed job to represent Adair before the Council? A That was before my knowledge of him.

[redacted]



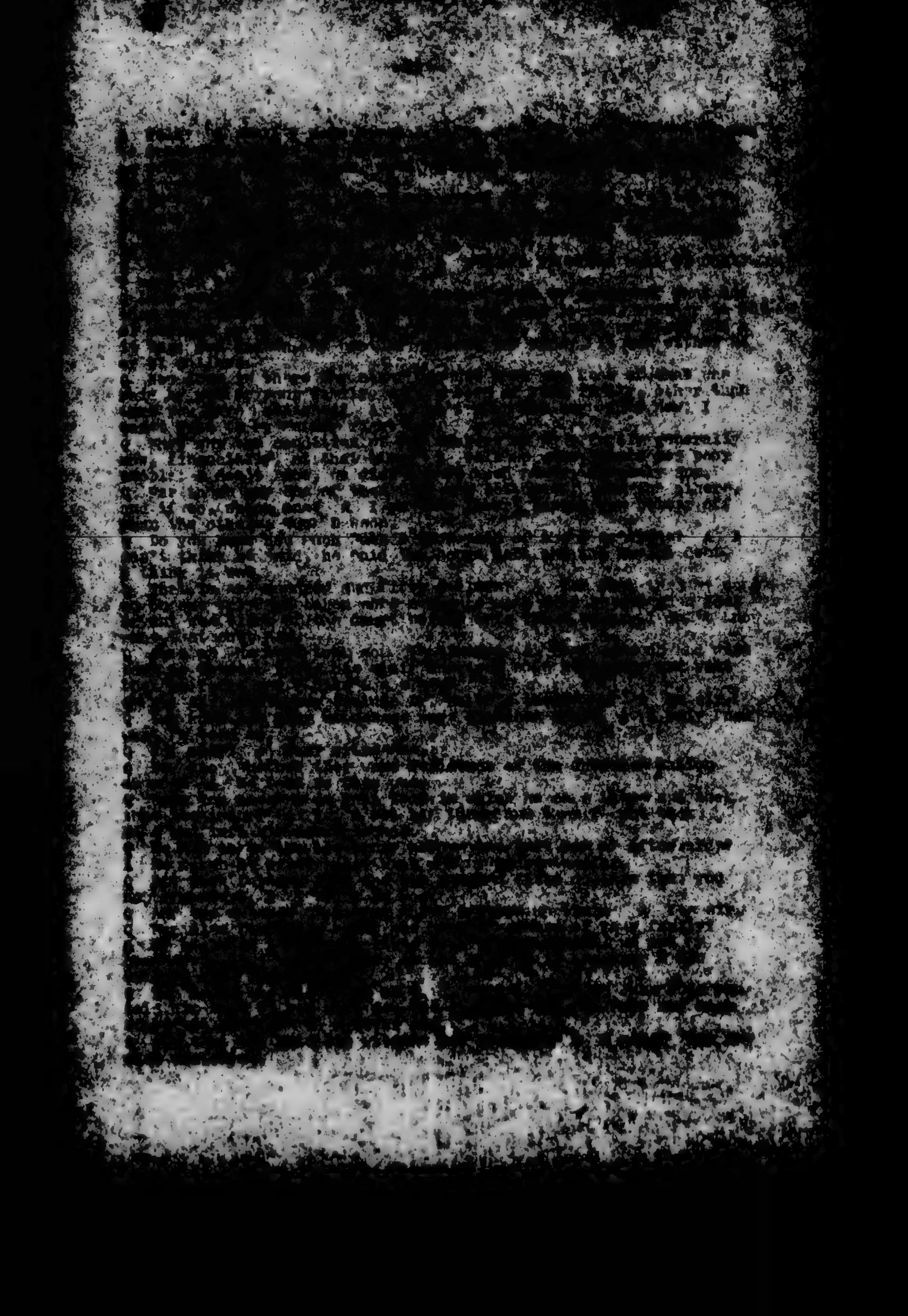






[redacted]

Q [illegible] A [illegible]
Q [illegible] A [illegible]
Q [illegible] A [illegible]



Q Robert Dawson didn't remove here? A No, I said except Robert Dawson.
Q Did all the members of Robert Dawson family move here? A Yes sir.
Q Except himself? A Yes sir.
Q And all the members of James Dawson family? A No, not all the members, believe now I don't think they lived here.
Q She has never lived here? A No sir.
Q Well all the members of your family, your father's family included in that judgment of the Court, rendered January 11th, 1893? A All but one.
Q That was the name of that one? A Mary.
Q A daughter? A Daughter of Robert Dawson.
Q Your sister? A Yes sir.
Q Was she then of age or was she a minor? A I think she was a minor, as well as I can remember.
Q Was she afterwards admitted to citizenship in the Cherokee Nation? A She was.
Q By a Commission or by the Cherokee Council? A She was first admitted by the Spears Court, her and two of my brothers.
Q What are their names? A Katie Vernon and Baron Fishback.
Q What became of them? A The certificate where they got was lost, and they went before the Council in 1894 and they was readmitted back by the act of Council.
Q That was in 1894, the Cherokee Council admitted, re-admitted as they called it, the three above named? A Yes sir; Mary and Verna Fishback and Katie Vernon, that have now the same names, now except Vernon, it is not, Tab Robinson married the widow, a neice of mine.
Q Now then was there any other consideration of the Dawson case by the Cherokee authorities at any time after that there was judgments in '93 and '94 admitting the two families of Robert and James Dawson, and the act of Council of '94 admitting these three whom you have just named? A Yes sir.
Q When? A My two of my sons was placed on the roll by the act of Council in 1896 I think it was, left off of the rolls in per capita payment and they was placed on the rolls I think, and Sam Hitchcock member of Council, got their draft for them for the money.
Q Have you got that copy of the act of Council admitting them? A Yes sir.
Q Where is it? A (Produces papers.)

BY MR. LEXINGTON: We offer in evidence an act of the Cherokee National Council making an appropriation of $6,800 dollars belonging to the general fund for the payment of certain persons therein named a per capita payment, as per amount set opposite their respective names, provided that the Principal Chief shall have warrants for such amounts, and further provided that the names of the persons appearing on the per capita rolls in this act shall be placed (on) the authenticated roll of 1896 by the Principal Chief."
It is not dated approved December 21, 1896.
Approval signed by Stephen Foreman, Assistant Acting Principal-
In this act a per the name of Willie G. Dawson for payment of $11,70, and of Marion Dawson, for a like sum. Are those now the names of two of your sons? A Yes sir.
(The paper above introduced, is filed and made a part of the records in this case.
Q Was there any other action of the Cherokee authorities relating to members of your family? A Yes sir.

Q When? A In 1894.
Q What was that? A Allowing them their strip money.
Q Have you a copy of that? A I think I have. (Produces paper)
BY MR. McKENNON: We offer in evidence a duly certified copy of an act of the Cherokee National Council approved Nov. 24, 1894, signed D. J. Harris, Principal Chief. Senate Bill No. 18, appropriating a sufficient amount of money to pay payment out merits of what is known as the strip money to certain persons named therein. Among those are members of the Blessingame family, as follows: John, Elbert, Henry, Jessie, Lee Lee, Pearl, Otto, Myrtle, Fannie and Clifford; this act mentions those persons as Cherokees by blood, and whose names had been left off the pay roll approved May 3, 1894. Provides a payment to each one of those a sum of $300.00.
Q Were those members of the Robert Dawson family? A Yes sir.
Q Which one of the members of the family? A Jane.
Q This is Jane who was admitted by the judgment admitting the Robert Dawson family? A Yes sir.
Q And her children? A Her children, were not admitted, but were admitted.
Q I mean this mentions her children here? A Yes, that mentions her children.
(The paper last above introduced is filed and made a part of the record in this case.)
Q Do you know whether the payment of the Cherokee Strip money was to Cherokee citizens by blood only or not? A Yes sir.
Q Was there any other act of the Cherokee Nation passed upon the citizenship of members of your family? A Yes, [illegible] children, by Brewster's grand-children. The [illegible] Dawson.
Q When was that? A That, I think it was in 1894.
Q Have you got a copy of that act? A No, the record is here.
Q Was that by the Speaker Count? A Yes sir by the Speaker Count.
BY MR. McKENNON: We now offer in evidence a judgment of the Cherokee Commission on Citizenship, Lula and Lydia found on page 190 Book No. 181, dated September 8th, 1894, signed by Eli Shelton, President, John Lee and Andrew Young, Commissioners, admitting to citizenship Lula Doublett and Dallas Doublett as Cherokees by blood.
Q These now are the Doubletts to which you refer, are they? Yes sir.
BY MR. McKENNON: Attention is called to the fact that the names of the Commissioners are all signed in the same hand-writing, the record of the judgment.

The said judgment record above introduced, and found on page 190, No. 181, record of 1880 to 1884, is as follows:

"Office of Commission on Citizenship,
Tahlequah, Cherokee Nation, September 18th, 1893.

E. Dawson, for his grand-children,
No. 181.
Lula Doublett,
Dallas Doublett,
vs.
The Cherokee Nation.

S. H. Taylor,
Atty for Claim.

Petition filed September 14th, 1893.

[illegible] by Commissioner Bell, on [illegible]

[illegible] Cherokee Nation, [illegible]

[illegible] Cherokee Nation, [illegible]

[illegible] Cherokee Nation,

Q Can any of you of [illegible] A [illegible]
a [illegible]
Q [illegible]
Q [illegible]
Cherokee [illegible]
sir.
Q [illegible]
jurisdiction of [illegible]
Q [illegible]
Q [illegible]
Cherokee Nation? A Yes sir.
Q And [illegible] A Yes sir.
Q [illegible] A Yes sir.
Q Is there anything else? A Nothing now; I am sick this evening; I have got the head-ache so bad I can't hardly see.

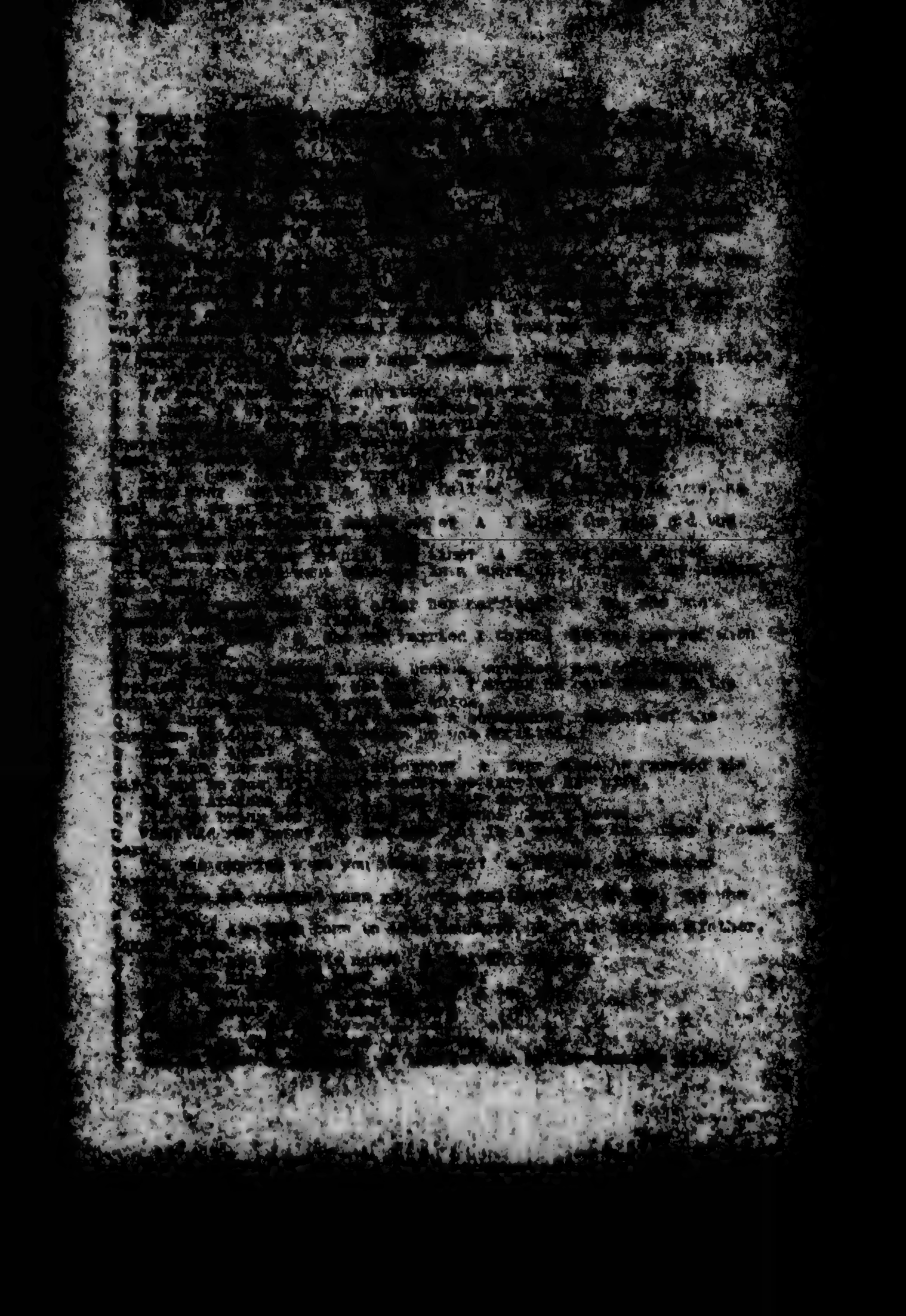
BY MR. HUTCHINGS:

Q How old was your father Robert Dawson when he died? A I don't know; I couldn't say or that.
Q He was a very old man? A Yes sir, he was getting tolerably old.
Q Could you tell me how much older he was than you? A No I don't know.
Q Mr. Jesse B. Dawson in 1894 must have been a very old man, wasn't he? A Well he was old and he was feeble.
Q Well you state that he had become silly; was he naturally that way? A He never to live in Texas; I didn't know him until after he came to the Territory.
Q I say he had gotten so old, that was the meaning of that?
A I suppose so, the eldest one of these children was Mrs. Betty Petty, that is my understanding.
Q And the eldest boy was John Dawson? A He always called him Jack.
Q Jack Dawson he was the eldest? A Yes sir.
Q So he was the youngest? A Sam Riley.
Q He was the youngest one of the crowd? A Yes sir.
Q Your father lived four or five years after he and you were admitted to citizenship? A Yes sir, something about that, he died in 1887, I think he died in 1887. I would be positive, that is as near as I recall her now. I have got a headache so bad that I can't remember anything.
Q He now none of the older members of the family were ever present at any of these trials of citizenship? A No sir, not a one of them was.
Q Not a one of them was ever called upon to testify as to the blood of their father, who was the [illegible] of anything about it? A I don't think they was.
Q Your claim of kinship was through Captain John Rogers and that your grandmother was the half sister of his son Vann, wasn't it? A I don't know, I couldn't answer the question.
Q You were there when they took the testimony? A I was there when Dr. Baker's testimony was taken, that was about 16 years ago.
Q And nobody kin to the Rogers and Vanns was ever called to testify in the case? A Not as I know of.
Q They were very well known Cherokee families in the country?
A I suppose so, I don't know.
Q And not nobody on any side of the family connected with it was ever called to testify? A . Not that I know of, I don't know that my brother Sam, he took some of the evidence at Tahlequah when I was not there; he first filed his claim.

Q You had spoken to Dr. Baker before you were testifying before you brought your case didn't you? A No sir.
Q What have been a short time afterwards? A It was a short time afterwards. I went back after him and it was too late and I fetched him the next time.
Q You had talked to your brother about what you could prove by Dr. Baker? A I told him I thought Dr. Baker, I thought he knew about our folks.
Q You had told him in general way you expected to use Dr. Baker as a witness? A Yes sir.
Q You came here to Anson and left your brother at Tahlequah after you told the real facts? A Yes sir.
Q You didn't see your brother any more until after you were acquitted? A No sir.
Q You and your brother were prosecuted and went to Tahlequah and were at different times, but didn't happen to get together? A No. I heard of all any time and I don't know what he was there until after we were acquitted.
Q But you were there and called Dr. Baker over? A Yes sir.
Q And took him Sentinney a year or such a matter before even you were acquitted? A I think so I remember, yes sir.
Q Now the way you got to Joel Campbell trying one of the recommendation of his ran between and didn't get him, didn't you?
Q The way he came into your case? A The way he claimed to want in.
Q He did more in your case than Bryant did? A Campbell didn't do anything.
Q What did Bryant do? A I think he had my brother take evidence my brother against me.
Q How did you happen to be ordered to pay by Campbell to Mr. Duncan? A I never went into any county.
Q Then what was Mr. Duncan having and Campbell ordered the money as Campbell said he did, paid them money, you and Campbell saying, for me.
Q How did you happen to give it to Campbell? A [illegible] to Campbell to give to Joel Bryant, and [illegible] tried to get the money back from him, would [illegible] or 35 dollars he give to Duncan.
Q Then you didn't tell Duncan as he testified that you owed 30 or 35 dollars by Campbell Taylor? A Campbell Taylor agreed to pay Duncan 30 or 35 dollars for me of the money I paid him to give to Joel Bryant.
Q The family kept Campbell Taylor employed though as their attorney after that? A In the Jarrett Bryant case I think so.
Q E. Bryant, you remember, had him for his grand-children? A That is my understanding.
Q And your uncle Jesse Duncan testified in the case of the children? A Uncle Jesse had nothing to do with it. He was not with Jackson and him; that was my understanding of who employed him.
Q You recall here shown that the case was originally [illegible] by Campbell Taylor and was finally submitted by him yesterday [illegible] in the [illegible] case. [illegible]
Q [illegible] I don't know [illegible]
Q [illegible]
A [illegible]

Q He was likewise attorney in the Mary Dawson case was he, and before the Adair court, the 4th of October, 1887, in the case of James K. P. Dawson? A I don't know anything about that.
Q And the case likewise of Riley Dawson? A I don't know anything about those.
Q They are relations of yours? A Well I couldn't say.
Q James K. P. Dawson proves to be a son of Riley Dawson? A Well if he is he is my connection then. There are so many Dawsons I don't know them all.
Q You know Andrew J. Dawson? A Yes sir.
Q The Dawsons have so many children their brothers didn't hardly know them did they? A That's it, I don't know them.
Q Well then you don't know who Andrew J. Dawson is? A No sir, I don't know.
Q He refers in his application as being a cousin of E. Dawson, and yourself, who were admitted to citizenship by the Tahlequah Court? A He may be, I don't know nothing about it.
Q He resided I believe, at that time at Nevada, Missouri? A I don't know anything about their people.
Q Old Sam Baker was an old and paralyzed man at the time he testified wasn't he? A Getting old, he was not paralyzed.
Q Then the statement made that the reason he couldn't write his name and had to make his mark, because he was paralyzed, in the testimony isn't that true? A He didn't have good use of his fingers.
Q Then he was not paralyzed? A No, I brought him over there in a hack from Berryville, Arkansas.
Q Well I say he was a very old man? A Yes, getting old.
Q How didn't you come to this place up there joining Brought's and work on it some time before you brought your family? A No, I brought my family with me, except my wife.
Q And you subsequently built a log house on it? A Yes sir.
Q And went back and got your wife and moved them to the log house? A Yes sir, went to Eureka and got my wife.
Q You never saw your grandfather at all? A Saw Dawson, yes sir, I saw him.
Q You remember do you of being with him much of any at all? A I was in Texas in time of the war, with my uncle Riley Dawson, and he was there.
Q In '60 sometime? A '62, I reckon, or '63. Somewhere along there, it was in time of the war.
Q How old a man was he at that time? A Pretty old man.
Q You never saw your grandmother, she died before she came? A Yes sir, I never saw her at all.
Q Who first started the citizenship matter, your brother in Texas or you? A Why it was me, and my brother together.
Q I mean who first conceived the idea? A I first commenced talking about it.
Q And sent down for him? A I was in Texas with him and then in Arkansas; I went backwards and forwards a time or two after the war.
Q About that time nearly everybody in Arkansas were trying to get some claim of kinship to Cherokees? A No sir, not at that time.
Q They were getting pretty thick in there in 1880? A Well in 63 and '4 and '5 I think.
Q Been much excitement over there to get yourselves on the rolls? A Just got to be everybody; but it wasn't at the time we was admitted there was not much stir about the rights here.
Q Well the Watts had been admitted before that? A I suppose they had; there was not much excitement over the Watts claim at that time.

Q [illegible] A [illegible]
Q [illegible] A [illegible]
Q [illegible] A [illegible]





Q That? A Yes sir, that Dawson.
Q Well is that all he did on you? A I don't remember now about it.
Q Why didn't you put your attorney to do that letter writing? A I was not any there.
Q Uncle Joe Benge was not there then? A No sir.
Q That is what you paid the $0 or 25 dollars for, the writing this letter back to your brother? A I paid him for that claim.
Q When did you pay that? A I think I paid it, I don't exactly when, Sam Taylor paid it a year or two after I moved out here and settled where I did; might have been 2 years. I don't remember.
Q Where was Duncan living then? A I couldn't say where.
Q Was he still clerk of this Court? A No sir, not when the money was paid; that is, when Sam Taylor said he paid it.
Q You did send Sam Taylor some money? A I sent some money to him for Joel Bryant.
Q You knew Joel Bryant's ad rem didn't you? A No, I don't know that I did. No I didn't send Sam Taylor any money, I gave it to him.
Q How much did you give him? A One hundred dollars.
Q When? A Right at that time; he claimed it from me as soon as we got our papers; he came into my house and claimed me for Bryant.
Q You never heard him any then after that? A No sir.
Q Did you ever see Bryant after that? A Yes sir
Q How long after that? A I don't know, a year or two afterwards. A year I believe, my brother wrote, I wrote to my brother about paying Sam Taylor money and he went onto my brother about it and he never paid him until he moved out to this country.
Q After all that you got him to attend to your whole Uncle Dawson's and the other relatives names? A The other parties did.

BY MR. McKENNON:

Applicants object to all that part of the witness' evidence in response to interrogation by representatives of the Cherokee Nation which relates to the character of the evidence upon which the judgments admitting members of the Jones and Robert Dawson families were rendered, and to the history of the members of the Dawson family, because the same is irrelevant, incompetent and irrelevant.

BY MR. McKENNON:

Q One question I omitted to ask you Mr. Dawson, as to the fourth of the fifty five judgment admitting Robert Dawson's family was rendered, one of the judges were present on that day? A They was all three of them, Wolfe, Jones and Thompson.
Q Are you positive of that fact? A Yes sir.
Q You do not know this Andrew Dawson family who are writing to the Dawes Commission for Cherokee citizenship, and who claimed that they are entitled on some members of your family? A [illegible]
Q Andrew J. Dawson, who claims to be from Mississippi? A How was the question?
Q You do not know them do you? A I don't know that they are any kin to me.
Q You don't know that they are related to you at all? A No sir.
Q Mary Dawson also, do you know the members of that family? A [illegible]
Q [illegible] A No sir.
Q [illegible] A I don't know her either.
Q You don't know whether they are related to you or not? A No sir.
Q If any of these persons are related to you or that family did you have any knowledge of it? A Not as I know of.

Q What County? A Carroll.
Q Is it a town? A Berryville.
Q Did Dr. Baker live at Berryville? A Yes sir.
Q Was your brother intimately acquainted with him for many years?
A Yes sir.
Q Did he live in sufficiently to be acquainted with his character and habits of life? A Yes sir.
Q Do you know Josephine Pierce? A Yes sir.
Q Whose daughter was she? A Robert Dawson's.
Q Is she the same identical person who is called Josie Pierce, and Josie Dawson? A Yes sir.
Q Is there any other Josie Pierce or Josie Dawson or Josephine Pierce or Josephine Dawson? A I don't know but to one.
Q She was also called Josephine or Josie Kelly? A Yes, after she married; her first husband was Pierce.
Q And her second husband A Tom Kelly.
Q There was another Josephine Dawson wasn't there, Bulaski's wife?
A They called her Joe, I suppose it's her name, I could not be positive; that was Bile Dawson's daughter, August Bulaski's wife.
Q She is much younger than your sister, Josephine, above referred to? A Yes sir, oh yes.

BY MR. HUTCHINGS:

Q Where were you born, Mr. Dawson? A Carroll County, Arkansas.
Q You know how old you are? A 42.
Q 42? A I think so.
Q How many older children were there of your father's when you were yourself? A Three.
Q Which were they? A E. Dawson, Riley Dawson and Jasper Dawson.
Q You are the fourth child and the fourth boy? A Yes sir, fourth boy.
Q Where did your father and mother live, do you know, prior to their history? A I think it was in Arkansas, I couldn't be positive, I think they was.
Q Do you know how long your grandfather lived in Arkansas? A No sir I don't.
Q Don't know what year he came to Arkansas? A Only from statement.
Q Well what did they say about it? A I think they come there some time in '30.
Q You know whether your father was born in Arkansas? Do any of your grandchildren were born there? A There was one of them born in Arkansas according to history and according to what he always told me, they were born in Tennessee.
Q He came there in '30, and all the other children were born on the Hiwasee River in Tennessee, before he ever came? A That is what I think, yes sir. No I am not positive about that. They were from Tennessee, but either Dr. Baker lived there or my folks came from there; I don't know as I ever knew that I ever heard my father say where he was born at.
Q In Tennessee or where; he said he was a good big boy when he came to Arkansas? A I don't know as I ever heard him say.
Q Do you know the difference in the ages of yourself and your three older brothers? A No I don't.
Q Don't know the time that comes in between you? A No I don't know that; I think it is about two years though.
Q That would make E. Dawson about eight years older than you, probably? A Yes sir.

BY MR. McKENNON:
Q Did Josephine Pierce have a daughter who married Mr. Bogle?
A Yes sir.
Q What was her name? A I always knowed her by Dode Pierce, I don't know whether that is her right name or not.
Q What is Bogle's name? A John Bogle.
Q She is the child of Josephine Pierce who married John Bogle?
A Yes sir.
BY MR. HASTINGS:
Q Where did she marry John Bogle? A Near Arlee.
Q When? A I couldn't state.
Q About when? A You have got a copy of the marriage license.
Q When did Josephine Pierce come to the Charlos Heights? A '93.
Q Has she lived here continuously since that time? A Up until her death; she is dead.
Q Any of her children come with her at that time? A Yes sir.
Q And have they lived here continuously since that time? A Yes sir, except Bill Pierce, he went to Colorado and died.

J. C. STARR, being first duly sworn and being examined, testified as follows:
BY MR. McKENNON:
Q Your name is J. C. Starr is it? A Yes sir.
Q Mr. Starr, was that instrument taken by you, or before you? (Showing witness document.)
A Yes sir.
Q Where? A At the residence of S. H. Benge; near Fort Gibson.
Q When? A On the 15th day of this month.
Q What day of the week was that? A On Saturday.
Q Is that the day it was taken? A Yes sir.
Q Did you go there on Saturday to take this? A Yes sir.
Q Then when Judge Benge stated on Tuesday that it was taken yesterday, meaning Monday, the 17th, he was mistaken, was he?
A It was taken on Saturday, the 15th.
Q Was he mistaken or not? A It was not taken then.
Q Then his statement made on Tuesday the 18th that it was taken on yesterday, meaning Monday, the 17th, was not correct, was it?
A I think not, because I was there, and it was taken on the 15th.
Q And it was taken on the 15th, you are positive it was taken on the 15th? A Yes sir.

Q Then of course his statement could not be correct? A I guess not.
BY MR. HASTINGS:
Q He was just mistaken about the date, wasn't he? A Yes sir.
BY MR. McKENNON:
Q Did you tell Charles F. Moore who is now present, on last Tuesday that they sent you out there on Monday to take this? A No sir.
BY MR. HASTINGS:
Q I sent you there last Saturday? A Yes sir.
Q And you went there at my direction, didn't you? A Yes sir, and come back Saturday night.

ROBERT L. DAWSON, being first duly sworn, and being examined testified as follows:
BY MR. McKENNON:
Q What is your name? A My name is Robert L. Dawson.
Q What is your age? A My age is something close to 30 years old, I am 29 past.

Q Are you a son of E. Dawson, commonly known as Buck Dawson?
A Yes sir.
Q I will ask you if you will examine this letter and with the enclosure and state whether or not you found that among the papers of your father after his death? A (Hands letter to witness who examines it) A Yes sir, I found this amongst the papers of my father. He always kept all his own papers, and in looking over them I saw this letter.
Q Has that been in your custody ever since you found it? A Yes sir, if that's the letter that was in the envelope.
Q Well that's what it is, you can tell whether it is or not. (Witness further examines letter) Q That purports to be a letter from Samuel H. Benge, does it not, to your father? A Yes sir. (Here applicants' attorney hands letter and env lope referred to to attorneys for Cherokee Nation.)

BY MR. McKENNON: I want to offer this letter in evidence in this case; it is a letter signed by S. H. Benge, attorney at law, dated Fort Gibson, C. N., Jan. 13, 1883. Addressed to Mr. E. Dawson, Esq., together with the envelope, in which it was enclosed, with the card of C. H. Taylor upon it; attorney at law, Tahlequah, Indian Territory, and postmarked Tahlequah, Ind. T., January 13.

BY MR. HUTCHINGS: The Nation objects to the introduction of this letter for the reason that S. H. Benge is living and has testified in this case, and his handwriting should be either proven or denied by himself.

G. W. BENGE, being first duly sworn, and being examined, testified as follows:
BY MR. McKENNON:
Q What is your name? A G. W. Benge.
Q Are you a son of Samuel H. Benge? A Yes sir.
Q Do you know his handwriting? A I believe so.
Q Is that his handwriting? (Shows witness letter before referred to.) A Yes sir, it is either his or a resemblance of his.
Q To the best of your knowledge and belief is that his letter?
A Yes sir.

BY MR. McKENNON: Now we offer it in evidence.

BY COMMISSION: (Reading letter)

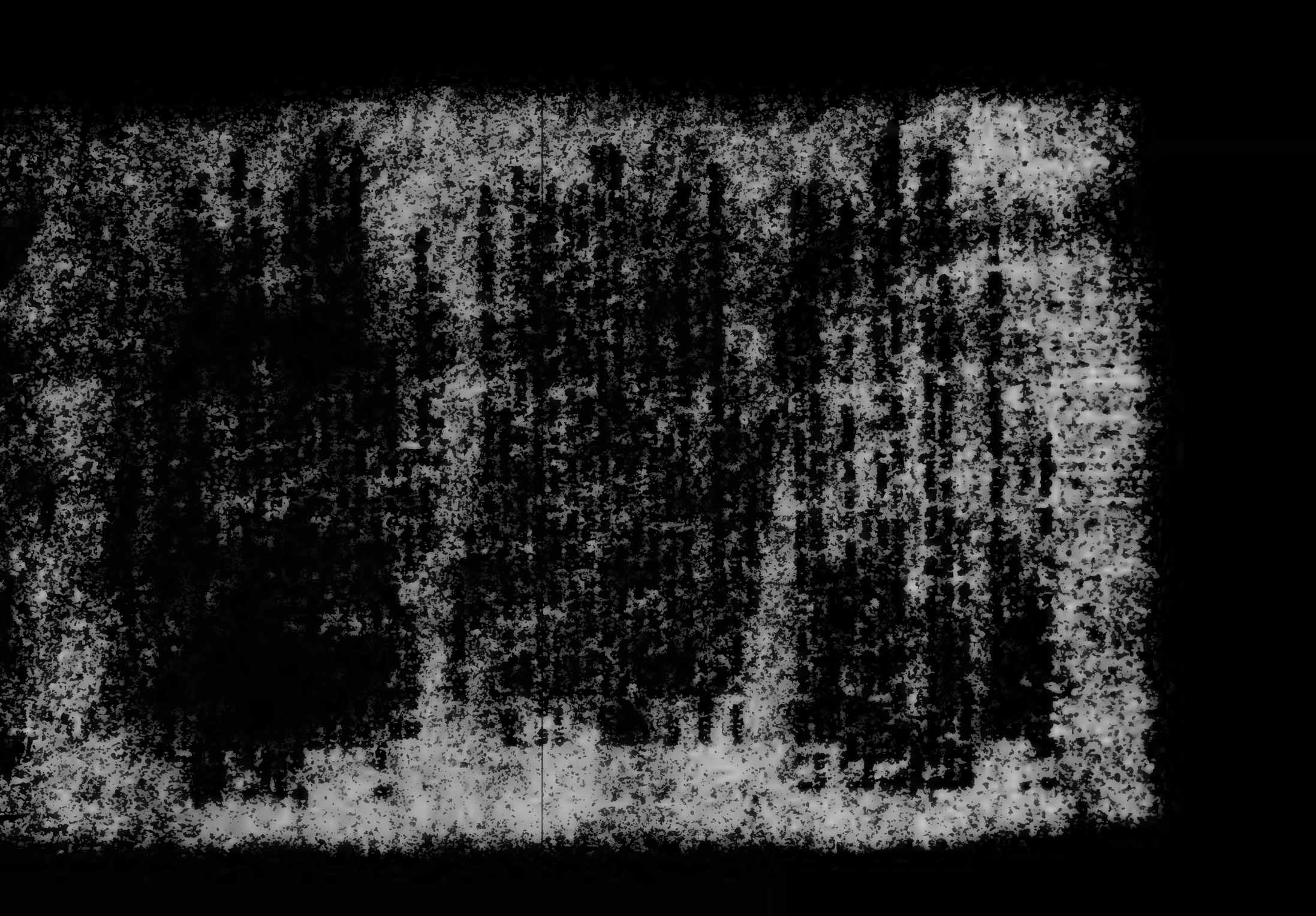
"Fort Gibson, C. N.,
Jan 13th, 1883.

Mr. E. Dawson, Esq.,

Dear Sir:- I write this note to inform you that your case came off before the Court on Citizenship on the 11th inst, and was decided in your favor, so you all are citizens of this Nation. F. M. Dawson was furnished with a copy of the decision at the court. He will write to you also. You will please send me fifty dollars as my fee in your case according to contract. Send it to Fort Gibson, Cherokee Nation.

Respectfully yours,
S. H. Benge,
Attorney at law."

Enclosed in envelope, as follows:
Card in upper corner, left hand:
"Return in ten days to C. H. Taylor,
Attorney at Law,
Tahlequah, Ind. Ter."
Addressed: "Mr. E. Dawson,



Q How old are you? A Mr. Graham? A I am 38 years old.
Q How long have you been living in the Territory? A I came out here in 1887 or '88.
Q To the Cherokee Nation? A Yes sir.
Q How long have you been living in the Cherokee Nation, that year was that '87 or '88? A Yes sir.
Q Have you resided here continuously from that time ever since in the Territory? A Yes sir.
Q How long did you live in the Cherokee Nation? A About 6 years.
Q Where did you go then? A Tahlequah.
Q In the Creek Nation? A Yes sir.
Q And been residing there ever since? A Yes sir.
Q In business? A Yes sir.
Q Have you all the while been recognized as A citizen of the Cherokee Nation? A Yes sir.
Q Mr. Graham, do you know Judge Samuel E. Benge? A Yes sir.
Q Did you have a conversation with him in Fort Gibson about September of 1900? A Well as to the exact time I couldn't say, it was sometime about the time that the Dawes Commission were at Sallisaw, or possibly a little later, somewhere about there.
Q Taking the census of the Cherokees? A Yes sir.
Q At that time had the question of the validity of the judgment of the Cherokee citizenship commission admitting Robert Dawson and family been called in question? A Yes sir.
Q Did you talk to him about the facts concerning the obtaining of that judgment? A I did.
Q What did he tell you about it; well I will just ask you, did he then and there tell you that that judgment was regular and all right nothing wrong with it? A He did.

BY MR. HUTCHINGS:

Q You were looking around for testimony at that time, Mr. Graham, were you? A How was that?
Q You were looking around for testimony at that time, expecting this case to be questioned? A Since the validity of said judgment had been attacked by the authorities of the Cherokee Nation, I thought it was well to look into the matter.
Q And he told you the judgment was all right? A Having known that Mr. Benge was connected with the case, I saw him in Fort Gibson, subsequent to that time and asked him about it, if there was anything wrong about the matter, and also that I might have an affidavit concerning the matter, and I also I think maybe wrote to him, possibly prior to that, I am not sure as to the writing, but I think possibly I did.
Q Did he tell you he would make an affidavit? A I don't think at that time that I asked him for an affidavit, I thought as he lived right near here I would use him in person; he assured me that everything was all right.
Q Your mother was Missouri Dawson was not she? A Yes sir.
Q Her name was Missouri Graham when she was re-admitted to citizenship? A Yes sir.
Q And was not Missouri Dawson as named in that judgment? A Yes sir.
Q Do you know whether the other .. children named in there had married and changed their names also at the time they were admitted? A There were not any of them married.
Q Ella Dawson was your aunt? A Yes sir.
Q Was she married at that time? In 1903? A Yes sir.
Q Melvina Dawson, was she married at that time? A Yes sir.
Q And the fourth one you have mentioned, Missouri Dawson, was your mother? A Yes sir.

Q Can you give us the place where your father [illegible]
A [illegible]
Q And you [illegible]
Q You can't [illegible]
A [illegible]
Q [illegible]
Q [illegible]
Q [illegible]
Q [illegible]
A [illegible]
Q Prior to [illegible] coming here? A Yes sir.
Q That is the only child you had that was born away from here?
A Mr. Julian.
Q Julian was not born in the Territory? A No sir.
Q And prior to the time of your removing to the Territory? A Yes sir.
Q These are the only children born out? A Yes sir.

BY MR. [illegible]:

Q Do you know Campbell Taylor? A Yes sir.
Q I will ask you if about February 1901, he came to Wagoner, and sent his son to have you come to the hotel at night, where he was, and if he then and there said to you "You should live on the [illegible] and if you will give me five hundred dollars I will make it all right and see that you are [illegible], and if you don't I will see that you don't get on"? A [illegible] as to the first part of that question, where you say he said his son; that is an error; I don't know whether he sent it by boy or what else; the [illegible] come that evening by wire [illegible] and was at the city hotel at Wagoner, and [illegible] and saw me, I went down there; I [illegible] information [illegible] is in the nature what you said; and asked me if I was on the [illegible] list, etc. [illegible] and told me that we were; he [illegible] if I didn't want to [illegible] something that if we would give him, our family would give him [illegible] he would see that he [illegible] to give him five hundred dollars [illegible] influence against us and see that we [illegible]
Q You never had seen him before, or had any [illegible] with him?
A I never met him before, as to the [illegible], I may have written him something about his [illegible] as to the validity of the judgment, I can't [illegible] to that. It [illegible] that I did, I don't know whether I did or not, now.

BY MR. [illegible]:

Q You were the attorney in the case, originally? A After [illegible] at the request [illegible].
Q I mean you knew it at the time you wrote to him about the [illegible], that was the reason that you thought he would know [illegible]? A [illegible]
Q He never told you he was going to [illegible] you or [illegible] that you had [illegible] I [illegible] know [illegible] five hundred dollars he would [illegible] and [illegible]?
A [illegible] influence against you, that is what he meant? A Yes sir.

[redacted]

[redacted] matter in the general prosecution [redacted]

[redacted] Mr. Taylor, the [redacted] Mr. Taylor prior to [redacted] time, before [redacted] as far as I know, ever gave me any information [redacted] family, or ever told anything that [redacted] that he knew anything of a [redacted] I am not [redacted] talked with them in some way and that I [redacted] information from him, [redacted] I wrote, and I took him up in my office [redacted] testimony [redacted] before the Commission. [redacted] to testify, and that is he was put [redacted] that privilege, and we didn't believe [redacted] I wanted to [redacted] he knew [redacted] and quite [redacted] He was accordingly [redacted] to give any information. I asked him [redacted] him to testify when he got [redacted] the [redacted] I would [redacted]

Well we labored [redacted] and finally after always telling me that he intended to [redacted] testify, he declined to [redacted] stand, I don't believe there [redacted] that he perhaps [redacted] Mr. Taylor told [redacted] I got all those facts out of him, or very nearly all those facts out of him. He may have elaborated a little more [redacted] information, but he [redacted] information to [redacted] I don't think he went any [redacted] I would [redacted] I [redacted] like [redacted] because they didn't [redacted]

[redacted]

Mr. Taylor [redacted]

[redacted]

Q [redacted]
that [redacted]
that I [redacted]
Q [redacted]
Q [redacted]
A [redacted]
Q And no [redacted] A Yes sir.

BY COMMISSIONER: The witnesses for the [redacted] tribal and [redacted] representatives of the Cherokee Nation will be excused [redacted] from the remarks of the stenographer, by this order I am [redacted] this as brief in this case with the consolidated [redacted]

I, [redacted] D. Green, do hereby certify that [redacted] and [redacted] the file established [redacted] and [redacted] and [redacted] thereof.

(Signed) [redacted] D. Green

[redacted]

[redacted]

It appears from the records herein that applications were made to said Commissioner at the time and places hereinafter mentioned, for the enrollment of the following named infants as citizens of the Cherokee Nation.

D 582 [redacted]

D 583 [redacted]

D 584 [redacted]

D 585 [redacted]

D 586 [redacted]

D 382

D 383

D 385 By order Muskogee, Indian Territory, on October 6, 1902.

D 402 By order Muskogee, Indian Territory, on October 1, 1902.

D 403 By order Muskogee, Indian Territory, on October 1, 1902.

D 578 By order Muskogee, Indian Territory, on October 16, 1902.

D 580 By order Muskogee, Indian Territory, on November 20, 1902.

D 582 By order Muskogee, Indian Territory, on October 4, 1902.

D 602 By Robert Pierce, at Vinita, Indian Territory, on October

24, 1900, for the enrollment of himself and his minor child Myrtle as citizens by blood, and for the enrollment of his wife Nellie as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 3, 1902. On January 8, 1903, an affidavit was filed showing the birth of Arthur Pierce, a second child of the applicant.

D 409 By William Pierce, at Vinita, Indian Territory, on September 24, 1900, for the enrollment of himself as a citizen by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 21, 1902.

D 431 By Charles E. Pierce, at Vinita, Indian Territory, on September 25, 1900, for the enrollment of himself as a citizen by blood.

D 471
D 472 By John B. Gray, at Vinita, Indian Territory, on September 29, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Oma Gray, his minor child, Cecil Gray, and his sister-in-law, Effie Pierce (now Effie Akins), as citizens by blood. John B. Gray is differently classified and is not embraced in this decision. Further proceedings were had in the matter of this application at Vinita, Indian Territory, on October 4, 1900, and at Muskogee, Indian Territory, on July 21, 1902. On February 18, 1901, an affidavit was filed showing the birth of Velton Gray, a second child of the applicant.

D 479 By John S. Bogle, at Vinita, Indian Territory, on October 2, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Nancy J., and his minor children, James B., Edna M., John H., Marvin R. and Claud Bogle as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 8, 1902. On October 21, 1902, a birth affidavit was filed for Nancy Edith Bogle, born since the date of this application.

D 364 By Joseph R. Dawson, at Vinita, Indian Territory, on September 20, 1900, for the enrollment of himself and his five minor children, Clarence E., Council J., Elmer A., Clad, and Rufus T. Dawson, as citizens by blood, and for the enrollment of his wife, Florence Dawson, as a citizen by intermarriage. Further proceedings were had in the matter of said application at Vinita, Indian Territory, on October 19, 1901, and at Muskogee, Indian Territory, on October 3, 1902. On October 19, 1901 an affidavit was filed showing the birth of Edgar Dawson, a sixth child of the applicant.

D 475 By Wilborn Dawson, at Vinita, Indian Territory, on September 20, 1900, for the enrollment of himself as a citizen by blood.

D 518 By Charles T. Moore, at Vinita, Indian Territory, on October 4, 1900, for his enrollment as a citizen by intermarriage, and for the enrollment of his wife, Nellie, and his five minor children, Bess, Walter, Clara, Ora and James T. Moore as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on March 18, and October 10, 1902, and on March 17, 1903, an affidavit was filed showing the birth of Edna E. a sixth child of the applicant.

D 832 By James S. Bowen, at [illegible], Indian Territory, on [illegible], 1900, for the [illegible] children: Virgil [illegible] by blood, and for [illegible] as a citizen by [illegible] in the matter of said application at Muskogee, Indian Territory, on October 8, 1902, and on September 15, 1903, an affidavit was filed showing the birth of Nell V. Bowen, a fourth child of the applicant.

D 833 By Henry A. Blassingame, at Chelsea, Indian Territory, on November 15, 1900, for the enrollment of himself and his three minor children Ellis W., Earl A. and Alexander Blassingame as citizens by blood, and for the enrollment of his wife, Birdie J., as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 8, 1902, and on September 15, 1903, an affidavit was filed showing the birth of Birdie J. Blassingame is differently classified and is not enrolled on this application.

D 834 By Albert L. Blassingame, at Chelsea, Indian Territory, on November 15, 1900, for the enrollment of himself and his three minor children Ellis W., Earl A. and Alexander Blassingame as citizens by blood, and for the enrollment of his wife, Birdie J., as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 8, 1902. On October 31, 1902, an affidavit was filed for Elsey M., born since the date of this application.

D 834 By James R. Blassingame, at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of his self and his two minor children, Willing L. and George L. Blassingame as citizens by blood, and for the enrollment of his wife, [illegible] as a citizen by intermarriage. On February 20, [illegible] an affidavit was filed showing the birth of Grace B. [illegible], a third child of the applicant. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 6, 1902.

D 835 By Martin L. Patterson, at Tiona, Indian Territory, on November 26, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife and his five minor children, Sarah J., Martha A., Olive L., Ethel D. and Thomas M. Patterson, as citizens by blood. Further proceedings were had in the matter of said application at Vinita, Indian Territory, on April 8, and October 6, 1902, and on October 25, 1902, an affidavit was filed showing the birth of Virgil V., sixth child of the applicant.

D 604 By William C. Dawson, at Nowata, Indian Territory, on October 15, 1900, for the enrollment of himself as a citizen by blood, and for the enrollment of his wife Daisy as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on April 8, and October 10, 1902.

D 605 By Robert L. Dawson, at Nowata, Indian Territory, on October 15, 1900, for the enrollment of himself as a citizen by blood.

D 606 By Edward E. Dawson, at Nowata, Indian Territory, on October 15, 1900, for the enrollment of himself as a citizen by blood. On July 8, 1901, an affidavit was filed showing the birth of Ralph E. Dawson, a child of the applicant.

D 608 By [illegible] at Bowata, Indian Territory, on October 16, 1900, for the enrollment of himself as a citizen by intermarriage, [illegible] on October 15, 1900.

D 617 By Gilbert [illegible] at Bowata, Indian Territory, on October 17, 1900, for the enrollment of himself and [illegible] child [illegible] as citizens by blood, and for the enrollment of his wife, [illegible] as a citizen by intermarriage. [illegible] is differently classified and is not provided in this decision. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on April 8, 1902.

D 626 By Ella L. Spickerman, at Bowata, Indian Territory, on October 17, 1900, for the enrollment of herself and her minor child, Helen J. Spickerman, as citizens by blood, and for the enrollment of her husband, John J. Spickerman as a citizen by intermarriage. John J. Spickerman is differently classified and is not provided in this decision. On March 8, 1902, an affidavit was filed for Hellen Glenn Spickerman, a second child of the applicant.

D 627 By Frank R. Dawson, son of Elbert Dawson, at Bowata, Indian Territory, on October 17, 1900, for the enrollment of himself as a citizen by blood.

D 87 By John W. Graham, at Fairland, Indian Territory, on July 13, 1901, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Missouri and his minor children Tenga W. and Robert E. Graham, as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 2, 1902.

D 35 By Gideon Graham, at Westville, Indian Territory, on July 16, 1900, for the enrollment of himself and his minor children, John F., Sidney T., Francis W., Mary E., James M., Grant L. and Florence E. Graham as citizens by blood, and for the enrollment of his wife Elizabeth Graham, as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 11, 1902.

D 836 By Mathew A. Painter, at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Laverna A. and his five minor children Ada E., Eva F., John C., Roy D., and Roberta A. Painter, as citizens by blood. On December 7, 1900, an affidavit was filed for Roy V. Painter, a minor child of the applicant. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 2 and 3, 1902.

D1124 By Charles T. Bradshaw, at Muskogee, Indian Territory, on February 23, 1901, for the enrollment of himself as a citizen by intermarriage, and for his wife Florence F. and his minor children, Myrtle and Claude Bradshaw as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 21, and October 23, 1902.

D1183 By Joe E. Graham, at Muskogee, Indian Territory, on febru-

D1127

D1147

D1126

B 378

D 476

D 508

D 930

D 947

D 954

D 405 By Millie E. Dawson, at Vinita, Indian Territory, on September 24, 1900, for the enrollment of herself as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 13, 1902.

D 406 By Texanna Bentley, at Vinita, Indian Territory, on September 26, 1900, for the enrollment of herself and her minor child Bryan T. Bentley as citizens by blood. On March 28, 1902, an affidavit was filed showing the birth of Wilburn E. Bentley, a second child of the applicant.

D 715 By Henry T. Richardson, at Claremore, Indian Territory, on October 26, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Kitty, his minor children Julia F. and Finis T. Richardson and his step-children, Edgar, Walter, Alice, Laura, Oscar, Blanche, Edna and Florence Flournoy as citizens by blood. Florence Flournoy is enbraced in another application known as Florence Morgan (D - 737). Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 9, 1902, and on August 20, 1902, a birth affidavit was filed for Jasper C. Richardson, born to Henry T. Richardson and his wife, Kittie, since the date of this application.

R 12 By Rita Brauer, at Fairland, Indian Territory, on July 12, 1900, for the enrollment of herself as a citizen by blood.

R 13 By Melissa A. Dawson, at Fairland, Indian Territory, on July 12, 1900, for the enrollment of herself as a citizen by intermarriage.
Further proceedings in the matter of said application were had at Vinita, Indian Territory on October 4, 1900, and at Muskogee, Indian Territory, on October 14, 1902.

D 521 By Lula Pearl Waddle, at Vinita, Indian Territory, on October 4, 1900, for the enrollment of herself and her minor children Curtis and Morris O. Waddle as citizens by blood, and for the enrollment of her husband, Riley F. Waddle as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 14, 1902. October 21, 1902, a birth affidavit was filed showing the birth of Roy Waddle, a third child of the applicant.

D 522 By William B. Douthitt, at Vinita, Indian Territory, on October 4, 1900, for the enrollment of himself as a citizen by blood.

D 347 By Alonzo M. Fishback, at Vinita, Indian Territory, on September 19, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Severna A. Fishback and his minor children William A. and Annie E. Fishback as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on March 18, and October 8, 1902.

D 737 By Elbert L. Morgan, at Claremore, Indian Territory, on October 24, 1901, for the enrollment of his wife Florence and his minor child Alice as citizens by blood. On March 28, 1902, an affidavit was filed showing the birth of Alice A. Morgan, a second child of the applicant.

[illegible] by [illegible], of Chelsea, Indian Territory, on November 16, 1896, for the enrollment of [illegible] as a citizen by blood.

[illegible] Dawson, of Tahlequah, Indian Territory, on September 12, 1896, for the enrollment of [illegible] as a citizen by intermarriage, and for the enrollment of his minor children, Rosa and Cherokee Dawson, as citizens by blood. Further proceedings were had in the matter of said [illegible] at Muskogee, Indian Territory, January 16, 1902, and March 17, and October 14, 1902.

Proceedings were had in the matter of F. M. Dawson, [illegible] before Lewis F. Martin, a Notary Public on October 8, 1900, and further proceedings were had therein before the Commission at Muskogee, Indian Territory on March 17, 1902. All of these proceedings have been made a part of the record herein.

The evidence, and an examination of the records of the Cherokee Nation in the possession of this Commission show that on January 11, 1883, one Robert Dawson and his adult children, F. M. Dawson, Elbert Dawson, Jesper Dawson, Mollie Dawson, Wilborn Dawson, James Dawson, Chal Dawson, Josephine Dawson, Joseph Dawson, Julia Dawson and John Dawson were admitted to citizenship in the Cherokee Nation by the Cherokee Commission on citizenship, commonly known as the "Teehee Court", and that on September 8, 1884, one James Dawson, a brother of the Robert Dawson aforesaid, together with his adult children, Elia Dawson, W. A. Dawson, Melvina Dawson and [illegible] Dawson were admitted to citizenship in the Cherokee Nation by the Cherokee Commission on Citizenship commonly known as the "Sequoyah Court." In addition to their tribal enrollment as shown by the evidence herein, it also appears from an examination of the Cherokee tribal rolls, in the possession of this Commission, that F. M. Dawson is identified on the Cherokee pay rolls of 1883 and 1884, Elbert Dawson on the Cherokee pay roll of 1884, Mollie Dawson on the pay roll of 1883, Wilborn Dawson on the pay rolls of 1883 and 1884, James Dawson on the pay rolls of 1883 and 1884, Chal Dawson on the pay rolls of 1883 and 1884, Josephine Dawson on the pay roll of 1883, Jane Dawson on the pay roll of 1883, [illegible] Dawson on the pay rolls of 1883, 1883 and 1884, Elia Dawson and W. A. Dawson

[illegible]

For convenience, the applications are divided into groups:

Group 1, includes the applications of Francis M. Dawson and those claiming through him and embraces cases numbered D 356, D 360, D 361, D 364, D 368 and D 369.

The evidence shows that Francis M. Dawson is the [illegible] admitted to citizenship as hereinbefore stated under the name of F.M. Dawson. Lydia Dawson, his wife, was married to him on November 28, 1888. The Cherokee Supreme Court in the cases of Cherokee Nation vs. Nancy Dawson and William Dawson vs. W. A. Duncan held that a white woman married to a Cherokee Indian at the time of his admission to citizenship acquires thereby the rights of Cherokee citizenship. She has lived with her said husband since they were married, and the six children included in the application of said Francis M. Dawson and hereinbefore named are the issue of the marriage aforesaid. All the applicants herein are identified on the Cherokee Census roll of 1896.

John Dawson, William M. Dawson, Lizzie Atkins, Reynolds Dawson, Francis M. Dawson, Jr., and Arizona Allred are the children of said Francis M. Dawson by a former wife, Julia Ann. They were minors on the date of their father's admission to citizenship, [illegible] Lizzie Atkins and Francis M. Dawson, Jr., are identified on the 1896 payment roll of [illegible] and William M. Dawson and Arizona Allred are identified on the Cherokee census roll of 1896.

Andrew S. [illegible]

[illegible]

Arizona Allred, the Bureau, were from [illegible] Nation for the first time in 1894, resident there about two years and then returned to Arizona, where she was enrolled as [illegible] Such marriage was not in accordance with the laws of the Cherokee Nation. Arizona Allred and her children were in the Cherokee Nation in 1896, stayed there a month and returned to Arizona where they remained until September, 1896, at which time they came to the Nation, remained there about a year and returned to Arizona in 1898, where they were living at the date of their application. William C. Allred is the child of said Arizona Allred and [illegible] he might not recognize by his mother. He is identified on the Cherokee Census roll of 1896.

Paragraph 3, Section 21, of the Act of Congress [illegible] 28, 1898 (30 Stats., 495) provides:

"No person shall be enrolled who has not [illegible] to and in good faith enlisted in his behalf in [illegible] citizenship."

The evidence further shows that Charles H. Burney, [illegible] Katie and William R. Burney, Charles H. Burney, Jr., [illegible] nine have resided in the Cherokee Nation since 1893, and Joseph C. Atkins, the husband of said Lizzie Atkins, [illegible] Burney has resided in the Cherokee Nation for [illegible] prior to the date of his application. The testimony [illegible] children of the above named [illegible] [illegible] with themselves and [illegible]

Order No. [illegible] Application of [illegible] for [illegible]

[illegible] evidence shows that Samuel R. Dawson of [illegible] and his final husband submitted to citizenship in the Cherokee Nation as [illegible] before stated. His wife, Catherine, a white woman, was married to him on July 21, 1869. The Cherokee Supreme Court in the cases of Cherokee Nation vs. Nancy Rogers and Mullen Dawson vs. W. A. Scraper held that a white woman married to a Cherokee Indian at the date of his admission to citizenship acquires thereby the rights of Cherokee citizenship. She has lived with her said husband since their marriage, and August and Cora Dawson are the issue of the aforesaid marriage. Samuel R. Dawson, his wife and children are identified on the Cherokee Census roll of 1896.

Robert Dawson, Albert M. Dawson, Josephine Bulawsky, formerly Josephine Dawson, John W. Dawson, and Katie Newman, formerly Katie Dawson are the children of said Samuel R. Dawson. They were minors at the date of their father's admission to citizenship, and they are all identified on the Cherokee Census roll of 1896.

Sarah F. Dawson, nee Abbott, was married to the said Albert M. Dawson in October, 1904. She has lived with her said husband, since they were married. Ralph M., Alford and Cecil Dawson are the issue of that marriage. Sarah F. Dawson and her child Ralph M. are identified on the Cherokee Census roll of 1896. Alford is identified by a birth affidavit on file with this Commission. The evidence further shows that the youngest child, Cecil Dawson, is dead.

August Bulawsky, who married under a Cherokee marriage license and in accordance with the laws of the Cherokee Nation on May 26, 1898, to the said Josephine Dawson. By her [illegible] with his said wife since they were married and the [illegible] children, and [illegible]

[illegible] minor children are identified on the Cherokee census roll of 1896, and the third [illegible] roll of 1896. The [illegible] is identified on the Cherokee Census roll of 1896, and [illegible] is identified by a birth affidavit on file with this Commission.

Fannie Dawson, nee Baugher, was married to the said John W. Dawson on September 2, 1894, and she has lived with her said husband since they were married.

The evidence further shows that Samuel R. Dawson, his wife, Catherine, and Robert Dawson, Albert H. Dawson, John F. Dawson, and Katie Newman have resided in the Cherokee Nation since 1896, August Bulawsky and his wife Josephine, since 1893, and Sarah F. and Hannie Dawson since 1894. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group XIX, includes the application of John Dawson, and those claiming through him and embraces cases numbered D 576, D 529 and D 530. The evidence shows that John Dawson is the same person admitted to citizenship in the Cherokee Nation as hereinbefore stated. Sarah J. Dawson, nee Wood, his wife, a white woman, was married to him on October 4, 1871. The Cherokee Supreme Court in the cases of Cherokee Nation vs. Nancy Rogers and Melissa Dawson vs. W. A. Dawson held that a white woman married to a Cherokee Indian at the time of his admission to citizenship acquires thereby the rights of Cherokee citizenship. She has lived with her said husband since they were married and the nine children included in the application of said John Dawson, and hereinbefore named, are the issue of said marriage. John Dawson, his wife, and his seven older children are identified on the Cherokee Census roll of 1896. The two younger children are identified by birth affidavits on file with this Commission.

Thomas D. Dawson and Orie E. Dawson are the children of said John Dawson. They were minors at the date of their father's admission to citizenship, and they are both identified on the [illegible]

Census roll of 1896.

Thorne P. Dawson was married on April 24, 1898, to Lilly A. Gilbert, and Walter C. Dawson is the issue of that marriage. The said child is identified by a birth affidavit on file with this Commission.

Orie H. Dawson was married on December 22, 1898, to Addie York, and Curr K. and Jessie F. Dawson are the issue of that marriage. The said children are identified by birth affidavits on file with this Commission.

The evidence further shows that the said John Dawson and his wife, Sarah J., have resided together in the Cherokee Nation since 1883; that said Orie H. Dawson has resided in the Cherokee Nation since 1883, and that Thorne P. Dawson has resided in the Cherokee Nation since 1888. The residence of the minor children herein is considered to be that of their parents, with whom they are living.

Group XV, includes the applications of those claiming through the said Josephine Dawson, now deceased. At the time of her admission she was the wife of one Thorne Pierce, but was admitted to citizenship under maiden name of Dawson. The group embraces cases numbered D 408, D 408, D 431, D 471, D 472 and D 479.

The evidence shows that Robert Pierce, William Pierce, Charles E. Pierce, Ona Gray, formerly Ona Pierce, Effie Pierce (nee Effie Akin) and Nancy J. Bogle, formerly Nancy J. Pierce are the children of said Josephine Dawson. They were minors at the date of their mother's admission to citizenship, and they are all identified on the Cherokee Census roll of 1896.

Nellie Pierce, a white woman, was married to said Robert Pierce on July 15, 1894. She has lived with her said husband since they were married, and Myrtle and Arthur Pierce are the issue of that marriage. Nellie Pierce is identified on the Cherokee Census roll of 1896, and her two children are identified by birth affidavits on file with this Commission.

Ora Gray was married to John B. Gray on April 7, 1898, and Ossie and Nellie Gray are the issue of that marriage. Ora Gray is identified on the Cherokee census roll of 1896 and her children are identified by birth affidavits on file with this Commission.

John W. Bogle was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on April 5, 1894, to the above named Nancy J. Pierce. He has lived with his said wife since they were married and the six children included in his application, and hereinbefore named, are the issue of that marriage. John W. Bogle and his two older children are identified on the Cherokee Census Roll of 1896, and his four younger children are identified by birth affidavits on file with this Commission.

The evidence further shows that the said William Pierce died in January, 1898.

It further appears that Robert Pierce, Charles E. Pierce, Nancy J. Bogle and Ora Gray have resided in the Cherokee Nation since 1894; that John W. Bogle, husband of Nancy J. Bogle, and Nellie Pierce, wife of Robert Pierce, have resided in said Nation ever since they were married, and the residence of the minor children herein is considered to be that of their parents with whom they are living. It appears that Essie Akins was seventeen years old at the date of the application for her enrollment, and it further appears that she resided in the Cherokee Nation from about 1898 up to December, 1900, when she went to Colorado, was married there to Will Akins, and is now living in that state with her said husband.

Group V, includes the application of the said Joseph Dawson, Wilborn Dawson and James Dawson, and embraces cases number D 534, D 535 and D 536.

Joseph R. Dawson is identified on the Joseph Dawson roll to citizenship in the Cherokee Nation as hereinbefore stated. He was married to Florence Jackson on May 16, 1896, and they have lived to-

father since the date of their marriage. The said Florence Jackson is the daughter of Silas Jackson, but she was of age at the time of the enactment of legislation to citizenship. The six children included in the application of said Joseph R. Dawson, and hereinbefore named, are the issue of the marriage between the said Joseph R. Dawson and Florence Jackson. The applicant, his said wife and his four elder children are identified on the Cherokee Census roll of 1896. The two younger children are identified by birth affidavits on file with this Commission.

Wilborn Dawson is identified as the person of that name admitted to citizenship in the Cherokee Nation as hereinbefore stated. He is identified on the Cherokee Census roll of 1896.

James R. Dawson is identified as the James Dawson admitted to citizenship in the Cherokee Nation as heretofore stated. His wife, Martha A. Dawson was married to him on February 20, 1890. She has lived with her said husband since the date of their marriage, and the four children included in the application of said James R. Dawson, and hereinbefore named, are the issue of said marriage. The applicant, his said wife and his three elder children are identified on the Cherokee Census roll of 1896. The youngest child is identified by a birth affidavit on file with this Commission.

The evidence further shows that Joseph R. Dawson has resided in the Cherokee Nation since 1883; that Florence Dawson and Wilborn Dawson have resided in said Nation since 1886, and that James R. Dawson has resided in said Nation since 1883, excepting a temporary absence from 1889 to 1893. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group VI, includes the application of Mollie Dawson and those claiming through her and embraces [illegible]

The evidence shows that Mollie Moore, formerly Dawson, is identified as the Mollie Dawson admitted to citizenship in the Cherokee

[illegible] as [illegible] [illegible] [illegible]

[illegible]

[illegible] Cherokee Nation in 1907 and have resided therein with their said [illegible] since. The residence of the minor children included in this group is considered to be that of their parents, with whom they are [illegible]

Group VIII, including the enrollment of these children, the said Elbert Benson, was [illegible] Opinion 1 C[illegible], 2 C[illegible], D 505, D 506, D 507, D 508, D 509 and D 510.

The evidence shows that Ada Patterson, formerly Benson, [illegible] Benson, Elbert L. Benson, Wilbert C. Benson, Reginald V. [illegible] Ella L. Spiegelman, formerly Benson, and Frances K. Benson, [illegible] children of the said Elbert Benson. All of them, excepting the said Frances K. Benson, were minors at the time of their enrollment and [illegible] what to citizenship, save Patterson is identified on the Cherokee Census roll of 1896, and by [illegible] Elbert L. Benson and Wilbert C. Benson, minors, by [illegible] L. Benson and Ella L. [illegible] are identified on the Cherokee Census roll of 1896. [illegible] of the Dawes Commission [illegible] to the [illegible]

[illegible]

[illegible] Alice [illegible], was married to the said Albert H. Dawson on [illegible] 18[illegible]. They [illegible] lived with [illegible] ever since [illegible].

Albert H. Dawson was married on February 16, 1898, to Cora Bright, a non-citizen, and his child Ralph H. Dawson is the issue of that marriage. The said child is identified by a birth affidavit on file with this application.

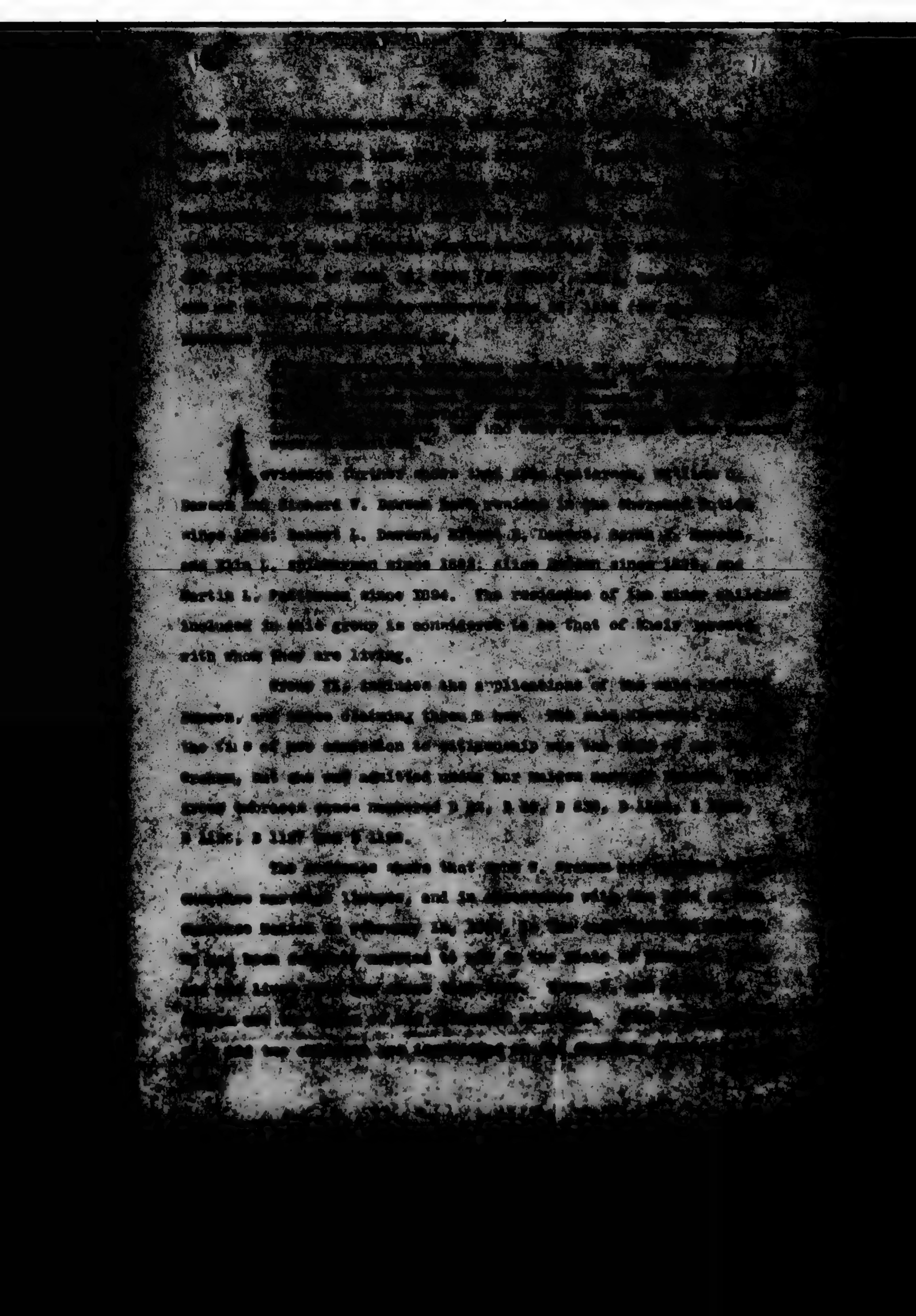
Sarah J. Dawson, nee Jones, was married to the above named Albert Dawson about 1884, and lived with him as his wife until the death in February, 1898, and had [illegible] since the decision of the Cherokee Supreme Court in the cases of Thompson Ratliff vs. Henry Rogers and William Morgan vs. T. L. Rogers [illegible] was married to a Shawnee Indian at the time of his enrollment [illegible] this acquisition deprived the rights of Cherokee citizenship.

Richard F. Dawson was enrolled as Cherokee Dawes, [illegible] January 24, 1898. His child Ina R. Dawson is the issue of [illegible] riage, and she is identified by a birth affidavit on file [illegible] application.

Ella L. Dawson was married to John J. Spidle, [illegible] and on September 7, 1897. Her children Willie J. and [illegible] are the issue of that marriage, [illegible] identified by [illegible] herewith [illegible] with this [illegible]

[illegible]

[illegible]



[illegible] in the Cherokee Nation [illegible]

[illegible] of the [illegible]

[illegible] Intermarried [illegible]

[illegible] Cherokee [illegible]

[illegible] Cherokee Nation, or [illegible]

[illegible] Cherokee [illegible]

[illegible] Tribes, or [illegible]

[illegible] Act of Congress June 10, 1896 [illegible]

[illegible] provisions of [illegible]

[illegible] 1906), provides for the [illegible] of,

> "all persons who have been enrolled by the Commission who have [illegible] their permanent actual homes in the Cherokee Nation [illegible] by reason of their [illegible] been lawfully admitted to citizenship by the [illegible] and who were minors when their parents were so admitted."

The evidence further shows that Lena Patterson, [illegible] Burson and Richard T. Burson [illegible] in the Cherokee [illegible] since 1884; Robert L. Burson, Elbert B. Burson, Sarah J. [illegible] and Ella L. Spencer were [illegible] since 1893; Alice Burson [illegible] Matilda L. Patterson since 1894. The residence of the [illegible] involved in this group is considered [illegible] with whom they are living.

Group XI, [illegible] the Cherokee Nation, [illegible] Burson, [illegible] claiming [illegible] the time of her admission to citizenship [illegible] Graham, but she has omitted [illegible] group embraces cases numbered, D 25, D 38, D [illegible], D 1126, D 1127 and D 1128.

The evidence shows that John J. Graham [illegible] Cherokee marriage license, and in accordance [illegible] Cherokee Nation on February 12, 1880, to the said [illegible] he had been formally admitted to [illegible] and that [illegible]

birth affidavits on file with this Commission.

The evidence further shows that the said John W. Grayson, his wife Missouri Grayson, Gideon Graham, Mathew A. Fulsher, and his wife Laverna A. Fulsher, Florence P. Henderson, John F. Graham and Willie Neal have resided in the Cherokee Nation since prior to [illegible] Joe F. Graham and James M. Graham have resided in the Cherokee Nation since 1894. The residence of the minor children enrolled in this group is considered to be that of their parents with whom they are living.

Group 2, including the application of the said Ella Graham and those claiming through her. The said Ella Grayson, at the time of her admission to citizenship, was the wife of Grayson V. Graham, who was admitted to citizenship under her maiden name of Grayson. This group submitted Cherokee Intermarried I. W. [illegible]

The evidence shows that Grayson V. Graham [illegible] Cherokee marriage license, and in accordance with [illegible] Graham on March 29, 1897 to the said Ella [illegible] this Commission stating that he is [illegible]

[illegible] From an affidavit made a part of this [illegible] and from W. Holmes Reed subscribed to [illegible] 1906, and filed [illegible] September 3, 1906.

The evidence further shows that Flora Lemon, [illegible] Lemon, Willie L. Lemon, Lillie Jackson and Francis Lemon, [illegible] Jackson are the children of John Wesley Lemon, now Lillie Jackson, Flora Lemon, Fannie A. Jackson and Francis Lemon were minors at the date of their mother's admission to citizenship, and they are all identified on the Cherokee Census roll of 1896.

James K. Lemon was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on April [illegible] 1887, to the said Flora Jackson. He has lived with his wife since the date of their marriage, and the four minor children included in his application, and hereinbefore named, are all issue of the said marriage. James K. Lemon and his three oldest children are identified on the Cherokee Census roll of 1896. The youngest child is identified by a birth affidavit on file with the [illegible].

William C. Lemon was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on April [illegible] 1888, to the said Francis Jackson. He has lived with his wife since the date of their marriage, and the two children Birtie E. and Myrtle Lemon, included in his application, are the issue of the said marriage. William C. Lemon and his two children are identified on the Cherokee Census roll of 1896.

Lizzie Jackson claims to have been married in 1898 to one [illegible] William Cockrum, but is not accepted. It appears that [illegible] son of the wife of his mother's admission to citizenship [illegible] twenty-one years old. There is no evidence that [illegible] Jackson was ever admitted to citizenship in the Cherokee Nation [illegible] duly qualified authorities of said Nation, or [illegible]

[illegible]

[illegible]

[illegible]

[redacted] enrolled to citizenship by [redacted] Nation on December 1, 1896, with their mother on her [redacted] family. The youngest child Sam Fleurnoy was born [redacted] living at the date of this application. [redacted] identified on the Cherokee Census roll of 1896, and [redacted] Jasper C. Richardson are identified by birth certificates [redacted] with this Commission.

Etta Brewer is the daughter of said W. A. Dawson, and [redacted] minor at the date of her father's admission. She was married [redacted] to a non-citizen but such marriage was not in accordance with [redacted] her laws. She is identified on the Cherokee Census roll of 1896.

Melissa A. Dawson was married to the said W. A. Dawson [redacted] State of Texas on September 26, 1873. The Supreme Court of the [redacted] Nation in the case of Melissa A. Dawson vs. W. A. Dawson, [redacted] held that Melissa A. Dawson, the applicant herein was a citizen of the Cherokee Nation by virtue of intermarriage with her said husband W. A. Dawson. She is identified on the Cherokee Census roll of 1896 and she has not re-married since her divorce from said W. A. Dawson.

The children, [redacted] Dawson, Walter Dawson, [redacted] Cherokee Nation since 1896; that both [redacted] have resided in the Cherokee Nation, with the exception [redacted] absences, since 1896; that Walter T. Dawson [redacted] Cherokee Nation since 1896; that Mary L. Fleurnoy has resided in the Cherokee Nation since 1896, and that Ethel Richardson, his wife, has resided in the Cherokee Nation since 1896. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group XIII, including the following applications [redacted] Dobbs, et al D 478; William H. Downing, D [redacted] Thomas M. Duncan, D [redacted]; Florence Morgan, et al D 767; John D. [redacted] D [redacted] Ruby, et al D 870. The persons enrolled by [redacted]

applicant and relates to the Cherokee court proceedings [illegible] the right to enrollment by virtue of such [illegible] from a separate adjudication of their rights.

The evidence shows that Hiram F. Peebles was [illegible] a Cherokee marriage license, and in accordance with the [illegible] Cherokee Nation on September 13, 1884, to Sallie D. Thornton, and was admitted to citizenship in the Cherokee Nation by the said "Delaware Court" on September 25, 1884. Sarah, Lucian C. and Mary Peebles are the issue of the said marriage. Hiram F. Peebles and his said wife and children are identified on the Cherokee Census roll of 1896, and their three children are identified by birth affidavits on file with this Commission.

William D. Deutchitt is the brother of said Sallie D. Peebles and was admitted to citizenship in the Cherokee Nation with his said sister on September 13, 1884. He is identified on the Cherokee Census roll of 1896.

Alonzo M. Fishback was married prior to [illegible] to Lavirna A. Bynum. He had been previously married to the said wife in Texas in 1878, and was living with her [illegible] It appears that Lavirna Fishback was recognized as a citizen of the Cherokee Nation by an act of the Cherokee Delaware District, December 1, 1894. William A. and Angie B. Fishback are the issue of the said marriage. Alonzo M. Fishback and his said wife and children are all identified on the Cherokee Census roll of 1896, and the wife is also identified on the Cherokee pay roll of 1880.

Florence Morgan, the wife of Elbert L. Morgan, is the daughter of the late Richardson Shoemaker and was admitted to citizenship in the Cherokee Nation on December 9, 1886, with [illegible] Shoemaker as a member of his family. Elbert L. Morgan and [illegible] are her children by her said husband. The [illegible]

identified by birth affidavits on file with this Commission.

John E. Fishbeck is the son of Laverna Fishbeck, who was admitted to citizenship on December 1, 1894, as Cherokee freedman. He was a minor at the date of his mother's admission to citizenship and he is identified on the Cherokee Census roll of 1896.

George A. Mabry was married to one Edna Dawson in the State of Arkansas in 1884. He claims to have been married under a proper marriage license to his said wife in 1889, but he presents no satisfactory proof of such marriage. Edna Dawson was re-admitted to citizenship in the Cherokee Nation by an Act of the Cherokee National Council on December 1, 1894. Roby and Charley Mabry are her children by her said husband, George A. Mabry. Edna Mabry is identified on the strip payment roll of 1894, and the two children were minors on the date of their mother's admission to citizenship.

The evidence further shows that Alonzo M. Fishbeck and his wife Laverna A. Fishbeck have resided in the Cherokee Nation since 1883; that Lula P. Waddle, William D. Douthitt, and John E. Fishbeck have resided in the Cherokee Nation since 1894, and that Lucy Morgan and Edna Mabry have resided in said Nation since 1889. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

All birth affidavits for the minor children enrolled by this decision, and hereinbefore noted, are made a part of this decision.

It is contended by the Cherokee Nation that the applicants herein are not entitled to be enrolled by this Commission because they have never been lawfully admitted or enrolled by the Cherokee authorities, and that the judgment of the Cherokee Supreme Court admitting Robert Dawson and his family was obtained by fraud on the part of said Dawson.

In considering the question at issue, it is the opinion of this Commission that it has the power, and that it is one purpose of this proceeding, to review or to set aside the judgment in the Dawson case, or to determine such questions as were necessarily involved in the issues before the Cherokee Commission, and were passed upon by that Commission. In United States vs. Throckmorton, 98 U.S. Page 61, it is stated, "the doctrine is well settled that the Court will not set aside a judgment because it was founded on perjured testimony or for any matter which was actually presented and considered in the judgment assailed." Only such facts therefore, are considered by this Commission, as were not part of the record in the Robert Dawson case before the Tesnee Commission, and which tend to show whether the judgment admitting the Dawsons was a bona fide judgment of the Tesnee Commission, or whether such judgment is void because of fraud, and upon this proposition the burden of proof is upon those attacking the judgment.

Briefly stated, the circumstances attending the admission of the Dawsons appear to be as follows:

On September 24, 1881, an application was made to the Cherokee Commission on Citizenship known as the "Tesnee Court" for admission to Cherokee citizenship of Robert Dawson and the members of his family above mentioned. The members of that Commission were Thomas Tesnee, Alex Wolfe and T. F. Thompson. The first two were full blood Cherokee Indians; they could understand, but could not talk English. One D. W. C. Duncan was the Clerk of the Commission. The hearing was continued several times before final decision. J. M. Bruner appears to have been an attorney in the case, and after such hearing notified Francis M. Dawson that the case would be taken up by the Commission at its session in January, 1882, and that whereas the said E.M. Taylor would face other pressing matters at that time,



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[illegible] sixty years of age, [illegible]
[illegible] Professor and Jim Smith, soldiers for [illegible]
[illegible] on Thursday the evening of January 10, that [illegible]
[illegible] that Barron had promised [illegible] to [illegible]
[illegible] that Barron had given [illegible] ten dollars.

Admitting all this to be true and that the influence of these officials was purchased for the sum of ten dollars, the foregoing fails to show how these alleged facts show that the Court was imposed upon or misled. Bribery of officials to use their influence with the Commission would not necessarily vitiate the judgment, but it must appear that the fraud, or corruption reached the members of the Commission and tainted the judgment itself. The case was submitted without evidence as appears from the record, and it is argued that such evidence was carefully considered by the Commission. Furthermore, the evidence shows that [illegible] was given him in behalf of the James Barron Estate [illegible].

Hightower testifies that he had a talk with Mose Smith [illegible] about [illegible] that Barron told him he had only one witness in the case, "an old man 85 or 90 years old, who did not know anything" and that he could give Dr. Baker four drinks of whiskey apiece and he would swear black was white. Witness further testified that Barron told him that money was what made the mare go in front and that he had found out that it was here two.

According to this foundation was [illegible] [illegible] [illegible]

[illegible] before the Commission. Further, it is not [illegible] was the only witness in his case. Judge Stilwell [illegible] was a witness, Duncan McRae that impression [illegible] own, one of its Commissioners, states that he thinks there [illegible] witnesses. The testimony of Dr. Baker, coming [illegible] only testimony preserved of record. As to whether Baker suffered perjured testimony by Dawson's procurement, it is proper to recall that the evidence of W. H. Curtis and A. E. McPherson, witnesses for appellants, show that Doctor Baker was a man of integrity and was not addicted to drinking.

The testimony of James W. Lewis is to the effect that he had a conversation with P. H. Dawson about 1883, in which Dawson had told the witness that it had cost him seven hundred dollars to get his rights. Draught also testifies that he was an applicant for citizenship about 1881 or 1882, and that while his case was pending he had a talk with P. H. Dawson who told him that if he [illegible] ever got in, it would cost him seven hundred dollars. [illegible] told him he had paid the witness three hundred dollars, and made arrangements with the Court to get the witness in at once [illegible] have a family. David Bennett testified that he had a talk with James Hughes in 1883, and that the latter told the witness that [illegible] him twelve hundred dollars to get his case through.

It can hardly be urged that such evidence is sufficient to show that the members of the Tyaksa Commission were corrupted by [illegible] fraudulent use of money. So far as these witnesses [illegible] to testify the money spent by the Dawsons might have been for [illegible] and legitimate purposes. P. H. Dawson gives a detailed [illegible] what he says took him and his brother in a [illegible] disposition [illegible] to [illegible] [illegible] [illegible]

before this Commission with every opportunity the right to be [illegible] with that ground.

Admitting the truth of all the testimony in this case [illegible] the actual transfer of money by the Dawsons, it appears that [illegible] Smith and Smith were the only beneficiaries of that money. There [illegible] evidence that the members of the Commission received any [illegible] consideration for it.

The judgment entered in the Commission's docket shows the signatures of the three members of the Commission appended thereto. There is some conflict as to whether Duncan signed Thompson's name, or whether Thompson affixed his own signature. Duncan testified that all three signatures were made by him as Clerk under authority of the Commissioners present, the two full bloods being unable to sign their names. T. J. Thompson testifies that he signed the original transcript of the judgment, which was made on the day of the rendition thereof. The question, however, is not considered to be very material. The signing of judgments by each Commissioner appears to have been a matter of custom only. T. J. Thompson testifies that he examined the Dawson case and recognizes the judgment therein as the original judgment of the Commission, and that there was no fraud or corruption in the procurement of that judgment by the Dawsons or by [illegible] else so far as he knew.

Much evidence has been introduced by the Cherokee Nation for the purpose of showing that the ancestor, through whom the Dawsons claim, was not a Cherokee, and that other members of the Dawson family, deriving from the same source, have been denied Cherokee citizenship by subsequent Cherokee tribunals, and also by this Commission and by the United States Court. Such evidence, in the opinion of this Commission, is not competent for any purpose in this proceeding. The only question before this Commission is whether [illegible]

fraud in the procurement of the Robert Dawson judgment, and not whether the applicants are Cherokee Indians, or whether they ought to have been admitted to citizenship upon the proof submitted. Those were questions presented, considered and passed upon by the Cherokee Commission. If their decision is a valid and regular judgment, it is binding on this Commission. If, on the contrary, the applicants have never been lawfully admitted to citizenship, because the judgment under which they claim is void, for fraud, then the question as to whether they are Cherokees by blood is not material, as this Commission has now no authority to admit them to citizenship.

While it is true, that since 1883, a number of applicants, members of the Dawson family, have been denied admission to citizenship in the Cherokee Nation, no argument derived therefrom is of any force, for it is also true that other members of the same family have been admitted to citizenship, and the action of the Cherokee authorities in admitting them has never been questioned by the Cherokee Nation. Whatever inference, therefore, may be drawn from these facts applies with equal force both for and against the validity of the judgment in question.

The Dawsons have lived in the Cherokee Nation, most of them since 1883; they have exercised the rights of Cherokee citizenship for many years, some of them occupying official positions in the Nation, and no protest seems to have been made against their citizenship until within the last few years. The records of the Cherokee Nation, in the possession of this Commission, show, that since 1883, there have been Commissions on citizenship charged with authority to investigate the judgments of former tribunals alleged to have been procured by fraud, and the Cherokee Legislature has power to order an investigation, and to create a tribunal with authority to pass upon the question of citizenship. No such action appears to have been taken

by the Executive authorities with reference to the foreign relations
before Congress or the Secret Service corps.

After a careful consideration of all the facts in the case, and
this complaint is of the opinion that the evidence fully [illegible]
[illegible] charges made against [illegible] by the
[illegible] of the House Committee as reported
[illegible] and [illegible] to the result of correcting, [illegible]
or changing [illegible] the acts of the Supreme, or their agents, and the
[illegible] judgment, and also the judgment of the British Commission in
1906, and the act of the Chicago Railroad Council of December 3,
1906, which have not been disputed by the Chicago Union, being
regular on their face, must therefore be accepted by this Commission
as the valid judgments of the duly constituted foreign authorities.

It is, therefore, the opinion of this Committee that,

[illegible] Francis M. Burton, one of Robert Burton, John Burton, Sr.
[illegible], Joseph F. Bynum, Joseph L. Bynum, Thos. H. Bynum, Henry B.
Bynum, John Bynum, William E. Bynum, Thomas Bynum, Joseph Bynum,
Wm. B. Bynum, Robert G. Bynum, Joseph H. B. Bynum, Thomas L.
Bynum, Sr., and of Reynolds, Bynum and Brothers of Bynum
Bynum,

[illegible] Bynum B. Bynum, Edgar Bynum, John Bynum, Robert Bynum,
Edwin L. Bynum, Ralph T. Bynum, Albert Bynum, Reginald Bynum,
John Bynum, Leo Bynum, Jesse Bynum, Eugene Bynum, Ray
Bynum, Oscar Bynum, John W. Bynum, Felix Bynum,

[illegible] John Bynum, Robert B. Bynum, Zola E. Bynum, Lemuel B.
Bynum, Rose B. Bynum, Marion B. Bynum, Hattie J. Bynum,
Phillip B. Bynum, Edwin B. Bynum, Wyatt C. Bynum, [illegible],
Virgil Myrle B. Bynum, Orville Bynum, Mary E. [illegible] Bynum,
Bynum,

[illegible] Bynum, Myrtle Bynum, Arthur Bynum, Thomas Bynum,
Bynum, [illegible] Bynum, [illegible]

Marie Pierce), Nancy J. Bogle, James E. Bogle, Ella M. [illegible], John H. Bogle, Marvin H. Bogle, Claud Bogle, Nancy Edith Bogle, [illegible] Joseph R. Dawson, Clarence T. Dawson, Cornell T. [illegible], [illegible], Ethel Dawson, Esther T. Dawson, Wilborn [illegible], [illegible], Emma L. Young, Virgil D. Pearson, Ernest T. [illegible], Lucile E. Dawson, Ruth F. Dawson.

(Group VI) Lelia Moore, Fern Moore, Walter Moore, Clara Moore, [illegible], Jesse V. Moore, Edna B. Moore,

(Group VII) Henry A. Blasingame, Virgie C. Blasingame, Elbert L. Blasingame, Ellis T. Blasingame, Earl D. Blasingame, Alexander Blasingame, Jr., Elmer H. Blasingame, James R. Blasingame, William A. Blasingame, George L. Blasingame, Grace D. Blasingame.

(Group VIII) Zona Patterson, Sarah A. Patterson, Martha A. Patterson, Claud A. Patterson, Edgar D. Patterson, Thomas E. Patterson, Virgil V. Patterson, William O. Dawson, Robert E. Dawson, Elbert B. Dawson, Ralph E. Dawson, Richard W. Dawson, Earl E. Dawson, Ella L. Spickerman, Hallie J. Spickerman, William Edgar Spickerman,

(Group IX) Missouri Graham, Hugh V. Graham, Robert S. Graham, Eileen Graham, John W. Graham, Julius E. Graham, Wilmoth W. Graham, Mary E. Graham, Jesse E. Graham, Grady E. Graham, Florence M. Graham, Lawrence A. Painter, Ada R. Painter, Eva D. Painter, John W. Painter, Ray D. Painter, Roberta A. Painter, Roy V. Painter, Florence P. Bradshaw, Myrtle Bradshaw, [illegible] Bradshaw, Joe E. Graham, William O. Graham, John O. Graham, Mary M. Graham, Robert Lee Graham, Joe Willis Boyd, Opal D. [illegible], Marion Graham, Russell Graham, Lelah Graham, Ralph [illegible].

[illegible], Elmer Barnes, Lillie M. [illegible], Floyd [illegible]

Dwight Hannah, William B. Hannah, Leonie A. [illegible] Hannah, Lenox, Birdie E. Lenox, Myrtle Lenox,

(Group XII) Susanna Malloy, Irene V. Malloy, Gilbert E. [illegible], Vicky Simmonson, Edgar Fleetwood, Robert Fleetwood, Alice [illegible]ood, Edith Fleetwood, Osmond Fleetwood, [illegible]Fleetwood, John Fleetwood, Chesie T. Simmonson, Jasper W. Simmonson, Dollie E. Simmonson, Nota Lenox,

(Group XIII) [illegible] Waddle, Curtis Waddle, Lorrie O. Waddle, Roy Waddle, William B. Bowthrid, Laverne A. Pinkbank, William A. Pinkbank, Annie B. Pinkbank, Florence Lovgren, Clide Morgan, Alice A. Morgan, John B. Pinkbank, Nina Mabry, Roby Mabry, and Charley Mabry,

should be enrolled as citizens by blood of the Cherokee Nation in accordance with the provisions of Section twenty-seven of the Act of Congress approved June 28, 1898 (30 Stats., 495), and that

(Group I) Katie Dawson, Andrew O. Atkins,

(Group II) Catherine Dawson, Sarah F. Dawson, August Schlechte, Mannie Dawson,

(Group III) Sarah J. Dawson, [illegible]

(Group IV) Phillip Fields, John B. [illegible],

(Group V) [illegible] Dawson, Martin L. [illegible],

(Group VI) Charles T. Moore,

(Group VII) Ida Blasingame, Mary A. Blasingame,

(Group VIII) Martin L. Patterson, Alice Dawson, Sarah J. Dawson, Lee Jones,

(Group IX) John W. Graham, Elizabeth Graham, Nathan A. Painter, Charles T. Bradshaw, Bessie Graham,

(Group X) James K. Harman, William O. Lewis,

(Group XI) Millie E. Benton, [illegible], [illegible],

(Group XII) [illegible]

enrolled as citizens by intermarriage of the Cherokee Nation in accordance with the provisions of said Section twenty-one of the Act of Congress, and it is so ordered.

It is further the opinion of this Commission that, for the reasons heretofore stated, the applications for the enrollment of William Allred and William C. Allred, (embraced in D 855); Thomas E. Parris, jr. of Albert Parris, (embraced in D 827); Cole Jackson, Lewis Jackson, Nancy Jackson, Ray Jackson, and Clyde Jackson, the children of William and Lizzie Jackson, (embraced in D 850); James Love, Ray Love, Helen Love, Roberta Love and Rosa Love, (embraced in D 859), as citizens by blood of the Cherokee Nation, and that the applications of Lizzie Jackson, widow of William Jackson, (embraced in D 850), and George A. Mabry (embraced in D 979), as citizens by intermarriage of the Cherokee Nation should be denied, in accordance with the provisions of the law heretofore quoted, and it is so ordered.

As hereinbefore stated William Pierce (D 409) and Cecil Dawson (D 356) and Green W. Jackson (D 966), died prior to September 1, 1902. It further appears from affidavits, made a part of the record that Liddie and Margaret Graham (D 1196) were dead at the time of the application for their enrollment and prior to September 1, 1902.

It is, therefore, ordered that the applications for the enrollment of said William Pierce, Cecil Dawson, Green W. Jackson, Liddie Graham and Margaret Graham be, and the same are hereby dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

(Signed) TAMS BIXBY,
Acting Chairman.

(Signed) T. B. [illegible]
Commissioner.

(Signed) C. R. [illegible]
Commissioner.

Dated at Muskogee, Ind. Ter.,
this June 26, 1902.

COMMISSION TO [illegible] TRIBES.

FILED
FEB 1 1902

ACTING CHAIRMAN.

Department of the Interior.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

ALLISON L. ROBERTSON, SECRETARY.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 1st, 1902

Robert L. Dawson,

Talala, Indian Territory,

Sir:-

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 17th day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Yours truly,

Enrolling D-666

Register.

Acting Chairman.

Muskogee, Indian Territory, February 24, 1903.

A. S. McKennon,
Attorney for Francis M. Dawson, et al,
Wewoka, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 23, 1902, granting the application for the enrollment of Francis M. Dawson, Lula Dawson, Ray Dawson, Jessie J. Dawson, Joseph L. Dawson, Hugh A. Dawson, Laura A. Dawson, John Dawson, William M. Dawson, Lizzie Atkins, Arthur Atkins, Nora E. Atkins, Edward Di Atkins, George J.F. Atkins, Francis M. Dawson, Jr., Samuel R. Dawson, Agnes Dawson, Nate Dawson, Robert Dawson, Albert M. Dawson, Ralph E. Dawson, [illegible], Nora Eulbright, [illegible], Annie [illegible], Ben Eulbright, John T. Dawson, Lelia Dawson, Jodie Dawson, Robert E. [illegible], Dawson, Lucian J. Dawson, Rosa B. Dawson, Charles [illegible], J. Dawson, [illegible], James U. Dawson, [illegible], Thomas P. Dawson, Charles J. Dawson, Orie M. Dawson, [illegible], James E. Morgan, Robert [illegible], Myrtle Morgan, [illegible], E. Pierce, Ben Gray, [illegible], [illegible], [illegible], Bogle, Emma E. Bogle, [illegible], [illegible], Cloud Bogle, [illegible], [illegible].

Dawson, Council J. Dawson, [illegible]

Dawson, Wilborn Dawson, Edgar Dawson, [illegible]

Dawson, Erwine C. Dawson, Edwin C. Dawson, [illegible]

Moore, Nora Moore, Walter Moore, Clara Moore, Ora Moore, James T.

Moore, Edna E. Moore, Henry A. Blasingame, Vinnie C. Blasingame,

Elbert L. Blasingame, Ellis W. Blasingame, Earl D. Blasingame,

Alexander Blasingame, Jr., Elmer H. Blasingame, Emma R. Blasingame,

William A. Blasingame, George L. Blasingame, Grace D. Blasingame,

Zona Patterson, Sarah A. Patterson, Martha A. Patterson, Claud A.

Patterson, Edgar B. Patterson, Thomas M. Patterson, Vergil V. Patter-

son, William C. Dawson, Robert L. Dawson, Elbert E. Dawson, Ralph E.

Dawson, Richard W. Dawson, Lee W. Dawson, Ella L. Spickerman, Hilley

J. Spickerman, William [illegible] Spickerman, [illegible] Graham, Tempe V.

Graham, Robert S. Graham, [illegible] Graham, Julius E.

Graham, Francis W. Graham, [illegible] Graham,

M. Graham, Florence M. Graham, Waverly A. [illegible], John L. Painter,

Eva P. Painter, John W. Painter, Ray D. Painter, [illegible]

Roy V. Painter, Florence P. Bradshaw, Myrtle Bradshaw, Claude Brad-

shaw, Joe E. Graham, William C. Graham, John J. Graham, Ella M. Gra-

ham, Robert Lee Graham, Joe Willie Neal, James M. Graham, Mariam

Graham, Maggie Graham, Luther Graham, Floyd Graham, Eddie Harmon,

Flora Harmon, Lillie B. Harmon, Glenn Harmon, Dwight Harmon, Wesley

D. Harmon, Tommie A. Richmond, Bennie Smith, Marvin R. Lenox, Myrtle

Lenox, Texanna Woolley, Lyman W. Woolley, Edwin E. Woolley, Kittie

Richardson, Edgar Flournoy, Walter Flournoy, Alice Flournoy, Laura

Richardson, Jasper C. [illegible], Lola Pearl Wedge, Curtis Wedge, [illegible], William D. Donathitt, Laverne A. Fishback, [illegible], Annie B. Fishback, Florence Morgan, [illegible] Morgan, Alice A. Morgan, John E. Fishback, Edna Mabry, Roby Mabry and Charley Mabry as citizens by blood of the Cherokee Nation, and for the enrollment of Katie Dawson, Andrew C. [illegible], Catherine Mayes, [illegible] F. Dawson, August Bulawsky, Bennie Dawson, [illegible], Willie Pierce, John S. Ingle, Florence Dawson, Martha A. [illegible], Charles T. Moore, Ida [illegible], Mary A. [illegible], [illegible] Patterson, Alice Dawson, Sarah J. Burton (nee James), John W. [illegible], Elizabeth [illegible], Walker A. Painter, Charles F. [illegible], Bessie Graham, James K. [illegible], William C. Lowe, Willie T. Mayes, Henry T. Richardson, [illegible], Alonzo M. Fishback as citizens by intermarriage of the Cherokee Nation; Protesting the application for the enrollment of Arizona Allred, William C. Adams, [illegible], Jessie Jackson, Jessie Jackson, Ray Jackson, Glenn Jackson, Ethel Lowe, May Lowe, Zelma Lowe, Roberta Lowe and Rose Lowe as citizens by blood of the Cherokee Nation, and for the enrollment of Bessie Jackson and George A. [illegible] as citizens by intermarriage of the Cherokee Nation; and [illegible] the application for the enrollment of William Pierce, Cecil Dawson, Grace W. [illegible], [illegible] and Margaret Graham.

You [illegible]

of proceedings [illegible]

You are [illegible]

against the action of the [illegible]

protest has been furnished with [illegible]

copy, by the attorney for the [illegible].

The decision, together with the record [illegible] in this case will be transmitted to the Secretary [illegible] for his review and decision. The action of the [illegible] will be made known to you as soon as the Commissioner [illegible].

You are requested to forward to the [illegible] your printed brief [illegible] is made [illegible] cluded in the record [illegible] of the Interior.

[illegible]

Sec. [illegible].

Register.

E. T. Hastings,

Attorney for the Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated November 23, 1903, granting the application for the enrollment of [illegible] Dawson, Julia Dawson, Ray Dawson, Jennie T. Dawson, [illegible], Mary A. Dawson, [illegible], Tony Dawson, William E. Dawson, Lizzie Adkins, [illegible], Harvey Edward T. Adkins, [illegible], F. Adkins, Edwin D. Dawson, Jr., [illegible] Dawson, Annie Dawson, Nate Dawson, Robert Dawson, Lizzie [illegible], Mary A. Dawson, Ida Ford Dawson, Josephine [illegible], [illegible] Dalaney, Eugene Delaney, [illegible], [illegible] M. Dawson, Patsie Jo Dawson, [illegible] Dawson, Ethel D. Dawson, Lizzie E. Dawson, Rose D. Dawson, [illegible], J. Dawson, Jennings T. Dawson, [illegible], Walter F. Dawson, [illegible], [illegible], [illegible],

Claud Bogle, Penny Bogle, Bogle, Joseph A. [illegible],
Dawson, Council W. [illegible], Edgar A. [illegible], Clyde [illegible],
Dawson, Wilborn Dawson, Edgar Dawson, James M. Dawson, Virgie D.
Dawson, Ermine C. Dawson, Edwin C. Dawson, Annie E. Dawson, [illegible]
Moore, Pork Moore, Walter Moore, Clara Moore, Ora Moore, [illegible]
Moore, Edna E. Moore, Henry A. Blasingame, Vinnie C. Blasingame,
Elbert L. Blasingame, Ellis V. Blasingame, Earl B. Blasingame,
Alexander Blasingame, Jr., Elmer H. Blasingame, James R. Blasingame,
William A. Blasingame, George L. Blasingame, Grace C. Blasingame,
Zona Patterson, Sarah A. Patterson, Martha A. [illegible], Claud A.
Patterson, Edgar D. Patterson, Thomas M. Patterson, [illegible] V. Patter-
son, William C. Dawson, Robert L. Dawson, Elmer T. Dawson, Ralph E.
Dawson, Richard E. Dawson, Ira N. Dawson, Wade H. Spiderman, Hollen
J. Spiderman, William Glenn Spiderman, Elbert Graham, Tonya V.
Graham, Robert S. Graham, [illegible], John W. Graham, Julian H.
Graham, Rudolph V. [illegible], Mary N. Graham, [illegible]
Graham, [illegible], Laverne A. [illegible], Ann D. [illegible], Jon
P. [illegible], John W. [illegible], Ray D. [illegible], [illegible]
V. [illegible], Florence F. [illegible], Myrtle [illegible],
Joe E. Graham, William C. Graham, Paul F. [illegible],
Robert Lee Graham, Joe [illegible], [illegible],
Magnolia Graham, Luther [illegible],
Thomas, Lillie B. Thomas, [illegible],
Thomas, Bessie A. Thomas, [illegible],
Thomas, Thomas Wesley, [illegible]

Tittle Richardson, [illegible], Walter Flournoy, [illegible], Laura Flournoy, Oscar Flournoy, Minnie Flournoy, [illegible], Finis T. Richardson, Jasper C. [illegible], Delia J. [illegible], Etta Brauer, Lula Pearl Weddle, Curtis Weddle, Morris D. [illegible], Roy Weddle, William D. Southitt, Laverne A. Fishback, William A. Fishback, Annie B. Fishback, Florence Morgan, Olide Morgan, Alice A. Morgan, John E. Fishback, Edna Mabry, Roby Mabry and Charley Mabry as citizens by blood of the Cherokee Nation, and for the enrollment of Katie Dawson, Andrew C. Atkins, Catherine Dawson, Sarah F. Dawson, August Dutcavaly, Fannie Dawson, Sarah J. Dawson, Nellie Pierce, John S. Boggs, Florence Dawson, Martha A. Dawson, Charles T. Moore, Ida [illegible], Mary A. Fleniacane, Martin L. Patterson, Alice Dawson, Sarah J. Dawson (nee Jones), John W. Graham, Elizabeth Graham, Mathew A. Painter, Charles T. Bradshaw, Bessie Graham, James M. Harvey, William C. Lenoch, Willie T. Dawson, Henry T. Richardson, [illegible], Hiram P. [illegible], and Alonzo M. Fishback as citizens by intermarriage of the Cherokee Nation; rejecting the application for the enrollment of Arizona Allred, William C. Allred, Francis M. Harvey, Osie [illegible], [illegible] Jackson, Jessie Jackson, Ray Tipton, Clyde Jackson, [illegible], May Lowe, Zelma Lowe, Roberta Lowe and [illegible] as citizens by blood of the Cherokee Nation, and for the enrollment of Minnie Jackson and George A. [illegible] as citizens by intermarriage of the Cherokee Nation; and dismissing the application for the enrollment of William Pierce, Cecil [illegible], Green W. Robison, Lizzie Graham and Margaret Graham.



The Honorable

The Secretary of the Interior,

Sir:

Claud Beagle, Nancy Edith Beard, Joseph R. Barnes, [illegible]
Dawson, Cassell J. [illegible], Elmer A. Barnes, Clem [illegible]
Dawson, Wilborn Dawson, Edgar Dawson, James Dawson, [illegible]
Dawson, Erwine C. Dawson, Edwin C. Dawson, Amzi J. Dawson, [illegible]
Moore, Vera Moore, Walter Moore, Clara Moore, Ora Moore, Hugh W.
Moore, Edna E. Moore, Henry A. Blasingame, Vinnie C. Blasingame,
Elbert L. Blasingame, Ellis W. Blasingame, Myrl D. Blasingame,
Alexander Blasingame Jr., Elmer E. Blasingame, James R. Blasingame,
William A. Blasingame, George L. Blasingame, Orene D. Blasingame,
Lowe Patterson, Sarah A. Patterson, Myrtle A. Patterson, Claud A.
Patterson, Edgar D. Patterson, Thomas H. Patterson, Virgil V. Patter-
son, William C. Dawson, Robert L. Dawson, Elbert B. Dawson, Ralph E.
Dawson, Richard W. Dawson, Ina E. Dawson, Ella L. Spickerman, Ellen
J. Spickerman, William Glenn Spickerman, Elizabeth Graham, Tempa V.
Graham, Robert S. Graham, Gideon Graham, Jesse T. Graham, Julius E.
Graham, Francis W. Graham, Augustus A. Painter, Mary E. Graham,
Fenner B. Graham, Gracie M. Graham, Florence E. Graham, Ada E. Spick-
er, Eva P. Painter, John W. Painter, Ray D. Painter, Roberta A.
Painter, Ray V. Painter, Florence P. Bradshaw, Myrtle Bradshaw,
Claude Bradshaw, Joe E. Graham, William C. Graham, John F. Graham,
Edna M. Graham, Robert Lee Graham, Joe Willie Reid, James L. Graham,
Marion Graham, Maggie Graham, Walter Graham, Floyd Graham, Ella Spick-
man, Thora Harvard, Lillie B. Harmon, Claud Barham, Dwight Barham,
William D. Barham, Pearlie A. Jackson, Fannie Lamar, Birtie B. Lamar,
Myrtle Lamar, Benjamin Woolley, Irene V. Woolley, Wilburn E. Woolley,

Kittie Richardson, [illegible], Laura Flewellen, [illegible], Finis T. Richardson, [illegible], Etta Brewer, Lula Pearl Weddle, [illegible], Roy Weddle, William D. Boothitt, Laverna A. Fishback, [illegible], Fishback, Annie B. Fishback, Florence Morgan, Silas Morgan, Alice A. Morgan, John E. Fishback, Edna Mabry, Roby Mabry and Charley Mabry as citizens by blood of the Cherokee Nation, and Effie Dawson, Andrew C. Atkins, Catherine Dawson, Sarah J. Dawson, August Julewsky, Nannie Dawson, Sarah J. Dawson, Nellie Pierce, John S. Fogle, Florence Dawson, Martha A. Burgess, Charles T. Moore, Ida Blasingame, Mary A. Blasingame, Martin L. Patterson, Alice Dawson, Sarah J. Dawson (nee Jones), John W. Graham, Elizabeth Graham, Mathew A. Painter, Charles T. Bradshaw, Bessie Graham, James H. Parmon, William G. Lenox, Millie T. Dawson, Henry F. Richardson, Melissa A. Dawson, Hiram P. Weddle, and Alonzo M. Fishback as citizens by intermarriage of the Cherokee Nation; rejecting the application for the enrollment of Arizona Allred, William C. Allred, Francis M. Dawson, Osie Jackson, Lizzie Jackson, Jessie Jackson, Ray Jackson , Clyde Jackson, James Lowe, May Lowe, Zelma Lowe, Roberta Lowe and Rosa Lowe as citizens by blood of the Cherokee Nation, and for the enrollment of [illegible] and George A. Mabry as citizens by intermarriage of the Cherokee Nation; and dismissing the application for the enrollment of William Pierce, Cecil Dawson, Green W. [illegible], Lonnie Graham and Margaret Graham.



[redacted]

[redacted]

[redacted]

[redacted]

A. H. Hoffman,
Attorney for Joseph E. Smith, et al.,
[redacted], Utah Territory.

Dear Sir:

You are hereby advised that the Commissioner's decision in the matter of the application of Joseph E. Smith, et al., for the religious or ecclesiastical [redacted] has been rendered in the [redacted] and that the same is adverse to the claimants.

The reasons of the [redacted] are fully set forth in the copy of the Commissioner's decision herewith enclosed.

[redacted]

Very truly yours,

[redacted]

[redacted]

Robert L. Owen,

Tulsa, Indian Territory.

Dear Sir:

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

Robert L. [redacted],

[redacted], Indian [redacted]

Dear Sir:

You are hereby advised that [redacted] dated December 23, 1902, granting [redacted] for enrollment as a citizen by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on March 24, 1906.

Respectfully,

[redacted]

[redacted]

[redacted]

[redacted]
Attorney for Francis L. [redacted] et al.
South McAlester, Indian Territory.

Dear Sir;

You are hereby notified that the Commissioner [redacted]
[redacted] 1908, in the consolidated cases of [redacted]
et al., granting the applications for the appointment of [redacted]
Lulu, Ray, Francis J., Frank L., [redacted]
and Frankie E. Dawson, Jr., Harris, Arthur, [redacted]
Sharp J. T. Riggs, John T., Myers [redacted]
[redacted]
Lucy, Thomas, Ray and [redacted]
Joseph E., Paul M., Charles [redacted]
Forest C., Thomas P., Carlos [redacted]
Edwin, Ella Jackson, Finley [redacted]
Jackson, Lulie A. Russell, [redacted]
Sharp, Tom, Albert [redacted]
Thomas Ray Ray [redacted]
Edward Ray and [redacted]

by Decd of the Cherokee Nation, and entered
the Interior on the same date.

Respectfully,

GENERAL T. B. Neely

Special Agent for

W. W. Hastings,
Attorney for the Cherokee Nation,
Tahlequah, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision of December 23, 1902, in the consolidated case of [illegible] et al., granting the applications for the enrollment of [illegible] Ruth, Ray, Jobelle J., Jacob L., Hugh A., Laura A., John, William E. and Thomas M. Dawson, jr., Lizzie, Arthur, Mary E., Robert E., George J. Z. Atkins, John W., Albert L., [illegible] August, Wyatt and Robert Dawson, Kate [illegible] Annie, Nimrod, [illegible] Samuel R., Rose E., [illegible] Virgil C., Thomas E., [illegible] Dawson, Miss [illegible] Mabon, Tobbie A. Jackson, Tennie, Birtie E. [illegible] Hancourt, James F., Robert C., Edson, John T., [illegible] Kenneth F., Guy E., Jesse E., [illegible] Johnson A., [illegible] [illegible]

Roy V. Skinner, Florence E., Myrtle
William G., Jesse J., Ella E. and
James M., Marion, Agatha, Esther and
Walter, Clara, Ora, James T., and
Ina E. Dawson, Ella L., Esther B. and William
Elbert B., Ralph E., Robert L., and William G.
A., Martha A., Claud A., Edgar D., Thomas H. and
Joseph R., Clarence E., Osmond J., Elmer A., Clara, Rufus T.,
Vilborn, James R., Minnie D., Erwine G., Edwin S. and Avril J.
Dawson, Etta Bryant, Kitty, Delia T., Philip T. and Jasper
Richardson, Edgar, Walter, Alice, Laura, Grant, Charles and
Flewelling, Hermann, Irene W. and Wilburn J. Bradley, Laverne A.,
William A. and Annie E. Fishbeck, Lula F., Curtis, Lorena B., and
Roy Griffin, Florence, Giles and Alice A.
Mary Ann and Charles Henry and
Block of the University
the enrollment of Scott Tupper,
same by block of the Cherokee Nation, duly
September 5, 1908, was withdrawn by the Secretary of
on March 26, 1909, and that the Commissioner's decision,
applications for the enrollment of Jasper,
Rose Lilly, Dale, Lillie, Fanny, Ida, and Ella



Elbert [illegible]

Trans. from DGDS

Department of the Interior.
Commission to the Five Civilized Tribes.
Nowata, I. T., October 16, 1900.

In the matter of the application of Elbert B. Dawson for enrollment as a Cherokee citizen, he appeared before the Commission and was sworn and examined by Commissioner B. R. Breckinridge, testified as follows:

Q. Give me your full name? A Elbert B. Dawson.
Q How old are you? A 22.
Q What is your postoffice? A Talala.
Q Is Oowoogoowa your district? A Yes sir.
Q Who is you want to enroll? A Myself.
Q Do you claim to be a Cherokee by blood? A Yes sir.
Q How long have you lived in the Cherokee Nation? A Ever since '89.
Q Were you admitted by the Cherokee Commission? A Yes.
Q Give me the name of your father? A Elbert Dawson.
Q Give me the name of your mother? A Sarah J.
Q Is your father dead? A Yes.
Q Is your mother dead? A No.
Q Was your mother ever married to any one except your father? A No sir.
Q Was your father ever married to anyone except your mother? A No.

The applicant presents an official copy of the record of the Cherokee Commission on Citizenship showing that on Dec. 11, 1883, certain persons were admitted to citizenship and among them appears the name of Elbert Dawson; that is the name of your father? A Yes

[illegible]
Commission to the Five Civilized Tribes.
Muskogee, I. T., October 14, 1900.

In the matter of the application of Elbert B. Dawson for enrollment as a Cherokee citizen by blood, and examined by Commissioner D. H. Breckinridge, to-wit:

Q Give me your full name? A Elbert B. Dawson.
Q How old are you? A 22.
Q What is your postoffice? A Tahlala.
Q Is Cooweescoowee your district? A Yes sir.
Q Who do you want to enroll? A Myself.
Q Do you claim to be a Cherokee by blood? A Yes sir.
Q How long have you lived in the Cherokee Nation? A Ever since '85.
Q Were you admitted by the Cherokee Commission? A Yes.
Q Give me the name of your father? A Elbert Dawson.
Q Give me the name of your mother? A Sarah J.
Q Is your father dead? A Yes.
Q Is your mother dead? A No.
Q Was your mother ever married to any one except your father? A No sir.
Q Was your father ever married to anyone except your mother? A No.
The applicant presents an official copy of the record of the Cherokee Commission on Citizenship showing that on Jan. 11, 1883, various persons were admitted to citizenship and among them appears the name of Elbert Dawson; that is the name of your father? A Yes sir.
This is recognized as official evidence of the fact as stated.
Q You were a minor at that time and claimed to be admitted as a minor child? A Yes sir.
Q Have you lived here ever since '83? A Yes sir.
Q Was your father living in '94? A Yes sir.
1894 roll; page 178, #1513, Burton Dawson, Cooweescoowee.
Commissioner:

The applicant presents an official certificate of the records of the Cherokee Commission on Citizenship showing that his father was admitted to citizenship as a Cherokee by blood in 1883. He states that he has lived in the Cherokee Nation ever since '85 and claims the right of citizenship, being a minor at the time of his father's admission. He is now 22 years of age. He claims to have lived in the Cherokee Nation since 1885. He is not identified on the roll of 1880, but is identified on the roll of 1894. The Cherokee Commission[illegible] protest against the enrollment of the applicant and other members of the family upon the ground of fraud in the procurement of their admission; and it has been found that members of this family were denied enrollment in 1896 by the Cherokee authorities. His application will now be listed upon a doubtful card for further consideration, and the applicant will be classed as a Cherokee by blood. The final decision of the Commission will be made known at his postoffice address. The official document cited is returned to the applicant.

E. C. Rothenberger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings in the above case, and that the foregoing is a true and complete translation of his stenographic notes in said case.

E. C. Rothenberger

Subscribed and sworn to before me this 17th day of October, 1900.

Commissioner.



CHEROKEES BY BLOOD AND ADOPTION

Date OCT 16 1900 1900.

Elbert B. Dawson, Talala, I.T.

District COOWEESCOOWEE Year 1898 Page 146 No. 1318

Citizen by blood Yes Admitted Mother's citizenship Elbert Dawson — d

Intermarried citizen No. Sarah J. " — d

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Wife's name .....

District ..... Year ..... Page ..... No. .....

Citizen by blood ..... Mother's citizenship .....

Intermarried citizen .....

Married under what law ..... Date of marriage .....

License ..... Certificate .....

Names of Children:

.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....
.....	Dist.	Year	Page	No.	Age .....

Act 1894 Citizens Buxton ~~Elbert~~ Dawson

10476

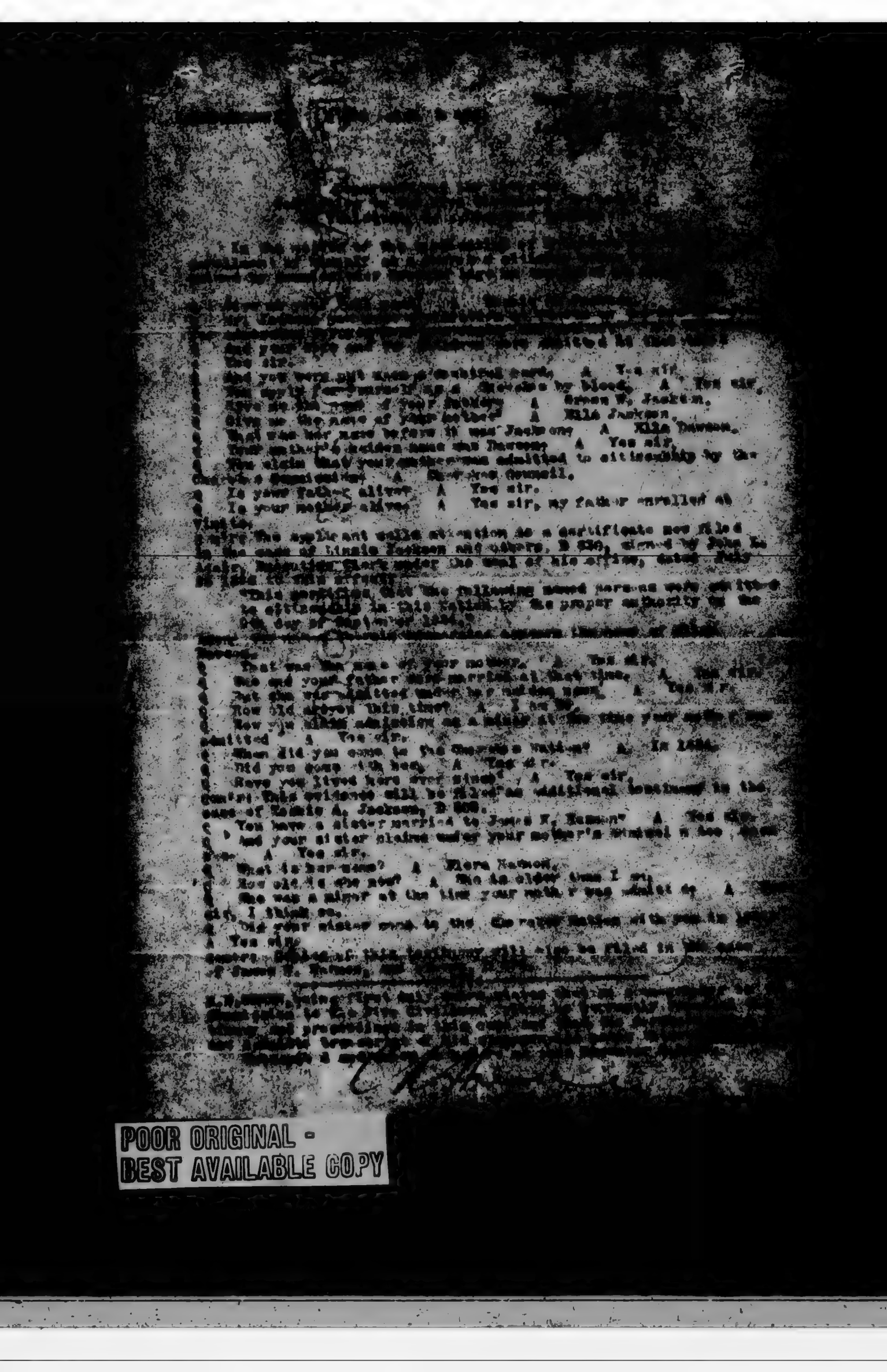
"A"

COMMISSION OF THE FIVE CIVILIZED TRIBES

FILED

DEC 8, 1900

ACTING CHAIRMAN



POOR ORIGINAL -
BEST AVAILABLE COPY



Page 60

F

marriage

C. N.

Wm A Fry Clerk.

By J C Hamlin Asst Clk

MARRIAGE LICENSE.

CHEROKEE NATION, COWETA DISTRICT.

To any person legally authorized, greeting:

You are hereby authorized to join in the Holy Bonds of Matrimony and celebrate the rites and ceremonies of Marriage between Mr. Allen, a citizen of Cherokee Nation, and Miss Coral Bright, a citizen of the ~~United States~~ Cherokee Nation, and you are required to return this License to me for record within thirty days from the celebration of such Marriage, with a certificate of the same appended thereto and signed by you.

Given under my hand and seal of office, this the 14th day of February 1903.

Wm N. Ft

CLERK By R. Lee Cons Dep. Clk.

DISTRICT.

20

10723

IN RE

Application for Enrollment of

INFANT CHILD

Ralph Eugene Dawson

as a Citizen of

Cherokee Nation.

Approved July 8 1901

C. R. Breathitt

Commissioner.

560

DEPARTMENT OF THE INTERIOR.

OBJECTION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Cherokee Nation, of Ralph Eugene Dawson, born on the 12 day of June, 1901.
(Name of Father) (Name of child.)

Name of Father: Elbert B. Dawson, a citizen of the Cherokee Nation.

Name of Mother: Cora Dawson, a citizen of the Cherokee Nation.

Postoffice: Tahlequah, Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern District.

I, Mrs. Cora Dawson, on oath state that I am 21 years of age and a citizen, by marriage, of the Cherokee Nation; that I am the lawful wife of Elbert B. Dawson, who is a citizen, by blood, of the Cherokee Nation; that a male child was born to me on 12 day of June, 1901; that said child has been named Ralph Eugene Dawson, and is now living.

Mrs. Cora Dawson

WITNESSES TO MARK:

(Must be Two Witnesses) Mrs. J. M. Dikeman
Geo. N. Cranor

Subscribed and sworn to before me this 1 day of July, 1901.

Geo. N. Cranor
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MID-WIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern District.

I, Mrs. Naomi C. Mullins, a midwife, on oath state that I attended on Mrs. Cora Dawson, wife of Elbert B. Dawson, on the 12 day of June, 1901; that there was born to her on said date a male child; that said child is now living and is said to have been named Ralph Eugene Dawson.

X Naomi C. Mullins

WITNESSES TO MARK:

(Must be Two Witnesses) Frank Cranor
Geo. N. Cranor

Subscribed and sworn to before me this 1 day of July, 1901.

Geo. N. Cranor
Notary Public.

[illegible]

Given [illegible] day of [illegible]

[illegible]

Clerk [illegible]

(SEAL)

This is to certify that the [illegible] the within named petition was duly [illegible] April 11, 1867.

[illegible]

COMMISSION OF THE [illegible]

I, the Undersigned, a [illegible] Carlisle, in [illegible] true and correct [illegible] petition for [illegible] as citizens of the [illegible]

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, I.T. Feb 26-1902

Received of the Commission to the Five Civilized Tribes one copy of the testimony in the matter of the application of Elbert B. Newsom for enrollment as [redacted] of the Cherokee Nation.

Citizen.

No. C.N. 608

Atty for applicant.

AFFIDAVIT.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT } ss

In the matter of the application of
Albert Dawson. for enrollment as a Cherokee Freedman.

No. F. D. 611

J. C. STARR, of lawful age, being duly sworn on oath states that on the 10th day of March, A. D., 1902 he registered to Albert B Dawson, whose postoffice is Tulsa, Indian Territory, a notice a true copy of which is attached to this affidavit, and he hereto attaches the receipt of the Postmaster at Muskogee Indian Territory; and that on the 13th day of March, 1902 he received the return card which is hereto attached, signed by the said Albert B Dawson, showing that he had received said notice.

Arthur Elvaine

Subscribed and sworn to before me on this the 13 day of March A. D. 1902

J C Starr
Notary Public.

C. D. 608

INDIAN TERRITORY,
CHEROKEE NATION.

I hereby certify that I served the with-

...ing a true copy thereof on the

...day of ..... A. D. 190...

...ven under my hand this .....

...A. D. 190...

...Marshal for the Cherokee Nation.

...the undersigned attorney for the ...named applicant, hereby accept ... of the within notice on this the

...day of ....., 190...

Attorney for applicant.

...STATES OF AMERICA, ...TERRITORY, ...N DISTRICT. } S. S.

...solemnly swear that I delivered a ...y of the within notice to .....

...day of ..... A. D. 190...

...scribed and sworn to before me

Notary Public.

...SUBJECT TO THE FIVE CIVILIZED TRIBES...

FILED
MAR 15 1902

ACTING CHAIRMAN

IN THE [redacted] the application of [redacted]

for enrollment as Cherokee citizens.

Case No. D[redacted]

To [redacted] Tahlequah I.T.

You are [redacted] Cherokee Nation will present before the United States Commission [redacted] ation tending to dispr[redacted] the United States Commission to the Five Civilized Tribes in the town of Muskogee, I. T. Indian Territory, on March, 17, 1902. or from day to day thereafter until the same can be heard by said Commission during the usual business hours of said Commission for the taking of testimony both for and against applicants for enrollment as Cherokee citizens.

In testimony whereof, the undersigned representatives of the Cherokee Nation have hereunto set our hands this March, 10, 1902.

W. W. Hastings

Attorneys for the Cherokee Nation.

[redacted]

Q Is [redacted] a citizen for the enrollment of himself, wife and six children?

Q Were [redacted] children all born since you were admitted into the Cherokee [redacted]? Yes, sir.

[redacted]

The undersigned, being duly sworn, states that he [redacted]

(signed) [redacted]

Subscribed and sworn to before me this [redacted] day of September, 1900.

(signed) [redacted]

BEFORE THE [redacted] COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the [redacted]
of T. F. [redacted]
Cherokee [redacted]

Depositions of [redacted] witness on behalf of the applicants for enrollment [redacted] taken before me, Edgar T. Martin, a Notary Public in and [redacted] Eastern District of the Indian Territory, duly appointed, qualified and acting as such, at the office of U. S. [redacted] in the Federal building in the town of [redacted], Indian Territory, on Thursday the fourth day of [redacted], between the hours of one and a half o'clock and six o'clock in the afternoon of said day, in accordance with the agreement to take testimony, entered into between the applicants and the Cherokee Nation, by their respective attorneys, which agreement is hereto attached.

T. F. Thompson, being produced by the applicants, being first duly sworn to testify to the truth, the whole truth and nothing but the truth, testified as follows:

DIRECT EXAMINATION BY S. B. DENISON:

Q State your name, age, residence and occupation?
A T. F. Thompson, 55 years old, I live near Vinita, Cherokee Nation, I. T. I am a farmer.
Q How long have resided in the Cherokee Nation? A All my life.
Q Are you a citizen of the Cherokee Nation as now constituted?
A Yes, sir.
Q Upon what is that citizenship based, blood or otherwise?
A Blood.
Q What, if any official position have you held in the Cherokee Nation, and at what time?
A I was elected to the Cherokee Council in [redacted] some odd, I don't remember the exact years, I was also on the [redacted] Court, I don't remember what that was? A [redacted] in 1898 or 1899, I think, it my have been earlier.
Q Did that Commission or Court have anything to do with admission to citizenship in the Cherokee Nation? A Yes, sir.
Q State, if you remember, how many members of that Commission or Court, there were, and who they were besides yourself?
A There were three, Tehee, Wolf and myself, Tehee was President of the Court.
Q Where were the sessions of that body held? A Tahlequah, Cherokee Nation.
Q Did you have a Clerk? A Yes, sir.
Q Do you remember who that was? A D. W. C. Duncan.
Q Do you know whether the members of that Commission beside yourself, are living or dead? A Yes, sir, they are both dead.
Q Can you recollect how short period of time that Commission lasted?
A About two years I think, two, sessions, and there was one session each year.
Q Were the sessions of that body held in Tahlequah, open to the public at all times when it was in session?
A Yes, sir.
Q Were the cases coming before that body heard in open session?
A Yes.
Q Witnesses examined orally? A Yes, sir.

Q Judgments of the Court or Commission pronounced in open session?
A In case of [illegible] secret sessions, yes, the [illegible] openly.
Q What you [illegible] the question was that after the [illegible] Commission or Court deliberated in secret [illegible] testimony taken before reaching a decision on [illegible]? A After hearing all the testimony we went into [illegible].
Q I will present you with a paper which has been [illegible] exhibit "A" and a copy of which he will attach to your deposition, and will ask you if upon the exception of the certificate of record by W. L. Bramlett, Clerk, and John L. Adair Asst. Secretary, you recognize it as a paper you have ever seen before?
A I recognize the signatures to it, but don't remember the instrument.
Q Which signature on that paper do you recognize? A My own.
Q That signature is in your own handwriting? A Yes, sir.
Q Do you know whether Im-rus Tehee, president of the Commission could write in English or not? A No, I don't think he could.
Q How as to Alexander Wolfe, a member of the Commission?
A I don't think he could write either, I don't think either of them ever wrote except by touching the pen.
Q Were you, and are you familiar with the handwriting of D. W. C. Duncan, the Clerk of that Commission?
A Tolerably well, but it has been a long time since I saw any of it.
Q Will you look at the paper again and say whether you recognize his signature attached thereto?
A Yes, that is his signature to the best of my knowledge.
Q Do you preserve any personal recollection of the application before that Commission of F. M. Dawson and other members of the Dawson family, to be admitted as citizens of the Cherokee Nation by that Commission?
A I remember F. M. Dawson and his brother, that is about the only ones I remember.
Q The question was not as to the personal recollection of the individuals, but as to the claim being presented by the Dawsons for admission?
A Yes, there was such a claim before the Commission.
Q Can you state as to the citizenship of Thomas Tehee, whether he was a citizen of the Nation by blood or not?
A Yes, sir, he was always recognized as such, full blood besides.
Q What is your knowledge of Alexander Wolfe?
A About the same, he was also a full blood and recognized as a Cherokee.
Q Judge Thompson, if you possessed or had, or have now any knowledge of any corruption or bribery of the Court or Commission, or any member of it by F. M. Dawson or any of the Dawson family or anybody connected with the presentation of their claim for citizenship, state it fully?
A None whatever as far as I was concerned, and I don't think there was by the balance of the Court.

CROSS-EXAMINATION BY W. T. HUTCHINGS:

Q Do you mean to say Mr. Thompson that your name attached to the certificate shown you is in your handwriting?
A Yes, sir.
Q Then Mr. Duncan certified that this is a transcript of the decision in the case, he is mistaken, that is the original?
A No, I don't know, that may be the original, if that is not the original I did not sign it, if it is the original I signed it.
Q You state that the witnesses were examined orally before the Court, don't you know that in almost every case you took ex parte

affidavits of witnesses [illegible] witnesses were not present?
A I think we [illegible] number.
Q Did you have [illegible] witnesses?
Mr. Duncan did [illegible]
Q Was the evidence [illegible]
A Yes, sir, I [illegible]
Q What was done with [illegible] were any of it ever put?
A I suppose it is [illegible] the office of the Governor or Secretary.
Q When you went into secret session did you have Mr. Duncan read that evidence to you?
A Yes, sir, we read over the evidence thoroughly.
Q Did you allow the applicants or their attorneys admission to any of your secret sessions?
No, sir.
Q When you got ready to render your decisions did you then send for the applicants or their attorneys?
A No, sir.
Q And you rendered them in secret also, did you? A Yes, sir.
Q Have you any recollection who testified in the Dawson case, as to their claim? A No, sir, I have not.
Q Have you any recollection as to who they claimed their Cherokee ancestors were? A Yes, sir, they claimed the Rogers.
Q Did they claim relationship with any of the present families of Rogers residing in the Cherokee Nation?

The applicant objects to this question as tending to elicit testimony wholly irrelevant and immaterial to the issue, and not cross-examination of this witness.

A I don't know that they did, particularly.
Q How would your court determine when they claimed descent through some Rogers family, that that family was of Cherokee blood?

The applicant objects to the question [illegible] the same grounds as their objection to the previous question.

A By the evidence they introduced.
Q Didn't you make them prove that that family was well known at one time to be connected with the Cherokee Nation, and were citizens thereof? A Yes.
Q Who was the attorney for the [illegible] A Old man Houston Benge.
Q Could either Yokes or Felts speak English? A They could understand, but they never spoke English, they had an interpreter.
Q Did you ever talk to either of them as to whether they got anything for deciding this [illegible] A No, sir.
Q How long were you considering the [illegible] altogether?
A I could not say as to that, I think we were on it two or three weeks anyhow, I could not say positively now, they were a long time getting in testimony.
Q There were only two or three witnesses examined all told, were there not?
A I think so, three I think, they had quite a lot of affidavits, but we did not consider them.
Q Well the Court took a good while arriving at its conclusion after the evidence was closed?
A Yes, quite a good while, I don't remember the exact time.

RE-DIRECT EXAMINATION:

Q Do you remember who the interpreter the Commission had during the hearing of the Dawson case.
A His name was Keene, I forgot his given name.

Q Do you [redacted]

A I [redacted]

[redacted]

[redacted] Indian Creek, I

[redacted] in [redacted]

([redacted]) I. F. [redacted].

Copy of Ex. "2" of I. F. [redacted]'s testimony.

[redacted] of Wyoming.

United States of America,
Indian Territory,
Northern District.

I, [redacted], Clerk of the United States Court in the [redacted] that the instrument hereto attached [redacted] a day of March, A. D. 1868, [redacted] was received in book C. Misc Record [redacted]

Witness [redacted], in said Territory this [redacted] A. D. 1868.

([redacted]) H. L. [redacted]

Clerk.

Transcript to which this is annexed, [redacted] as follows:

The [redacted] A. [redacted] Executor of [redacted] L. [redacted], Plaintiff,

vs.

[redacted]

Defendant.

Debt, [redacted] No. 108 [redacted]

[redacted]

And now on this [redacted] A. D. 1868, this case coming on for [redacted] it was ordered that the [redacted] [redacted] [redacted]

admitted to the full and complete enjoyment of the same in all respects as native born citizens.

D. W. C. Duncan, Clerk of Commission. } [illegible], President of Com. [illegible], [illegible], } Commissioners.

I hereby certify that the above is a correct transcript of the decision of the Commission on Citizenship in the above entitled cause as appears of the record in my office.

D. W. C. Duncan,
Clerk of Commission.

January 11th, 1903.

Executive Department,
Tahlequah, Cherokee Nation,
January 11th, 1903,

I hereby certify that the within named Commission on Citizenship, composed of Thomas Takes, President, Alex Wolf and T. F. Thompson, are now and were at the time the within named persons were admitted to Cherokee Citizenship, a duly authorized and Commissioned Commission on Citizenship, and that their actions as such are legal and binding.

Witness my hand the

Witness my hand and the seal of the Cherokee Nation, on the date above written.

John L. Adair,
Asst. Ex. Secretary.

United States of America,
Indian Territory,
Northern District,

I, Lewis T. Martin, a Notary Public in and for the Northern District of the Indian Territory, duly appointed, qualified and acting as such, do hereby certify that the above and foregoing two pages, consisting of this page and the preceding one which is attached hereto, is a true, correct, and perfect copy of the transcript of the judgment of the Commission on Citizenship as the same was presented to me during the examination of T. F. Thompson as a witness, and identified by me at the time by writing thereon "Exhibit A" to testimony of T. F. Thompson, L. T. M. - N. D. Oct. 4, 1900. The foregoing copy having been carefully compared by me with the said original.

Given under my hand and seal of office as such Notary Public, this 4th day of October, A. D. 1900.

(SEAL) (Signed) Lewis T. Martin.

Notary Public.

My commission expires Feb 3rd, 1903.,

B. F. G. Duncan being produced by the applicants after being sworn to testify to the truth, the whole truth and nothing but the truth testified as follows:

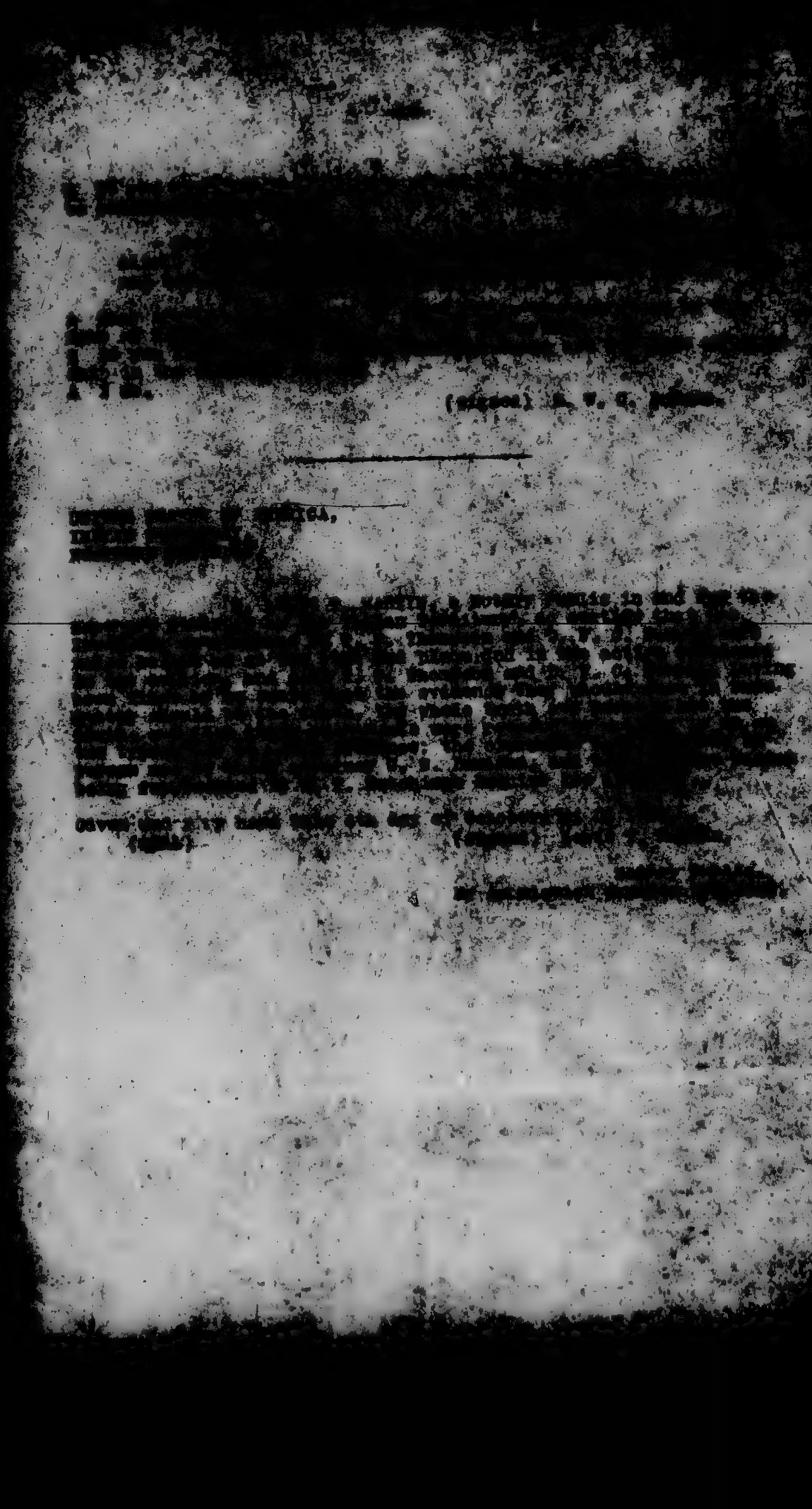
DIRECT EXAMINATION BY S. B. RUNNELS:

Q Please state your name, age, residence and occupation?
A My name is B. F. G. Duncan, my age is 72 years, my residence is Vinita, Indian Territory, my occupation is a farmer.
Q How long had you been your place of residence? A Since 1874.
Q Are you a member of the Cherokee Nation as it is now constituted?
A Yes, sir.
Q Upon what is your citizenship based, a Cherokee by blood?
A Yes, a Cherokee by blood.
Q In January 1896, did you hold any official position in the Cherokee Nation, if so, what was it?
A About that time I held the position of Clerk of the Citizenship Court or Commission.
Q If you remember the names of the members of that Commission or Court, please give them?
A The President of the Commission was Tehee I believe, and a member by the name of Wolfe whose first name I do not recollect, and Mr. Thompson here.
Q T. F. Thompson?
A Yes.
Q Do you know whether those three members of that Commission were recognized citizens of the Cherokee Nation, and whether their citizenship was based upon blood or not?
A They were duly sworn to be citizens of the Cherokee Nation and their citizenship was based upon their blood.
Q Will you please look at the paper now handed you which the Notary has marked exhibit "A" to the deposition of Mr. T. F. Thompson, and a copy of which he will attach to Mr. Thompson's depositions, and state whether with the exception of the certificate of H. L. Bragdon, Clerk, and of John L. Adair Asst. Secretary, you recognize the paper as one you have ever seen before?
A Yes, I think I have seen this before.
Q When, and where, if you remember, did you first see that paper?
A This is a paper I drew up at the time I was acting as Clerk of the said Citizenship Court.
Q Looking at its date, was it drawn at you at the time it bears date?
A To the best of my recollection it was drawn at the date specified.
Q Do you recognize the signature to the certificate attached to that paper?
A Yes, that is my signature.
Q State if you know, in whose handwriting the body of the paper is?
A It is in my handwriting.
Q And at that time you were Clerk of that Commission? A Yes.
Q Will you please look at the signatures of the members of the Commission as they appear on that paper, and state if you can, by whom they were written?
A I think the first two is my handwriting, the last I recognize that as T. F. Thompson's.
Q Explain please, how you came to write the signatures of Thomas Tehee and Alex Wolfe to that paper?
A Thomas Tehee and Alex Wolfe were full bloods and could not write, and in their presence, and at their request I wrote their signatures.

Q Was that the usual
for offi
A In all
a person of
to whic
own name
Q Wha
what I
applicable
Now, when you
certified by him as
A My recollection is
to the
judgment was not just
signed by the Judge
to the applicable I think it was
Q If you had any knowledge of
family, F.
was passing
opportunity
Court of any
in any manner
Cherokee Nation
A I never
all that I
originated
investigation.

Q If
why did
A I
the
it would be
Q Examine
his name and
own handwriting.
A No, I would not
the letters but I
Q Nor was the
A It was taken by the
knowledge of the case, I think it
was delivered.

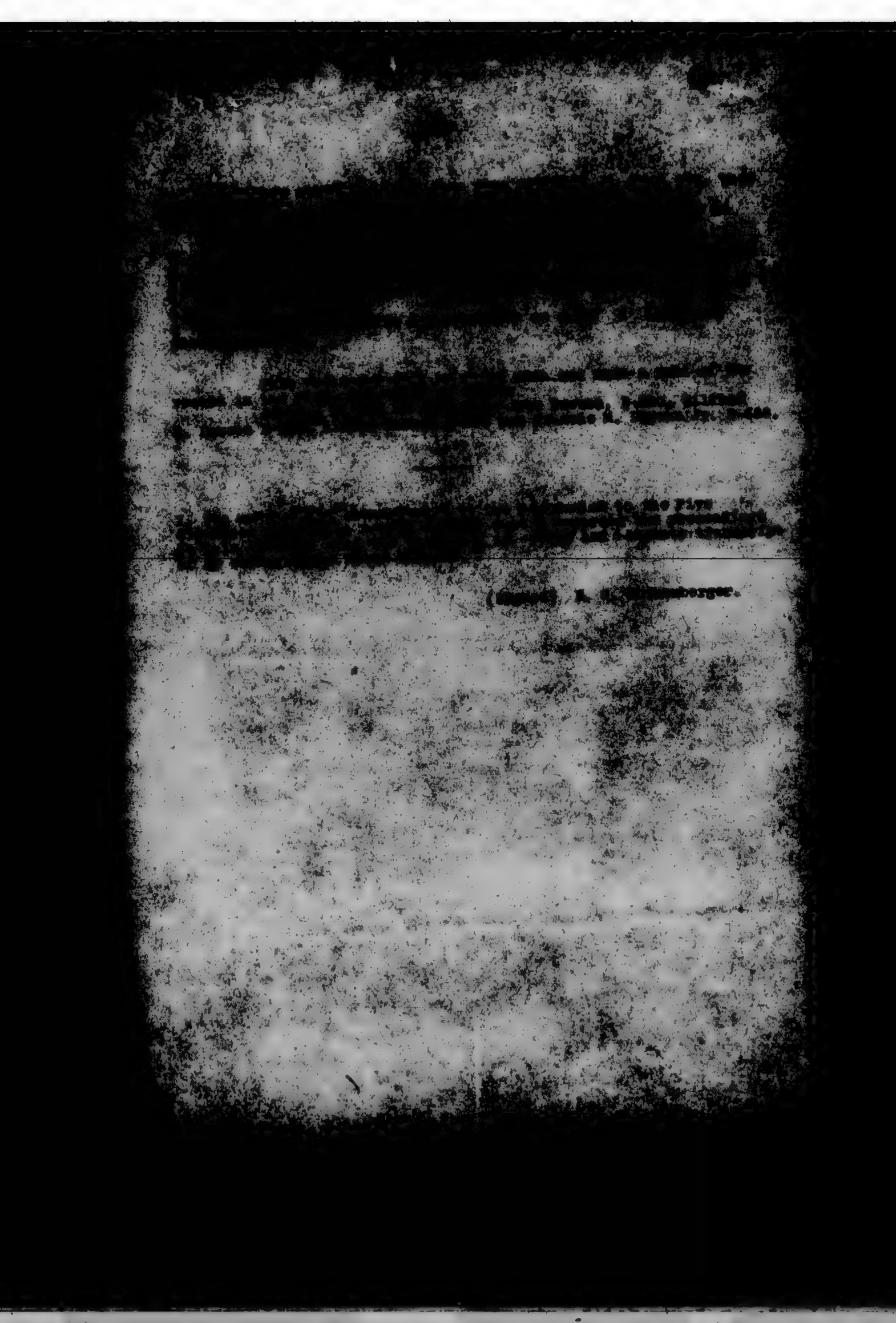
Q Do you know whether that
A I do not, the last I saw of it was when I
over to the Executive office at
since.
Q You say you would
once until they
A Well, that would depend upon
think I ever heard of it prior to
that did not.



Q [illegible]
Q [illegible]
Q [illegible]
Q What was the name of your wife? A My first wife was Julia Ann Howard.
Q She was a white woman? A Yes, sir.
Q When were you married to her? A I think it was the 5th of January, 1884.
Q Where were you living at that time? A In Arkansaw.
Q Who married you? A A man by the name of Dave Gourdy.
Q Was he a preacher? A Yes, sir.
Q A Minister of the Gospel? A Yes, sir.
Q Did you and she live together as husband and wife up to the time of her death? A Yes, sir.
Q Did you have any children by her? A Yes, sir.
Q What were their names? A [illegible]
Q Who was the first one? A [illegible]
Q Who was the next one? A Johnnie.
Q Who was the next child? A Elizabeth.
Q Who was the next one? A Arizona Howard.
Q Those are all the children you had by your first wife? A Yes, sir.

Joseph R. Dawson, being sworn and examined by the commission, testified as follows:
Q What is your name? A Joseph R. Dawson.
Q How old are you? A I will be 48 the 27th day of [illegible].
Q Are you related to the applicant here in this case, Frankie M. Dawson? A Yes, sir.
Q How are you related to him? A [illegible]
Q Did you know his former wife, Julia? A Yes, sir.
Q Is she living or dead? A She is dead.
Q Was she a Cherokee or white woman? A [illegible] they married in the states.
Q Do you know when he was married to her? A No, sir.
Q When was it? A About the close of the war.
Q Who married them? A Parson Gourdy.
Q Were you present when they were married? A Yes, sir.
Q Did they continue to live together as man and wife up until the time his wife Julia died? A Yes, sir.

John K. Stevens, being sworn and examined by the commission, testified as follows:
Q What is your name? A John K. Stevens.
Q How old are you? A 52 years old.
Q What is your postoffice address? A Afton.
Q Are you acquainted with the [illegible] Dawson, [illegible] Dawson? A Yes, sir, as we call him.
Q How long have you known him? A My family [illegible] with him when he was a child.
Q Did you know his first wife, Julia? A Yes, sir.



Supl.-C. D. #524.

[redacted]

SUPPLEMENTAL [redacted] in the matter of the application of
FRANCIS M. DAWSON, et al., [redacted]

The cause having been set for final hearing [redacted], the following proceedings were had:

APPEARANCES:
Mr. A. S. McKennon, of counsel for applicants.
Mr. W. T. Hutchings, of counsel for Cherokee Nation.

Mr. Hutchings: Comes now the Nation on the calling of this cause and announces that it is ready for trial, provided permission is given to hereafter examine before the Commission, either at this place or Fort Gibson, the witness S. H. Benge, who has been regularly summoned to attend at this day and time but who is too sick to travel at this time and probably will be for some time to come. As evidence of a good faith of the Nation we hereby present an affidavit of the facts sought to be proven by the said Benge, if the applicants counsel are willing to admit that the witness if present would testify to the facts herein set forth, the Nation is ready to proceed to trial without reservation of any kind. If they are not it desires to reserve this privilege of hereafter, either tomorrow or thereafter, this case being set for to-day and tomorrow, of examining before the Commission, or its authorized officer, this witness as above set forth.

Mr. McKennon: Applicants object to the introduction of the paper presented and do not admit that the witness, Benge, if present would testify to the facts therein [redacted] and desire that the testimony of said Benge be taken before the Commission at its office in Muskogee but not objecting and reserving against it being taken at any other place, with the [redacted] however, that when taken we have opportunity to [redacted] any evidence we may desire in rebuttal.

Mr. Hutchings:
The Nation will pay all the expenses of the [redacted] counsel, their client and Commission officers in taking the [redacted] Fort Gibson.

Commissioner Breckinridge: The allegations of this witness are material in their character and are quite important, the Commission of its own volition would acquire information of [redacted] character if it knew of its existence anywhere. While the [redacted] of the Commission, as well known and in many respects [redacted], yet it is bodied with somewhat complex powers, such as [redacted] time to time to do business of certain [redacted] to make a correct roll, which is a duty [redacted] hearing simply what is brought before them [redacted] and constructor of that roll and if evidence [redacted] before the Commission it must go out and get it, [redacted] that construction of the law. The Commission, [redacted] this information independent of any counsel on either side here with respect to the applicant and to the Nation, and if this witness is

is not able to [illegible] on Monday, it is [illegible] upon
and to his [illegible]
his testimony,
convenience [illegible]
stand that this [illegible]
he is an old [illegible]
and it may be [illegible]
and therefore it [illegible]
subject to a [illegible]
official of this [illegible] to Fort Gibson and let his
testimony be taken there.

After consultation with the attorneys upon the two sides it is found to be agreeable that the parties meet at Fort Gibson to-morrow morning at half past eight o'clock, and it is agreed then and directed with an official of the Commission with a stenographer leave from the office of the Commission for Fort Gibson at 8:30 to-morrow morning.

FRANCIS M. DAWSON, the applicant, re-called for additional cross-examination on part of the Cherokee Nation:

MR. HUTCHINGS:

Q What is your name? A Francis M. Dawson.
Q Where do you reside? A In Afton.
Q You have been examined in this case heretofore, have you?
A I don't know which case it is.
Q In your own case? A Yes, sir.
Q Are you the one that is commonly called Bud Dawson? A Yes, sir.
Q You made the original application in the Dawson family for admission to citizenship in the Cherokee Nation, didn't you? No, sir; my brother.
Q What was his name? A A. E. Dawson.
Q You and Robert Dawson and Elbert Dawson and others applied September 24, '81, (about that time? A Yes, sir.
Q And you were admitted about the 11th of January, '82? A Yes, sir.
Q There were other members of your family that applied and were admitted after that time? A Yes, sir.
Q Do you or not remember the evidence offered in their behalf to substantiate their cases was the relationship between yourself and Robert and others and the evidence of your acceptation by the Tribal Court. In all the subsequent admissions I mean the only evidence offered was the fact that you and your brothers had been admitted before and that they were kin to you; that was the only evidence offered in any subsequent cases, wasn't it; so far as you know?
A That is afterwards?
Q Yes, afterwards? A I think there was some other evidence introduced.
Q Don't you know that there was never any evidence offered in any other case except evidence of Dr. Baker of Arkansas? A Yes, sir.
Q Who else? A Oliver Miller.
Q Who was Oliver Miller; the records in this case have been [illegible] destroyed and mutilated? A Oliver Miller lived in Arkansas.
Q What was he, who was he? A He is no kin to me at all.
Q Well, what station in life did he occupy; was he a farmer?
A Yes, sir, farmer.
Q Were you present when he testified? A Yes, sir.
Q Were you present when Dr. Baker testified? A Yes, sir.

Q Have you a fair recollection of the testimony of these two men?
A No, not at all.
Q You don't read do you, Mr. Dawson? A No, sir, I don't read nor write; I can barely write my name.
Q Do you think you would remember the testimony of Dr. Baker if your mind was refreshed on it? A Part of it I think.
Q Were you present when you were admitted? A I was not in the room.
Q You were in Tahlequah at the time? A I was in the town of Tahlequah at the time.
Q I will read this paer to you and desire for you ro say whether or not it was the testimony of Dr. Baker in your case:
(Affidavit of Dr. Arthur Baker read to witness, and asked to be copied in the record later.)
Q Is that the correct transcript of the testimony? A It was been so long ago, I could not say; a part of it is, I could not remember it all.
Q Does that state the facts as to the family history correctly so far as you know about it? A So far as I know.
Q Now, you were a son of what Dawson? A Robert Dawson.
Q How many children did Robert Dawson have, and give me their names?
A Elbert Dawson, the oldest; Lila, Jesper, Francis Marion-
Q That is yourself? A Yes, sir; Elizabeth Dawson, Josephine Dawson, John Dawson, Joseph Dawson, Jane Dawson, James Dawson, Edna Dawson, Mollie Dawson, Wilburn Dawson.
Q Thirteen? (No response.)
Q Now, Rober Dawson's father was whom? A Sam Dawson.
Q Who was Sam Dawson's wife, your grandmother? A I have been told.
Q By family history is all you know? A She was called Polly Dawson.
Q Who was Anna Pruitt? A I don't know.
Q Never heard of anybody in the family by the name of Anna Pruitt? A No, sir, that was away back in the old country; I have heard talk about it, old Dr. Baker talked about it.
Q Your grand-mother's name was Polly Dawson? A Yes, sir; I don't remember seeing her but once, she died when I was small, died in Texas.
Q Pollie Dawson? A Yes, sir.
Q Ans she was known to be Pollie Rogers, her maiden name? A Yes, sir.
Q Daughter of Captain John Rogers? A Yes, sir.
Q Now, she died in Texas what time? A I don't remember.
Q Can't you guess at it? A Oh, I could guess.
Q Give your best recollection? A About '58 or '59, or no, '48 or '49; I don't say positive, just guessing at it.
Q How old a boy were you then? A I was born in '42.
Q Have you any distinct recollection of her? A No, sir.
Q Have you any recollection of all the children of Sam and Pollie Dawson; that is, your father, uncles and Aunts? I didn't see all of them.
Q Do you know by family history the names of all of them? A Yes, sir.
Q Will you give them to me?
A Betsy Ann Dawson, I believe her name was.
Q Did she marry a Petty? A Yes, sir; the next is Robert Dawson.
Q Your father? A Yes, sir.
Q Next one? A I think the next was James Dawson, and I think the next one was a girl, Edna Dawson.
Q Did he have two daughters? A Yes, sir.
Q Well sir? A The next one was Joe Dawson; I never saw him; Riley Dawson.

Q [illegible]
Q [illegible]
[illegible]
A [illegible]
have [illegible]
Q [illegible]
Q [illegible]
and Jerry Dawson & Buck
I think.
Q So you [illegible] your family [illegible] of your grandmother, Polly [illegible]
Q Well, as it was [illegible] say what your great grandfather's name was. I don't remember.
Q What is that other man, Silas Wilkerson testified in your case?
A He testified in Jerry Dawson's case; he never testified in my father's case.
Q Well, didn't anybody testify in your case but Mr. Baker?
A Yes, sir, several other witnesses.
Q Who were they? A I don't remember; my mother got them witnesses around talked on, old people.
Q Were you present? A No, sir.
Q You were only present when Mr. Baker testified? A Yes, sir.
Q Now, do you find any mistake in Mr. Baker's statement there?
A I could not say all of that was correct or not, part of it is correct.
Q What part is correct? A They about moving the family over there.
Q Who is Buck Dawson? A My brother.
Q What is his name? A We always called him Buck, it is Elbert, E. Dawson.
Q Who went with you the first time you went up to make application for citizenship do you remember? A With my mother.
Q The first time? A First or brother in 1896.
Q Which one? A E. Dawson.
Q What is Elbert on there? A Yes, sir.
Q You were living in Illinois? A Yes, sir.
Q And he was living in Kansas? A Yes, sir, and another one of little brothers, Art Dawson, also.
Q Dr. Dawson made A Yes, sir.
Q What is his name? A [illegible]
Q And you three went there? A Yes, sir.

Mr. McKennon: Applicants by their attorney move to strike the statement of the witness relative to the testimony introduced before the Cherokee Citizenship Commission, that the history of the family as detailed by him, because the same is incompetent and irrelevant, and cannot be used for the purpose of impeaching the integrity of the [illegible] or said Commission, or either of the Commissioners in charge, [illegible] members of the Dawson family.

Commission: The objection of the attorney for the applicants to the testimony above will be noted. The same will be filed and noted for what it is worth.

(Attorney for applicants waived examination.)

C. N. TAYLOR, being duly sworn, testified as follows on part of the Cherokee Nation:

MR. MITCHELL:

Q State your [illegible]

Q Where do

Q [illegible]

[illegible]

Q [illegible]

A Yes, sir.

Q Were you

air. I

Q Do you

time? I

Q You were

Q Do you

was dealing

Q Which

Q Who was the Sheriff of the county at that time?

D. W. C. Dumas.

Q Do you [illegible] testimony you used in the case of [illegible]

A No, sir; no. I was the Sheriff in the case [illegible] had already been tried before that.

Q Then you [illegible] I was not called as a [illegible] attorney at that well, [illegible] had the case and [illegible] me.

Q Did you [illegible]

Q Did you [illegible] and I don't [illegible]

Q Now, you [illegible] questions. Did [illegible] say it is [illegible] D. W. C. Dumas, [illegible] trouble over [illegible]

[illegible]

A Being the attorney I won't [illegible] answer that question.

Cross-examination by [illegible]

Q Did I or anybody [illegible] the condition of the [illegible]

(No response)

Cross-examination resumed by [illegible]

Q Do you desire to [illegible] it is right; I was attorney in the case.

Q Mr. Taylor, do you object to [illegible]

Q You refuse to answer [illegible] answer it.

Q Either answer it or say you won't answer it? A [illegible] not answer it.

Q Mr. Taylor, you have answered [illegible] point, but it is not this [illegible] privileges, as the attorney [illegible]

Gum's Brief [illegible] is lodged in the [illegible] special master [illegible] Court's [illegible] of course [illegible]

needs for the [illegible] possible, and it [illegible] is not my duty [illegible] this Honorable [illegible] tile, and to report [illegible] and let the Court [illegible]

Under section 81 of the Curtis law as it is commonly called Act of June 2nd, 1898, the Commissioners shall in performing all duties pertaining to their [illegible] authority to administer oaths, examine witnesses and parties, papers and persons, and the court is clothed [illegible] enforce obedience. The law having enumerated [illegible] goes on to say so far as all others who [illegible] said Commission to make rolls as therein required, and [illegible] punish anyone who may in any manner or by any means [illegible] said work. Now, the Commission will report the facts to the United States Court and let the Court decide whether or not you are within your lawful privilege. It seems that you refuse to answer questions, or at least one question, which tends to establish as to whether or not you are claiming what what is commonly considered a matter of privilege—according to an authority referred to by an attorney, but the enforcement of an answer seems clearly to be a matter for the Court to deal with.

Q Now, Mr. Taylor, in regard to the last question asked you by Mr. Hutchings, one of the Counsel for the Cherokee Nation, I direct that you make answer, and if you refuse I shall report the matter to the United States Court: do you refuse? A Yes, sir.
Q Now, you have read to you, Mr. Taylor, the first of the two questions propounded to you by Mr. Hutchings, and which you declined at the time to make answer, viz: as to whether Mr. Dawson sent you money to pay to the Court or to any officials of the Court, it seems to come to the question as to whether there was any collusion between you and Mr. Dawson and any member of the Court; now, I understand that you refuse to answer that question upon the grounds that you were Mr. Dawson's attorney? A Yes, sir.
Q Now, I require that you answer that question, do you refuse? A Yes, sir.
Q I shall also report that refusal to the United States Court as it seems to come under the provision of law, relating to conspiracy between you and Mr. Dawson which apparently considered a privileged matter, and you base your refusal now, not upon the ground that you are incriminating yourself, but that you were counsel for Mr. Dawson. I will report the matter to the Court and you will be informed at the time of any proceedings in the matter. I caution you not to talk with Mr. Dawson or any of the applicants in this case.

Mr. McKennon: Applicants do not object and have not objected to the witness answering on account of his privilege as an attorney or for any other cause whatever, they only want to object to the incompetence and irrelevancy of the testimony, with the privilege of cross-examining upon any testimony given by the witness.

COM'R BRECKINRIDGE:
Q You still refuse having the consent of the attorneys in the case to make answer? A I will just ask your Honor to let the matter go over until morning.

Commissioner Breckinridge: It will rest until in the morning at its present status: it is [illegible] business hours now.

As for the objection made by Captain McKennon, counsel for the applicant, it will be taken into consideration, but will not be granted at the present.
(The Commission adjourns until 1:30 P. M. to-day on afternoon, March 13, 1902.)

Supl.-C. D. #304.

[redacted]

SUPPLEMENTAL [illegible] in the matter of the application of
FRANCIS M. DAWSON [illegible], an allottee of the Cherokee Nation.

Appearances:
Mr. A. S. McKennon, of Counsel for applicants.
Mr. W. T. Hutchings, of Counsel for Cherokee Nation.

SAMUEL H. BENGE, being duly sworn, testified as follows on part of the Cherokee Nation:
MR. HUTCHINGS:

Q State your name? A Samuel H. Benge.
Q Where do you reside? A Fort Gibson.
Q How old are you? A I am 70 years old, going in 71.
Q Are you a citizen of the Cherokee Nation? A Yes, sir; Cherokee by blood.
Q State what of tribal position you have held in the Cherokee Nation and what your general connection with the Nation officially in the last 40 years? A Well, I have [illegible] several; I have been Sheriff, Councilman, Senator, Delegate to Washington and a hand in making the treaty of 1866, I am the only one living that signed that treaty; President of the National Council of [illegible] Indians.
Q Were you acquainted with F. M. Dawson, formerly called Ned Dawson? A Yes, sir; I knew him.
Q State your connection with him, how you knew his citizenship once before that in the [illegible]? A Mr. Dawson came down, I was living [illegible], he came and employed me to [illegible] his wife and we went to [illegible], I believe if I ain't mistaken in 1861 or 62 [illegible] several times [illegible] and finally [illegible] the name of Ned Dawson [illegible] that testimony we [illegible] trial with. Both lived there at Fort Gibson, [illegible] down here and stayed here; he claimed that [illegible] belonged to one of them and after that we thought we had sufficient evidence we submitted the case to the Court [illegible], and the Court went to work and rendered a decision against Mr. Dawson. I told Mr. Dawson right there that "our case is gone", just made that remark, and he just made the remark "never mind", and next morning they taken up his case again and they rendered a decision in his favor. I filed no motion nor any evidence at all whatever; I give the case up right there and the decision was then given in his favor, and on our way back from Tahlequah, why we got to talking about the case and I told him: "It was a pretty hard blow when they rendered that decision against us." He said "yes, but Dawson was the man to reach", but he reached him with five hundred dollars.
Q What position did Dawson occupy? A He was Clerk of the Court.
Q Dawson an educated man or? Yes, sir; he was an educated man.
Q Who were the members of the Court? A Sam Vann, Alex Wolfe and Tom Thompson.
Q How many of those could speak English at all? A One.
Q Which one? A Thompson.
Q Who was the Attorney that represented the Nation in those cases? A Ivy Sanders.

Q What was this given name? A Wilson Sanders, was it Wilson Sanders?
A Wilson Sanders.
Q Was he an Otoucher [illegible]
Q Did Mr. Dawson say anything [illegible]
good deal of money? A He said [illegible]
Q Was any request made on the [illegible]
case, and if so, what? A He asked [illegible]
ever investigated eventually and I told him I didn't know.
MR. McKINNEY:
Q Were you ever a witness in the Dawson case, that is, in any of those investigations that have been made about that time? A I don't know that you might call it a witness; that young man came to me once at Tahlequah, and asked me to help him up there that the case was going against him, him and his mother, and all was about knocked out and I interceded and done what I could there before the committee. I was not a witness but that is as I can't say that.
Q That was Mr. Graham, wasn't it? A Yes, sir.
Q Have you had conversations with Mr. Gruber since that time about it? A Now, I might, I don't recollect, I might have had conversations with him.
Q Well, after the Dawes Commission began taking a census of the Cherokees and when they were about finishing down here, did you have a conversation with him here in Fort Gibson about the matter?
A Now, I just can't tell you; I have seen him on several occasions, but the conversations we might have had I can't state.
Q To refresh your memory I will ask you if he did not tell you that they were making a fight on the Dawson family and he wanted to know of you whether [illegible] in favor of [illegible] family was fairly rendered, and did you not then tell him that as far as all right, that it was fairly [illegible]? A Not as I recall just at all as he was; that is as I have stated he talked [illegible] to his mother, himself and probably his [illegible] I don't recollect how many there were, but he talked to them [illegible] that is just the words he used.
Q That? A It has been mentioned.
Q Here in Fort Gibson? A Well, that is I saw him here at Fort Gibson, and then I saw him in Tahlequah.
Q Well, did he here in Fort Gibson ask you [illegible] about the Robert Dawson judgment, as to whether it was [illegible]?
A No, sir; he was basing his claim on that Indian case, that is the way he-
Q That is the principal Dawson [illegible]? A Yes.
Q When was this other written statement here read, when was it made by you? (referring to affidavit heretofore entered in.)
A Yesterday I reckon.
Q Who come to take this? A Mr. Starr.
Q Who else was present when this was taken? A No, sir.
Q Who had you told about this matter, Judge? A No one as I know of.
Q Do you know how it was that they knew that you knew this?
A No, sir.
Q You never made any statement? A Never made any statement that I recollect of except I might have talked with Scales, we and him talked about there seems a good many times; if I ever made a statement it was to Joe Ab Scales.
Q How did Mr. Starr know? A I could not tell you how Mr. Starr knew.

Q He came along [illegible] a Notary Public, [illegible] that you [illegible] case," did he [illegible] Q And [illegible] qualify me. Q Are you [illegible] of the [illegible] Mr. Bussey [illegible] you? A Yes, sir, [illegible] Q Let me [illegible] and he went [illegible] next day or the [illegible] went together. Q And returned [illegible] A Yes, sir. Q Did he not leave [illegible] direct to Arkansas? A No, sir, we [illegible] I might be mistaken but [illegible] Webbers Falls up here to my house, that is according to his statement. Q What amount of fee did they pay you? A I don't know as that is in connection with the case [illegible] the money they paid me. Q How did they pay you? A [illegible] Q Who paid it to you? A [illegible] fellow paid me some. Q Mr. Graham? A Yes. Q At the same time? A No, no, he wanted me to be interested for him at Tahlequah and paid me for [illegible] Q I will ask you if Mr. [illegible] of the judgment [illegible] wrote to his brother [illegible] one they called [illegible] if I ever got a letter of [illegible] recollect it and if I [illegible] it. Old man said he want [illegible] about his brother [illegible] Arkansas, but not having [illegible] Q Where did he pay you [illegible] Q Before you went out? A [illegible] went up and when we came [illegible] if you want to know what I [illegible] Q You were acting as his attorney [illegible] A Yes, sir. Q How many judges were there present when the judgment was rendered? A In his case? Q Yes, sir. A Well, according to all recollect there was all there, but if they were not all [illegible] Thompson was sick, Tehee and Wolfe. Q Don't you remember that they were all present? A No, I think they were present through. Q Who else was present at the time? A Oh, I could not tell you there were several people in the house could not tell you at all. Q Were there several in the house [illegible] judgment was rendered against them at the time? A [illegible] there were several in the house. Q And several in the house [illegible] was rendered the next day? A I don't know [illegible] Q Do you remember the names of any [illegible] Why not exactly, mostly full bloods. Q How long did you remain out at Tahlequah on this trip? A I guess I was there about [illegible]

Q Tending to this case alone, or did you have other cases? A No, sir.
Q Do you know of any [illegible] (this question objected to by Mr. [illegible])
A I don't know [illegible] or not.

I, J. O. Rowson, do hereby certify that I am the official stenographer to the Commission to the Five Civilized Tribes that I correctly recorded the testimony had this day in the above cause, and that the foregoing is a true and complete transcript of my stenographic notes thereof.

(Signed) J. O. Rowson.

March 18, 1902. Commission convened pursuant to adjournment.

Appearances:
Mr. A. S. McNamon, of counsel for applicants.
Mr. W. T. Hutchings, of Counsel for Cherokee Nation.

C. M. TAYLOR takes the stand and continues his testimony.
BY MR. HUTCHINGS:

Q Mr. Taylor, you said you would consider the matter yesterday and let us know whether you would answer these questions today; have you decided what you would do about the matter? A Well, it is like this, of course I don't want to be held as in contempt of the Court.
Q You would be held in contempt and the Court would make you answer? A That being the case of course I would make a statement.
Q Are you acquainted with [illegible] Clerk of what is known as the Tahlequah [illegible] A Yes, sir.
Q Did you ever have any [illegible] Know of the different [illegible] the Court that you knew of, [illegible] A No, the only thing that ever [illegible] me if whatever large cases that would come up before the Court to let him know.
Q Did you have any talk with him about the Dawson case during the progress of its trial or before and ever introduced Mr. F. M. Dawson to him, or carry him to him? A I spoke to him when Mr. Dawson came to Tahlequah to see about his case, and he said that he would take the papers over to his room, the Dawson papers.
Q Did you see him again that night? A Yes, sir; after supper I went down to his room.
Q Did he ask you about the Dawsons or Dawson case? A He asked me where Dawson was.
Q Which Dawson did you referring to now, F. M. Dawson, known as Bud Dawson? A Bud Dawson.
Q Well, what did you reply to him? A I told him that I thought he had gone to church.
Q Did you find Dawson after supper? A Yes, sir, he told me to come and bring Dawson down and I did so; Dawson was in church.
Q You carried Dawson to him? A Yes, sir.

Q Did you remain during the conversation? A [illegible]
Q What was said if anything while you were present? A [illegible] spoke to Mr. Dawson and says [illegible]
Q Go ahead and state what else Mr. [illegible] straightened out it would be all right, and I [illegible] I says, "gentlemen, I will go home."
Q Did you know of their having any other conversation or communication after that? A No, sir.
Q You left them there together yourself? A Yes, sir.
Q Did Mr. Dawson give you any directions the next morning about submitting the case? A Yes, sir, he asked me to call it up the case.
Q The next morning? A Yes, sir.
Q Had there been any additional evidence offered? A No, sir; there was not additional testimony offered.
Q He told you the next morning to call up the case? A Yes, sir.
Q Was it called up and submitted the next morning? A Yes, sir.
Q Now, how many of the members of the Court were there present that morning? A There were only two, two full-blood Indians.
Q Could they speak english at all? A Tehee could talk a little, talk some.
Q Did that Court have open sessions all the time or what is called executive sessions sometimes? A Well, I don't remember about that; it was generally when the case was submitted to attorneys would go out. The parties would go out and they would determine the case.
Q Well, did they go out into that sort of executive session the next morning on the Dawson case? A Well, we went out when the case was submitted.
Q And was the decision rendered that morning in their favor?
A Yes, sir.
Q Who notified you of the decision of the court? A Why, Mr. Dawson.
Q Do you remember whether he went out with you or was in there during the consideration of the case? A I think he went out with me.
Q Did you at any time thereafter receive any money, deeds or other evidence money from Mr. Dawson with direction to turn it in part over to D. W. C. Duncan, the Clerk of that Court? A Mr. Dawson gave me 20 dollars and said he would send the balance in a short time, said he would send some more money in a short time.
Q Well, did he send any money afterwards? A Yes, sir, in the course of ten days or two weeks he sent a hundred dollar check, draft.
Q What did he direct you to do with it? A He directed me to give D. W. C. Duncan half of it.
Q Did you give him half of it? A Yes, sir.
Q Did he send you any at any other time after that? A Well, in the course of a couple of weeks he sent me a hundred dollars more.
Q Did he direct you to turn any of that and if so how much, to D. W. C. Duncan? A He told me to give him half of it.
Q Did you give him half of it? A I did, sir.
Q Do you remember whether on Dr. Arthur Baker was the principal witness in behalf of the Dawson case? A No, sir, I don't because I never had any connection with the case, but I heard that he was a witness in the case.
Q No argument was made when you submitted the case? A No, sir.
Q Just submitted it on the testimony? A Yes, sir.

MR. McKENNON:

Q Are you a citizen of the Cherokee Nation? A Yes, sir.
Q Were you born and reared in the Cherokee Nation? A No, sir: I was born in the old Nation.

Q [illegible] to [illegible]
Q [illegible]
A [illegible]
Q [illegible] a great deal of [illegible]
A Yes, sir.
Q You were in the United States Court at Fort Smith on charges in regard to the citizenship business? A Yes, sir.
Q Were you convicted there? A Yes, sir; I was convicted there on this very case.
Q And served a term of that length? A I was sent to the [illegible] hospital for sixty days and I stayed in about 36 or 38 days, and I was released.
Q When was that? A I don't remember how long ago it was now.
Q You say it was in regard to this case? A Yes, sir; this case was the case of contention, Clem Rogers and the Chief, they are the ones that had me arrested, carried to Fort Smith.
Q Well, now, were you charged with an offense against the law in this case, or was it in regard to some civil case? A Well, it was in regard to using the mail for fraudulent purposes.
Q Sending out petitions and obtaining cards for citizenship for people [illegible] Cherokee Nation? A No, sir, it was for answering correspon[illegible]
Q Not relating to this case at all? A Well, this was the main charge, Clem Rogers went before the Court there and stated that I had got in at least three hundred persons, that they were not people entitled to citizenship and that was the main thing.
Q Well, now, was the charge based upon any sort of writing based upon your letters you sent out to other persons? A That was the reason for using the mail for fraudulent purposes.
Q The charge that this [illegible] was the substance of this case was it? A Yes, that is the case.
Q Then the trouble you had was not [illegible] others caused by your connection with the Dawes Work, is that you mean to say? A Yes, sir.
Q Why did you say because you [illegible] upon this case? A Well, [illegible]
Q Now, then, you had full [illegible] the Cherokee Nation as to your testimony in this case, did you not before you came on the stand? A Yes, sir.
Q You had told them of these particulars before you came on the witness stand did you not? A Yes, sir.
Q Yet when you came on the stand you [illegible] many conscientious scruples as to answering as to matters which occurred between you and your client, Bud Benson, in relation to this [illegible] matter and declined to answer stating your relation as attorney did you not? A Yes, sir; I didn't want to [illegible] all in the matter.
Q You had voluntarily made a statement to the representatives of the Cherokee Nation? A Yes, sir; I had stated to Mr. Hastings he summoned me and I came down here and I didn't want to make a statement to him but he insisted.
Q He had no power to compel you to make a statement? A No, sir.
Q You could then make it very freely and your [illegible] hurt you, but when you came on the stand you were very [illegible] about it? A I didn't want to make a statement at all except I I would be put in jail here if I didn't.
Q But you had armed [illegible] with information by which they could ask you these questions when you came on the stand? A I had told Mr. Hastings.

Q You knew when you gave him that information that you would be brought on the stand as a witness, did you not, by reason of that?
A No, I didn't know that I would be compelled to make a statement in the matter, a sworn statement.
Q You thought you would not be compelled to answer?
A I didn't think the law would compel me to make a statement.
Q Why then did you make a statement to him about it? A Oh, he was asking me about it, and I told him that I didn't want to make a statement, and I didn't for quite a while after I came down here.
Q When the enrollment division of the Dawes Commission was in Tahlequah, in the winter of 1900, did you not there meet P. M. Bergen and did you not then and there say to him if Shoemake told Shoemake I would be for him if he would employ me in the case and if he didn't I would be against him, and the same to you? A No, sir; I said to him this; I says that if there is not something done that I will likely be summoned against you and Mr. Shoemake both.
Q What did you mean by that? A Well, I just meant this, I just left the matter with him to say what he wanted to do in the matter; I only spoke a word or two about it. I was going out of town just as he came in.
Q When you told him if something was not done you would be summoned as a witness against him; what did you mean by that? A Well, I just meant that the chances were that the Nation would summon me against him.
Q What did you mean by the expression "if there was not something done" that you would be summoned as a witness?
A Well, I meant this, if I was re-employed in the matter if he was to have a case and I was re-employed I would not be required.

Q You could be required to make a statement as to declarations made to you by your client to you in one instance, but if a little more money was put up you could not be required to make a statement: is that what you mean? A I didn't think I could be forced to make a statement at all in the matter.
Q Why didyou make that expression to him "if something wasn't done you might be summoned as a witness" if you believed you could not be made to make a statement? A I meant if I was employed in the case.
Q If he would put up you would not testify? A That they could not force me to testify.
Q About the month of February, 1901, in the town of Wagoner, Indian Territory, did you not send your son to get Graham to come to the hotel at night, and did you not then and there say to Sid Graham: "you people are on the doubtful list" and if you will give me $500. I will make it all right and see that you are enrolled and if you don't I will se that you don't get on"? A No, sir; I got a letter from Sid Graham in which he asked me to certify that the case was all right and after I met him I told him that I could not do it, that the case was crooked. He then said to me, he says, "I will give you a hundred dollars", he says "will you take a hundred dollars," I said "no, sir." I didn't make any bid that is I didn't set no price with him.
Q You did not say to him then what I have embraced in that question there? A No, sir.
Q You did have a conversation with him about that time and at that place, did you not? A Yes, sir.
Q You say you didn't make any bid or set any price? A No, sir; he offered me a hundred dollars.
Q Why did you send for him to come to the hotel? A In answer to his letter.

A Did you not [illegible] yesterday morning on the street in Muskogee, Indian Territory, in a conversation with W. H. Shoemake say to him: "You have made a great mistake in not keeping in your employment and no have the Dawsons and it will go hard with you and you will see it"? No, sir; I says to Mr. Shoemake, I says: "You have been employed in your case," and he says "Judge Thomas and Mr. [illegible]." I said "It might have been a advantage to you if you had employed me in your matter;" Well, he says "there was nothing wrong in my case" and I says "no, there is nothing wrong on earth in your case that I know of." He said all he wanted was justice and I said "I don't know a thing on earth against you," and I says "there is not a thing on earth wrong in your case as I know it came up fairly and squarely and decided in your favor."

Q You said nothing to him about the Dawson case? A Yes, I said to him "it might have been well if the Dawsons had retained me in their case." I said "I am summoned on the part of the Nation and I don't want to make a statement and I wont if I can possible avoid it."

Q Was that before or after you talked with Mr. Hastings, the representative of the Nation? A It was afterwards.

Q You meant by that if you had refused to answer you would have gone to jail? A No, sir; if they had employed me before hand I meant not now.

Q You mean that if they had employed you before hand you would not have given this information to Mr. Hastings? A I would not be required, being the attorney.

Q Were you required to give him the information; did you know that you had to give him any information? A Who do you mean.

Q Mr. Hastings. A I did refuse him and he insisted.

Q Well, he no authority to compel you to do it? A No, sir; I don't know whether he did or not.

Q As a lawyer you knew that he did not have authority to compel you to make a statement to him? A I told him tht I was an attorney in the case and I didn't want to make any statement at all.

Q Why did you do it? A Well, he intimated to me it would go any further. He said to me "I will not make this matter — I will not use it;" that is, what I stated to him was part in confidence.

Q And he pledged you his word that it would not be used? A Well, told him I could make a statement in confidence, and that I didn't want to make a statement before the Court.

Q Well, what did he reply, as you said just now? A Oh, he says make the statement and then I told him—I regretted very much to do it, and I regret very much to make a statement here. I tried to avoid it yesterday.

Q You stated just now that he said it would not be used; did he say that or not? A Well, something to that amount; oh, he says it wont make any difference or something to that effect.

Q Now, don't you know that Mr. Hastings did not intimate to you that the statement he was asking you to make would not be used? A Well, I didn't think that I could be forced to make a qualified statement before the Court here, because I thought my license would protect me in that matter.

Q Yet it did not protect you or prevent you from making a statement to the attorneys for the Nation? A No, sir.

Q Now, in this conversation with Shoemake to which I before referred did you not ask him to again employ you and tell him if he would you would make it all right for him? A No, sir; I didn't say that; no, I said if he had employed me in the matter "maybe it would have been better for you." He [illegible] he offered me when I was down here last week, he offered me five dollars to go down and talk with his lawyers on the matter, I didn't go I was busy.

Q [illegible] A No, no. I [illegible]
Q [illegible] the [illegible] the [illegible]
the Supreme Court reversed it there? A Yes, sir.
Q You were present in Texlecuan? A Yes, sir.
Q How long had you been in Texlecuan? A I was living [illegible] that time.
Q When were you first employed by them? A By Dawson?
Q Yes, sir. A The evening before the case was tried.
Q You say that after the judgment was rendered Dawson handed you $280? A Yes, sir.
Q And told you to hand to Duncan? A No, sir.
Q What was your statement? A That he would re $2e and says "I will send you more more in a short time, week or so.
Q And then he sent you $100? A Yes, sir.
Q And wrote you to give D. W. C. Duncan $50 of it? A Yes, sir.
Q And then sent you another $100 and told you to give him half of it? A Yes, sir.
Q How much did they pay you? A Well, that was the agreement, was that he would pay me $50 a family.
Q How much did he pay you? A I think there was $250; now I am not sure about the $50, but it appears to me like there was a $50 sent, and Mr. Duncan asked me, as well as I remember, says "have you got a letter from Dawson," I told him "yes, sir." It was either that or the $100, and he says "I would like to have some money," and I went to Stapler's and got it changed-- I won't be sure about it being $50 or $100--I went to Stapler's and got him to cash the check and give him his part of it.
Q How much did he pay you for your services? A That is all I got.
Q How much? A I think it was $100, $150.
Q What did you do for them? A Didn't do a thing only [illegible] the case and submitted it; never read the [illegible].
Q Submitted it without remarks? A Yes, sir.
Q And for that you say they paid you $150? A Yes, sir; $150.
Q Was Houston Benge present when that was done? A No, sir; I don't think he was.
Q Did you see him then at that time in Texlecuan? A I don't remember.
Q Were you associated with him in any manner in connection with the case? A No, sir.
Q You had a great deal of business of that character, have you before the Courts? A Yes, sir.
Q Were you paid like fees in other cases for like services? A Yes, sir.
Q In many of them? A Yes, sir, good many.
Q All like cases? A Oh, citizenship cases.
Q When was it you were in jail at Fort Smith? A I don't remember; Mr. Mellette can remember, he was there, he was my attorney.
Q Was it about 1893? A It was somewhere along there, about in 1890 somewhere.
Q That has been your principal business as a lawyer, has it not? A Yes, sir.
Q You have never practiced much in any other way have you? A Very little.
Q Were you in the habit of working your cases through in the same manner in which you state you worked this through? A No, sir.

Q This was an execution was it? A I never [illegible]
[illegible]
[illegible]
[illegible]
Q And [illegible]
Q Was [illegible]
[illegible]. I [illegible] will you [illegible]
family.

MR. [illegible]:

Q At the [illegible] that the attorney for the [illegible] about the Dawson case he also made [illegible] didn't he? A Yes, sir.
Q And you told him at that time before you [illegible] whether you would be paid or compelled to [illegible] you knew there was nothing you knew [illegible] A Yes, sir: that is what I said.
Q You told him at the same time that you not only [illegible] to claim you privileges as an attorney in the case, but that you told him, Mr. Hastings, with the full belief that the Court would sustain your position? A Yes, sir.

Mr. McKennon: That is very bending.

Q Now, did you think that the co-employment, being the attorney in the pending case would strengthen your position in regard to it, when you spoke to Mr. Dawson? A What I thought in the matter was before ever I would be summoned in the matter, I [illegible] that if I had been employed in the matter of [illegible] would have been such that I would not have been [illegible] not have been forced.
Q Did you think under those circumstances that Mr. Hastings would approach you about the subject? A No, sir; I never thought I would be forced to, having [illegible] to practice law.
Q Did Mr. Hastings tell you at the time that he was going to put you on the stand? A Yes, sir.
Q And let the Court decide? A Yes, sir.

MR. [illegible]:

Q Now, have you a license to practice in the United States Courts?
A Yes, sir.
Q In the Territory? A Yes, sir.
Q And also in the Indian Courts? A Yes, sir; I [illegible] them?

JAMES W. LEWIS, being duly sworn, testifies as follows on behalf part of the Cherokee Nation:

MR. HUTCHINGS:

Q State your name please? A J. W. Lewis.
Q James W. Lewis? A Yes, sir.
Q Where is your postoffice, Mr. Lewis? A Afton.
Q How old are you? A 73 years old.
Q What is your business? A I work at the [illegible] and [illegible] work.
Q Do you know one James Dawson, the brother of [illegible] and the other Dawsons? A I know old man James Dawson.
Q That is the one I mean, old man James Dawson? A [illegible] know him.
Q How long have you known him? A Well, some [illegible] I know.
Q How long? A Four or five years I think.

Q When did you move to the country? A I first went to Kentucky
70 odd years.
Q Well, when did you leave the county? A I left there
about [illegible] later than that.
Q How did you [illegible] close by me [illegible]
Q Did you [illegible] that house? A Yes, several did [illegible]
Q About how [illegible] a citizen of the Cherokee Nation, under the
circumstances? A Yes, sir.
Q Did [illegible] to you about the use of [illegible]
getting his citizenship, and if so, what is that?
A Well, he told me that it cost him $200 to get his rights.
Q Didn't tell you to whom he paid it? A No, he didn't, and I
didn't ask the questions.

MR. [illegible]:

Q How old was [illegible] at that time, do you know? A I do not know
exactly, must have been somewhere near about 70 years old, he
might have been older than that, I don't know.
Q He was a very old and feeble man? A Yes, he was old and feeble.
Q He seldom ever got out away from his house? A No, sir, only
short distance.
Q When you first knew him he was that kind of man? A Yes, sir.

J. L. CLINKENBEARD, being duly sworn, testified as follows
on part of the Cherokee Nation:

MR. [illegible]:

Q State your name? A J. L. Clinkenbeard.
Q What is your post office address? A Vinita.
Q How old are you? A 66.
Q Were you ever in controversy for citizenship before the Dawes
citizenship court in Muskogee? A Yes, sir.
Q About what time was that? A September 21, I think.
Q Did you meet Dickey there at that time, any part of that time?
A Yes, sir.
Q How did you happen to meet him? A We and I stopped at the same
place, that's by the name of Shorter.
Q You and he stopped there, did you, while there? A Yes, sir.
Q Well, did you have any talk about citizenship cases, yours and
his? A
A Yes, sir.
Q Where did he state that he was from? A Texas.
Q Well, state what you can remember of the conversation between you
from time to time about citizenship in the Cherokee Nation?
A Well, we met there on the same business and we talked about it
at different times, and in talking about the evidence we had there
I, of course, told him how many witness I had and that I could
prove and so on, and he said that he didn't have but one witness,
Dr. Baker from Arkansas, a man that was 85 or 90 years old, he said,
and he hadn't even sent word for him to come, but he
hadn't come.
Q Well, what did he say about the negro's knowing anything?
A Well, he said he was 65 by 66 [illegible] and didn't know straight
it.
Q Well, did he say anything about getting his money?
A Well, he said he could give him four bottles of Kickapoo whiskey
and he would swear that black was white.

Q Did he say anything about [illegible] would do in Indian Territory? A Well, he [illegible] heard the evidence [illegible] to get the [illegible] or words to that effect.

Q Did a few days go by or so after the [illegible] he said that he would stand a thousand dollars on it [illegible] very much; finally Mr. Hall said he could [illegible]

Q What did he tell you that he [illegible] witnesses anyway? A Well, I don't [illegible] I understood from what he said that [illegible] witnesses.

Q Well, where did he go from there? A He and I [illegible] he got to Muskogee by way of Fort Gibson [illegible]

Q Did you ever see him after that? A I saw him about two years or something like that afterwards.

Q Where? A Vinita.

Q Did you refer to the citizenship matter? A I asked him how he come out and he said all right.

Q Was he deformed in any way this man? A He had a crippled hand or stiff finger; I don't remember just what it was now.

[illegible]:

Q Your first conversation with him was in '01 was it? A Yes, sir.

Q What time in '01? A September.

Q You were then an applicant for citizenship? A Yes, sir.

Q Were you admitted? A No, sir.

Q You are still an applicant? A No, sir.

Q You are still working to get [illegible] Cherokee Nation? A No, sir; haven't quit it entirely.

Q What business are you in now? A I am running a ferry in Vinita.

Q When did you take [illegible] to the representative of the Cherokee Nation? A Well, sir, I [illegible] I saw Mr. Hastings I believe here last Saturday two weeks ago.

Q How do they even know that you had [illegible] with Mr. Dawson? A I don't know.

Q You don't know how to get [illegible] out? A No, sir.

Q You say you saw Mr. Hastings here last [illegible] A Yes, sir.

Q Now, did you approach him or did he approach you? A He approached me.

Q You know why? A No, sir; I suppose somebody I [illegible] spoke to me at some time about this, I don't know which one it was. I don't remember of having talked to anyone about it. I have seen Mr. Hastings for years.

Q Now, you say—how was that conversation about his giving Dr. Baker three or four drinks of liquor? A He said the old man, he said that Dr. Baker, he was carrying him there and he didn't care, and he said he didn't care where he died now; he said he was 80 or 90 years old; he said he didn't know what age he could give him three or four drinks of Arkansas whiskey and he would not know black or white.

Q Now, he said that did he? A Yes, sir.

Q You are just as positive of that as you are of any other statement he made are you? A Yes, sir.

Q You say you next saw Dawson at Vinita? A Yes, sir.

Q How long afterwards was that? A About two years, I think something like that.

Q Did he move to the Territory? A Yes, sir; he lived at Vinita at one time.

Q You speak about having a dairy business there at Fairland, at that interval? A I am only talking about two years. I [illegible] cream to the country.
Q Do you run a dairy wagon there? A [illegible]
Q You serve on the jury a good deal? A [illegible] on the regular jury there this winter.
Q Generally? A Yes, sir.
Q Are you a kind of a professional juror? A No, sir; I was on the regular petit jury, I was on the regular panel as well.

C. C. BRAUGHT, being duly sworn, testified as follows as part of the Cherokee Nation:

MR. HUTCHINGS:

Q State your name? A C. C. Braught.
Q What is your age? A 62 29th day of last January.
Q What is your post office? A Fairland.
Q How long have you been living in the neighborhood of Fairland?
A Been living there 19 years.
Q Do you know one Bud Dawson or F. M. Dawson as his name is?
A I do.
Q How long have you known him? A About 18 years.
Q How close do you live from him? A Half a mile of him.
Q Does he still own that place? A I think he does.
Q Were you an applicant for citizenship along about '84 or '5 at Tahlequah? A Yes, sir.
Q Did you have at any time a conversation with Bud Dawson about his and your citizenship cases? A Yes, sir.
Q State what he stated to you of citizenship cases in general and about his own in particular, you can state the time that you had these conversations as near as you can? A Well, I think it was in '83, he told me if I ever got in I [illegible] he said It cost him $700 to get in; he said he [illegible] three hundred dollars.
Q Did he state the name of that witness? A [illegible]
Q Then did he say he made arrangements [illegible] to get them in at one hundred dollars apiece?
Q Do you know what time of the year that was, whether it was in the summer or not? A I think it was in June.
Q Did he make any other statements to you at that time?
A No, sir, I don't think he has in regards to that matter.
Q You have been living neighbors with him? A Yes, sir.

MR. McKENNON:

Q You say this was about June of '85? A I think it was in June, 1883, I won't be positive whether it was June or [illegible]
Q You were an applicant; were you admitted? A No, sir.
Q Have you been admitted? A No, sir.
Q You are still an applicant? A Yes, sir.
Q Still trying to get in? A Yes, sir.
Q Where was this conversation had? A Had at Bud Dawson's house.
Q What part of the premises? That is, in his residence?
A Yes, sir.
Q In the house? A Yes, sir.
Q Who was present? A There wasn't anybody present, he just built the house and there wasn't anybody there.
Q How many rooms in the house? A I won't be positive but I don't think there was but one room, log house.
Q Just one room? A Yes, sir.

Q And it that room through this [illegible] A Yes, sir.
Q So and you and [illegible] are you not? A [illegible]
are possible.
Q You are not friendly at all? A [illegible]
and part of the time he won't.
Q Haven't you had considerable trouble about [illegible]
your farms? A No, sir; we ain't had any trouble.
Q Didn't you have this little boy arrested [illegible]
A Yes, sir.
Q And you say that you are not on bad terms with him?
A Why we speak, have conversation, have right right along all the
time.
Q Is it not a fact now that you and he have been all the while at
outs? A No, sir.
Q You don't have any unkind feeling towards him? A No, sir.
Q What were your other remarks? A I said no, sir, I didn't have
any unkind feeling towards him.

(It being 5 o'clock, the Commission adjourns until 9:30 o'clock to-morrow morning.)

March 19, 1902.
Commission convened pursuant to adjournment.

Appearances:
Mr. A. S. McKennon, of Counsel for Applicants.
Mr. W. T. Hutchings, of Counsel for Cherokee Nation.

C. C. BRAUGH, re-called, further testified:

MR. McKENNON:

Q Mr. Braught, you were a claimant under the White family are you not? A Yes, sir.
(witness excused.)

CHARLES D. KENNEY, being duly sworn, testified as follows on part of the Cherokee Nation:
MR. HUTCHINGS:

Q State your name? A Charles D. Kenney.
Q What is your post office? A Dawson Row.
Q Are you a citizen of the Cherokee Nation? A Yes, sir; [illegible]
to be.
Q Recognized as such are you? A Yes, sir.
Q How old are you? A There is no family record, my parents died when I was young, I just guess at my age, I am somewhere between 44 and 45 years old.
Q Were you personally acquainted with one Elbert or Buck Dawson?
A I knew Buck Dawson when I saw him.
Q Did you know him in the state of Texas, if so state what time?
A I knew Buck Dawson, knew him and saw him at different dates in Texas.
Q Well, in the year '81 in Clay County, Texas, did you ever see him?
A It was in '81 or 82, I think I knew him in both years.
Q Did you ever have any conversation with him in the presence of Bill Smith, Silas Flippin and Joe Fleeton about his citizenship for drilling ship in the Cherokee Nation? A Mr. Dawson [illegible] were talking in regard to graz[illegible] down there help a no[illegible]

it was mentioned, I was going up on the street and [illegible] says, "He an Indian" and Jiles said, "Yes, he is an Indian," and I believe is the way he spoke, "if I was an Indian I would be punching cattle, I would have stock eating my grass."
Q What did he say about making application? A He said he was going o the Chickasaw Nation and prove up and get his [illegible].
Q Who was that? A Matt Bowen.
Q Well, did anybody suggest about his going to the Cherokee Nation? A Yes, sir, I told him, I says "why don't you go to the Cherokee Nation, why don't you go up home" I believe is the way I spoke it, "up amongst God's people;" and he says "are they all white like you?" and Jiles spoke up and says "majority of them."
Q Well, what did he say to Jiles then? A He says "Let's go up Jiles", just in a whole crowd of cow punchers, and Mr. Fairchild says "Hell, I am going; brother John is getting ready to go now."
Q Well, then what did he say to you? A He says "Who are your best lawyers up there, Kenney," and I told him "Mosley Bell was counted the brainiest man in our country."
Q Well, do you know whether he claimed to have any Indian blood or what he was claiming in that country, whether white man or Indian? A No, sir, I could not say what he was; he was generally known down there as Mok Dawson, a citizen of the State of Texas, that is all I know of him.

Mr. McKennon: The applicants object to all of the testimony of this witness because it is wholly incompetent and irrelevant.

Mr. McKennon:
Q Were you born any [illegible] in the Cherokee Nation? A I can't tell you where I was born; I was raised here part of the time and in Bass County, Texas. B. F. Alberty was my guardian.
Q Were you admitted to citizenship by the Council or Court? A I think both of them passed on me; I can't tell you [illegible] State.
Q About what time? A It was something in '80 though.
Q What tribunal first? A I don't know; I don't know either when I was admitted, I was re-instated at Council.
Q When? A I think it was in '87 or '88.
Q Haven't you been arrested for crime and charged with crime? A Well, I didn't know that I was on trial; I have been arrested a hundred times I guess from here to the Rio Grande.
Q For what offense? A For gambling, stealing; if I am on trial I have had lots of them, I have been on the road.
MR. HASTINGS, of Counsel for Cherokee Nation:
Q Were you ever convicted? A No, sir.

Mr. McKennon: Applicant makes further objection to the testimony of this witness on account of his criminal character stated by him.

THOMAS B. BABBART, being duly sworn, testified as follows on part of the Cherokee Nation:
MR. HUTCHINGS:

Q State your name, please? A Thomas B. Babbart.
Q What is your post-office? A Melvin.
Q What is your age? A 49.
Q Are you a Cherokee by blood? A Yes, sir.

[redacted]

Q [redacted] A Yes, sir.
Q Who was he? A He was [redacted]
Q Is [redacted] A Yes, sir.
Q Who was he? A He was the Nation's attorney [redacted]
Q Well, did you about that time have a conversation with
Aaron Butler or did talk with [redacted] A Yes.
Q State the full particulars of it? A About [redacted] Mr.
Dawson and Butler came to me while they were all [redacted]
of them, and Butler came and called me off to the [redacted]
down at a colored [redacted], it was after dark, and [redacted]
there and this man Dawson borrowed some money from me, [redacted]
had to have it that night, his case was going to be [redacted]
next morning.
Q Well, did he say anything about whether he could get his case
submitted if he had more time? A Well, from the language
he used, he wanted this money; Smith had agreed to submit the
case without further evidence in the matter.
Q Well, did you let him have the ten dollars? A Yes, sir.
Q Where did they go then? A They walked off up towards town.
Q Did they go together, those three? A Yes, sir.

[redacted]

Q Was that Jesse Dawson, the leading defendant in that case?
A Yes, part of my recollection that was.
Q How old a man was he? A I don't know. I could not tell you;
he looked, I don't know, he might have been—could you tell you
just about how old he was.
Q Well, about how old was he, as to age? A Yes, he [redacted] than
that, from my judgment I guess he would have been [redacted]
years old.
Q Is he living or is he dead? A I don't know.
Q Where have you been living? A I have been living down near Red
Fork [redacted].
Q What was the man's name, Dawson's name? A [redacted] Dawson.
Q You are certain of that? A Yes, sir, I am positive.
Q They came to you with Smith, the Prosecuting Attorney, and
Butler, the Interpreter? A Yes, sir.
Q Dawson took you off to one side? A Butler [redacted] Mr.
Dawson was and did advise me to Dawson and [redacted] being
all right for the money.
Q When did you first make a statement of this matter to anybody?
A I guess—I don't remember when.
Q How long have you been in Muskogee this time?
A I have been here since, I was summoned here last Friday.
Q Did you ever make any statement to anybody about this before
that time? A Yes, I talked to Butler about it.
Q When? A Oh, about, first I remember it was [redacted]
years ago, and Butler was talking to me about it; it was at my
house.
Q Were you born a citizen? A Yes, sir.
Q You weren't admitted to citizenship by the Curtis or Dawes?
A No, sir.
Q You have been living [redacted] the Cherokee Nation all your life?
A Well, I was [redacted] I haven't been [redacted] time; I have been out and in.

Q You have never seen that man Dawson either? A If I have I have never known it, but I never saw the next one.
Q You saw him and took a good look at him, he was [illegible] kind of man he was? A [illegible]
Q You think he was about 35 or 40 years old? A [illegible] my guess at it, my recollection.

Mr. McKennon: Applicants object to the testimony of this witness, all of it, because it is wholly incompetent and irrelevant.

DELIA A. BREWER, being duly sworn, testified as follows on part of the Cherokee Nation:
MR. HUTCHINGS:

Q State your full name? A My husband's name was O. P. Brewer, but generally I sign my name Mrs. D. A. Brewer.
Q What was your full maiden name? A Delia A. Vann; well it was really Delilah but I never was called by that name, it was Be altogether in my young days.
Q What was your father's name? A His name was Joseph Vann.
Q Was he called by any nicknames and if so how many, and what? A None but the Cherokees, the full-bloods called him Joe Aney.
Q What does that name mean when you talk English? A Rich Joe.
Q Did any of them call him Big Joe Vann? A I don't know; he was a large man; larger than the other Joe Vann.
Q There was another Joe Vann? A Yes, sir.
Q Did your father have any sisters and brothers? A He had quite a number of sisters.
Q Did he have a half sister? A Had two half brothers.
Q Did he have a half sister? A Had several half sisters.
Q Who did they marry? A Differe[illegible] persons; I knew the names of all of them but I have a bad memory, but I know that there was one a Mrs. Eddie Wolfe, and Mrs. Lamer, she was first a Mrs. Nicholas and she became a Mrs. Lamer and lived in Alabama and never came to this country, but she has grandchildren in this country.
Q Well, did any of your father's sisters or half sisters ever marry a Rogers? A No, sir.
Q Never had any Rogers kin-folks? A No, sir, I certainly would have heard of them through my family, there was a great many of the kin-folks I never saw, but I heard of them.
Q The Dawson case was talked of here for many years, they claiming kin?
A I never knew until I understood they claimed to be kin to the Vanns, and I flatter myself that my family was prominent enough that they never claimed kin.
Q They never claimed kin at all? A No, sir.
Q Did your father ever had a sister or half sister by the name of Annie, Anna or Alsey? A No, sir.

Mr. McKennon: Applicants object to all the testimony of this witness because it is incompetent and irrelevant.

SAMUEL TOLLIVER DAWSON, being duly sworn, testified as follows on part of the Cherokee Nation:
MR. HUTCHINGS:

Q State your name? A Samuel Tolliver Dawson.

Q What [illegible] you to this [illegible]? A [illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
[illegible]
Q I [illegible] A I can't [illegible]
count a while on them, [illegible] ten.
Q Just one or two of them I care for; is [illegible]
A Yes, sir.
Q Your full sister? A Yes, sir.
Q Was she a daughter of S. M. Dawson, Jr.? A [illegible]
Q Now who were the parents of your father, [illegible]
A Why Sam Dawson and his father.
Q Sam Dawson was his father? A Yes, sir.
Q What was Sam Dawson's wife, if you know their family [illegible]
that your father said or what your grandfather said? A [illegible]
heard that she was a Pruitt, my father said; of course I [illegible]
Q What was her given name? A Annie.
Q Did you ever see your grandfather, Samuel Dawson? A [illegible]
Q Saw him? A Yes, sir.
Q Do you know about how old he was when he died? A He was [illegible]
where up about 80.
Q About how old were you when your grandfather died? A I can't
remember exactly how old I was, I must have been [illegible] 12
years old when my grandfather died.
Q Was your father his youngest child? A Yes, sir.
Q If you know about when your father was born? A Well, no; I
don't, he died in '98 and he was 67 years old.
Q He died in about '98 and was about 67 years and [illegible]
A Yes, sir.
Q And he was the youngest child? A Yes, sir.
Q Now, do you know how many children your [illegible]
is brothers and sisters of your father? A I [illegible]
Q Well, did you ever hear your father or grandfather [illegible]
whether or not your grandmother was a white woman or [illegible]
A Well, I heard my father speak about it, I don't [illegible]
ever heard my grandmother say anything about it.
Q Well, what did he say about it? A I have heard him say her
mother was not an Indian.
Q Did you fathercome here and testify once for [illegible]
A Yes, sir.
Q Was he admitted? A I think not.
Q Did you hear him make any statements about he [illegible]
to get in? A He said his brothers had proved their [illegible]
and if his brothers had any rights he did, but I don't [illegible]
Q Well, in that connection did he say whether his [illegible]
Indian or white woman? A Never heard him say that [illegible]
a white woman in speaking about that; I don't know [illegible]
anything about that or not; I have heard him say his [illegible]
no Indian.

Mr. McKeown: I will [illegible] object to the [illegible]
this witness because it is wholly irrelevant and [illegible]

(Taking of testimony continued by Stenographer [illegible])

[redacted]

(Continued) Deposition taken on [redacted]

Upon Iowa, 1908, at [redacted]

Appearances:

Mr. A. S. McKennon and Mr. Wallace, attorneys for the applicants.

Mr. F. T. Hutchings, and Mr. F. F. Hastings, attorneys for the Cherokee Nation.

WILL BRASELTON, being first duly sworn, and being examined testified as follows:

DIRECT EXAMINATION BY MR. [redacted]

Q State your name. A Will Braselton.

Q What was your father's name? A Samuel [redacted] Dawson.

Q What was your mother's name? A Harriet.

Q What was Mr. Dawson's name? A Samuel.

Q What was your grandmother's name? Do you recall from family history? A She was a Delaware Indian.

Q Then your father was a white man, was he? A Yes.

Dawson and [redacted] Delaware? A Yes.

Q Did your father have a brother named Dawson, and a brother named James? A Yes, and I'm not sure but I was told.

Q And what children had James? A [redacted]

Q And another [redacted] A Yes.

Q And another [redacted] A Yes.

Q What relation are you to [redacted] A. S. McKennon? A [redacted]

Q Did you ever see your [redacted] Samuel Dawson? A Yes, sir.

Q You have a distinct recollection of him? A I do, yes, I remember him, but I was small.

Q About how old were you you [redacted] A About 6.

Q Was your father's birth recorded in his family Bible? A Yes, sir.

Q You know whether your grandfather's record of deaths and deaths were recorded in any Bible or not? A I may not be aware of it.

Q What became of it? A Got burned.

Q Well, about what year do you remember that your father, Samuel Dawson, died? A I believe it was [redacted]

Q In 1858? A Yes, sir.

Q And how old was he when he died, if you remember? A He was between 64 and 70.

Q Did you ever hear your father speak of his relations, Christian and not? A He [redacted] Delaware Indians.

A Yes, sir, they were white people.

Q You know [illegible] by the name of [illegible]
BY MR. [illegible]:
[illegible]

ALEX S. [illegible], being first duly sworn and [illegible], testified as follows:
BY MR. [illegible]:
Q State your name? A Alex S. Lewis.
Q What is your post-office? A Dawson, Indian Territory.
Q How old are? A 52 years.
Q What was your wife's maiden name? A Elizabeth Parsons Dawson.
Q Who was your wife's father and mother? A Her father was Samuel R. Dawson and her mother was the wife of Samuel R. Dawson, did you want her maiden name?
Q Well, if you know the maiden name of your wife's mother, state how you know it? A Well she was called Margarett, Margarett Queen was her maiden name.
Q The maiden name now of your wife's father's mother? A Why the maiden name of my wife's father's mother?
Q Yes, sir? A What did her husband and my father-in-law told me it was Annie Pruett.
Q What was the name of your wife's father's father? A My wife's grandfather on her father's side, Samuel Dawson.
Q And his wife's maiden name was Annie Pruett? A Yes, sir.
Q Did you know the old gentleman, Samuel Dawson, you wife's grandfather? A Yes, sir.
Q Personally? A Yes, sir.
Q What opportunities had you to get acquainted with him? A He lived with his youngest son, my father-in-law, and visited us, my wife and I, since we were married, and lived by quite a while; I lived near my father-in-law and we visited very often.
Q When did he die? A '94.
Q Have you any particular method of remembering that date? A Well, I was away from the house when he was buried, and was sent for by my wife and myself, and so when I got back my wife had gone to her father's to see her grandfather, he was dead, and I remember my first wife was a baby at that time.
Q And when was your first child born? A He was born December, '93.
Q You know how old your wife's father was when he died? A Why he was up in 60, but I don't remember his age.
Q Did the old gentleman Samuel Dawson ever tell you his age? A Yes, sir, several times.
Q How old was he at the time of his death? A He was past 94.
Q Did he ever tell you anything of how his wife Annie Pruett and any sister or brother? A Told me she only had one brother named Bob Pruett.
Q Have any of the members of the family named their children after him? A Make it a little plain, it is a little long; my wife's oldest brother was a particular favorite of his grandfather, and he always took this boy with him everywhere, and he had named one of his oldest child for this brother-in-law who was a favorite favorite of his grandfather; named it for him I understand.
Q How spell is his name? A Of course I don't know why he named it, but he gave him the name of Robert Pruett, and I understand it was on account of his grandfather thinking so much of Robert Pruett.
Q Did you ever hear the old Samuel Dawson speak of his brother-in-law? A Yes, many I have heard him say that he visited the home what had become of Bob Pruett, he never had heard of him for a long

time; didn't know where he was, or whether he was alive or dead.
Q Now, I want the full name of Samuel Dawson's [illegible] many of them [illegible] A [illegible]
Q Yes, [illegible] and Samuel R. Those were the only [illegible] of his children that I remember personally.
Q Well, remember what you know of the family, what other children did he have? A Well he had two girls, as I understand the family history, he had two girls, first, and John Dawson was the third child, and the oldest boy was John Dawson.
Q Was John Dawson the oldest boy? A Yes, sir.
Q Which was the oldest girl? What is she known by now? A I think it was Mrs. Petty, nee Bettie Dawson.
Q And John Dawson was the oldest boy? A Yes, sir.
Q And Samuel R. Dawson was the youngest boy? A Yes, sir.
Q You know anything about the time John Dawson was born, have you any way of coming at it, the oldest boy? A Yes, sir, I know that the oldest son and his wife told me.
Q What was that? A They said he was born in 1811.
Q Who was his oldest son? A Toliver H. Dawson; told me his father was born in 1811.
Q Do you remember now whether the old man had occasion to say whether his wife, Annie Pruett was an Indian or white woman, or ever said anything about it? A I know what the old man said that she was, I don't know that I ever heard the question approached in that way, I have heard him speak as to her blood, but it was in a different way that he reached it.
Q What blood did he say she was? A Well he said that she was the daughter of Mrs. Pruett, a white woman; and that her father was Captain John Rogers, a white man who lived with the Cherokee Indians, and traded with them.
Q Did he say who Captain John Rogers afterwards married? A Said he had a wife in the Cherokee Nation.
Q But that Annie Pruett was not her child? A No, sir, she was the child of Mrs. Pruett.
Q A white woman? A Yes, sir, that was the half sister of Bob Pruett.

BY MR. McKENNON:

Applicants object to all of the testimony of this witness, because it is wholly incompetent and irrelevant.

Q Did ever you apply for citizenship here? A Yes, sir, for my wife.
Q When? A My father-in-law made the application, I don't know exactly when it was, I think probably about '98, I couldn't say as to the date.
Q Before the Cherokee authorities? A Yes, sir.
Q Did he file an application before the Dawes Commission in 1898 also? A Him.
Q Yes, sir? A I don't think he did, no sir.
Q Did you? A I did.
Q On account of your wife? A Yes, sir.
Q Did you make affidavit to that application? A No, sir.
Q Who did? A I don't know, don't remember now.
Q You applied for your wife as an Indian by blood didyou not? A Yes, sir.
Q Are you still an applicant? A No, sir.
Q Is she? A No, sir.
Q She was denied was she? A Yes, sir.
Q Was there an appeal taken from that? A Application was filed if I remember, before the Dawes Commission, and they rejected the same, and then I appealed it to the District Court, and it was rejected there and then I stopped.

Q [illegible]
Q [illegible]
Q [illegible]
Q [illegible]
Q [illegible]
Q [illegible]
Q [illegible]
Q [illegible]
A [illegible]
Q [illegible]
Q [illegible]
Mr. Wooley, [illegible], don't speak, and I will [illegible] his wife speaks to me now?
Q Well you are claiming some part of lease on A's Wooley farm, aren't you? A No, sir, I don't claim any lease on the Wooley farm.

B. F. ALBERTY, being first duly sworn, and being examined, testified as follows:
BY MR. MCKENNON:
Q State your name? A B. F. Alberty.
Q What is your postoffice? A Tahlequah.
Q What is your present official position in the Cherokee Nation?
A Assistant Executive Secretary of the Cherokee Nation.
Q As such have you charge of the citizenship records and books etc. of the Nation? A Yes, sir.
Q Have you been [illegible] for the [illegible] records in the various cases of the Dawson family before citizenship courts in Council? A [illegible]
Q Have you got that [illegible] you found with them? A I find what's supposed to be the original papers in the case, all that I could find. (Produces papers and hands to Reporter.)
Q Where did you [illegible] A [illegible] in which papers are filed [illegible] Office at Tahlequah. (Applicant's attorney [illegible] by witness.)
BY MR. MCKENNON: The Nation here [illegible] envelope numbered No. 108, [illegible] Albert, Jasper, John, [illegible] Jane, Nellie, Wilburn, [illegible] Nation; the envelope and its contents.

BY MR. McKENNON: To the introduction of all of which the applicants object, because it is wholly incompetent and irrelevant.

The envelope above introduced by the Cherokee Nation is indorsed as follows:
"No.108, Rob. Dawson, Albert Dawson, Jasper Dawson, John Dawson, Francis Marion, [illegible] Joseph Anderson, Jane Dawson, Nellie Dawson, [illegible] Dawson, Neal Dawson, vs Cherokee Nation, Petition for Citizenship, Filed [illegible] 1901. Admitted Jan 11th, 1902. T. M. C. Duncan, Clerk. In Docket: [illegible]

The said envelope contains a [illegible] as follows:

"Notice of Organization as Citizens.
Cherokee Nation, [illegible], January 17th, 1902.

[illegible]

Question by [illegible]
Ques. 1 How many children did Polly Rogers have?
Ans. 1 Five, I think, I [illegible]
Ques. 2 Did you ever hear [illegible] being married twice?
Ans. 2 [illegible]
Ques. 3 [illegible]
Ans. 3 [illegible]
Ques. 4 [illegible]
Ans. 4 [illegible]
Ques. 5 [illegible]
Ans. 5 [illegible]
Ques. 6 [illegible]
Ans. 6 It was on Green's side of the river, just in the Nation and not out in the state.

Ans. I [illegible] it went to [illegible]

[illegible]

Ans. I [illegible]

Ques. [illegible]

Ans. I [illegible] was

in the [illegible]

Ques. Is [illegible]

Ans. No I [illegible]

Ques. Is [illegible] was

was to [illegible]

Ans. If [illegible] two [illegible] Jane Rogers. I [illegible] when I [illegible] this [illegible]

Ques. Is Pat Anna Fleet the [illegible]

Ans. No Pat that was her [illegible] Sinee.

(signed) Arthur, A. X Baker.
mark

Witness' hand paralyzed is the reason he signs by a mark thus "X". "

The above document is indorsed on back as follows:

"Certified copy of Affidavit, Arthur A. Baker in Dawson case, Robt." Decided by the Tenee Court in 1903. A. Baker Dawsons Step daughter a white woman married a white man, named August Bulanks."

BY MR. [illegible] We further introduce envelope E, [illegible] of E. Dawson for his grand-children, [illegible] and its contents, [illegible] D. F. Dawson, and the testimony of [illegible] (Hands papers referred to is applicant's attorneys.)

BY MR. McKENNON: To the introduction of [illegible] the applicants object, because it is wholly incompetent and irrelevant.

The envelope above introduced is indorsed as follows:

"No.181. E. Dawson vs the [illegible] for his grand children. Petition [illegible] D. F. C. Duncan, Clerk of Court, [illegible]

The contents of said envelope are as follows:

"Office of Commission on Citizenship.
Tahlequah, Cherokee Nation, Sept. 14, 1903.

E. Dawson,
No.181. vs for his grand children.-
Lulu [illegible]
Dallam [illegible]

[illegible] Dawson and Dallam introduced [illegible] and in open court testified as follows:

[illegible] in the Cherokee Nation on [illegible]

Office of Commissioner,
Tahlequah, Cherokee Nation, Jan. 14, 1903.

No.181 E. Dawson
for himself and children

Lulu Dawsett
Dallas Dawsett

Joseph Dawson introduced for claimants, sworn in open Court, testified as follows:

Jos. Dawson, am a Cherokee by blood and live in the Cherokee Nation, am 51 years old.

Lulu Dawsett and Dallas Dawsett, the claimants are my children. Fannie Dawson was their mother. Fannie Dawson was a Cherokee, this is about all I know about her. She was E. Dawson, E. Dawson was her brother. She married me while living near Fort Gibson, I was living there, and lived there with me until she died. I have never married any other woman. I have no other children and I have never had any adopted.

Lulu is about 16 years old. The Dallas is about 9 or 8 years old. I never knew Fannie's father's name. Fannie, E. Dawson is dead. My wife died at Millerton, Texas.

I was not present when their mother and E. Dawson had children to the best of my recollection, of the children Fannie, Carrie, Annie, Bob, Willie, Dallas, Lulu, all living, but two, Fannie and Willie, they are dead. Willie died when I left there. I am a citizen by [illegible] have full right. My rights have been admitted to Cherokee Citizenship by this Court.

his
(signed) Joseph x Dawson,
mark

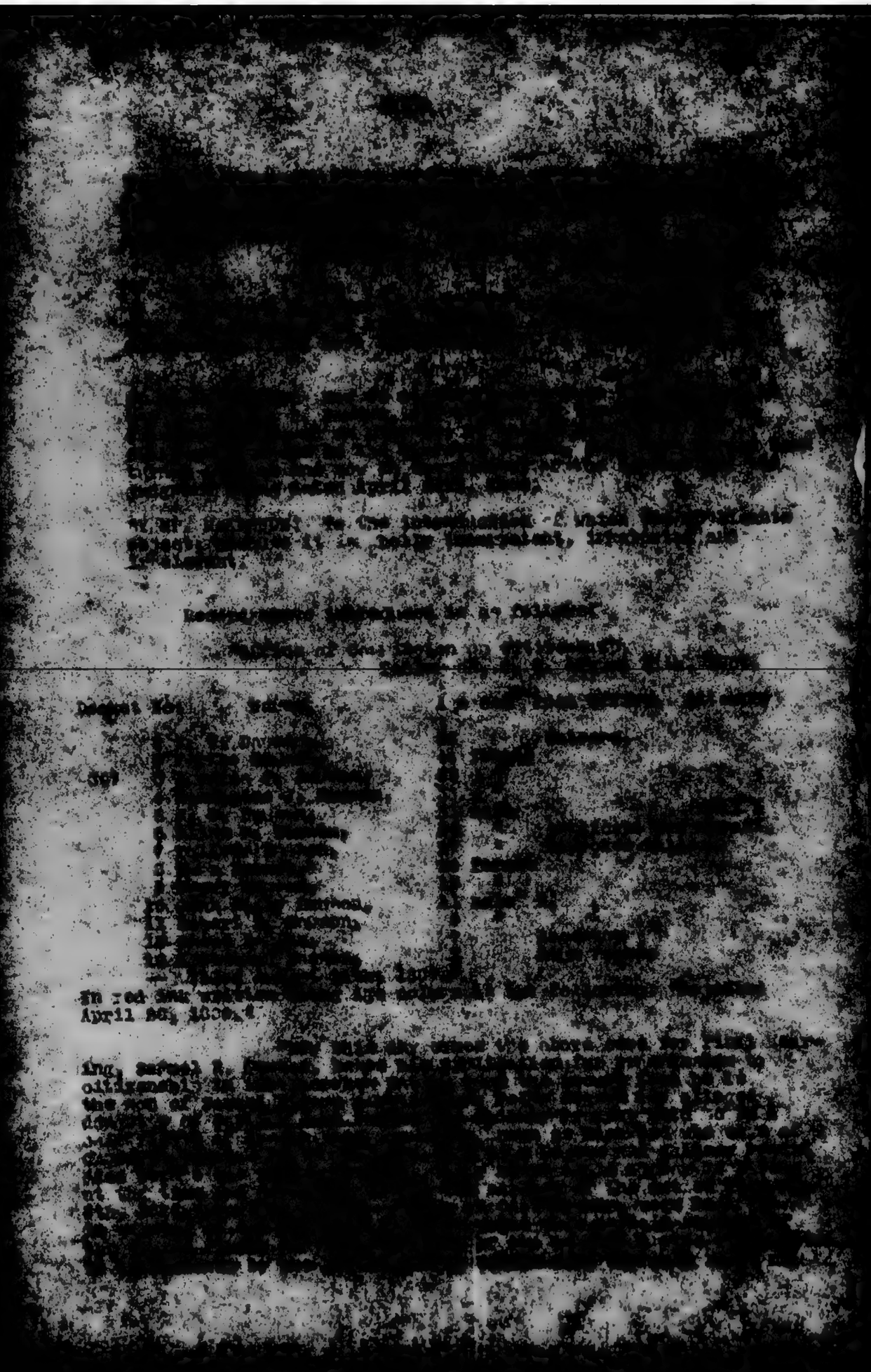
To the Commission to Citizenship,
Tahlequah, I.T. April 18, 1903.

E. Dawson for grandchildren,
Lulu Dawsett,
Dallas Dawsett,

vs

Cherokee Nation.

Joseph Dawson, being duly sworn for the purpose of [illegible] testified as follows: [illegible]



The Tahlequah Court, [illegible] Court, and are now entitled to citizens in the [illegible] the affirmance decision of the [illegible] to authorize the [illegible] to the issue now pending. [illegible] 8th, 1888, before [illegible] a hearing to [illegible] Nation upon the ground of Cherokee blood of descent, [illegible] applicant must be a person, or the lineal descendant of a person whose name appears upon the census rolls of Cherokees taken by the United States,' As are hereafter enumerated. Neither the name of the applicant nor that of the person of whom he claims to be a lineal descendant appearing upon either said rolls the Commission adjudge and decree that Samuel K. Dawson and family are not entitled to re-admission to citizenship in the Cherokee Nation as Cherokees by blood. This opinion includes the cases of Andrew J. Dawson, James K. P. Dawson, Jounnah Barber nee Jounnah Dawson and Jane Queen, nee Jane Dawson, and their families, as enumerated in their respective applications.

(signed) Will P. Ross,
Chairman.

This April 26th, 1889.
(signed) D. L. Williams,
Clerk Com'n.

(signed) R. Bunch, Commissioner,
John E. Carter, Com'nr.

BY MR. HUTCHINGS: The Nation now introduces the envelope in the case of James K. P. Dawson, and the contents, being the original testimony in the case of K. Dawson also the judgment in said case, found on page 116, in book C, containing the records of the Citizenship Commission of the Cherokee Nation, the date of said Judgment being April 26th, 1889; this book being also in the custody of this Commission.

BY MR. McKENNON: To the introduction of all of which the applicants object, because it is wholly incompetent, irrateriol and irrelevant.

The envelope above introduced is indorsed on back as follows:

"Ware, James K. P. Dawson, APPLICANT FOR CHEROKEE CITIZENSHIP. Address, - - - Age, - - Years, - - Roll of 1835, Ancestor, Riley Dawson, filed the 5 day of Oct. 1887, Docket 989, Book C Page 116, Testimony on Journal - - Page - - - Decision of Commission Rejected 26 day of April 1889 Rejected."

The contents of said envelope are as follows:

"A. J. Dawson, et al.,) Office Com. On Citizenship,
(vs)) Tahlequah, I. T. Sept. 27th, 1888.
Cherokee Nation.)

K. Dawson, who being duly sworn, upon his oath, deposes and says as follows, to wit:

[redacted]

[redacted]

[redacted]

BY MR. MCKENNON:

[redacted]

BY MR. MCKENNON: To all of which the applicant objects because it is wholly incompetent, irrelevant and immaterial.

The envelope just introduced is indorsed on the back as follows:

"106, 1. Name Rebecca Dawson, APPLICANT FOR CHEROKEE CITIZENSHIP. Address Everett, O. T., Age 48 years, 1839, to 1839. Roll of 18-- Ancestor Mated, Filed the 5 day of Oct 1887, Docket 1017 Book C Page 144, Testimony on journal- Page - - Decision of Commission, Rejected 28 day of August 1889. Submitted by Mr. Rasmus, Aug. 28, 1889." "B"

The contents of said envelope are as follows:

"APPLICATION FOR CITIZENSHIP.

To the Honorable Commission on Citizenship:
Gentlemen:- The undersigned, your petitioner, this day makes this her application for re-admission to citizenship in the Cherokee Nation, in accordance with the Constitution, and with an act of the National Council approved December 6th, 1886, creating your Commission, And respectfully submits the following statement of the grounds for this her application, to-wit:

That Rebecca Dawson is the Second Daughter of Ora Mayes, who the undersigned firmly believes was entered upon the Census Rolls of Cherokee by blood, citizens of the Cherokee Nation, taken and made in the years 1851-52, 1867.

The undersigned hereby presents the above facts as the lawful grounds for this application for Cherokee citizenship by blood, and respectfully herein the time when application shall be duly heard and tried in accordance with the aforesaid law.

Age, 48 years; Postoffice, Everett, Ohio, Va. family with their relationship attached is as follows:

No	Name	Sex	Age	Relationship.

In witness o which application I hereto set my hand on this the 4-- day of October 1887.

(Signed) Rebecca Dawson,

Boudinot & Rasmus,
Attorneys."

- - - - - - - - - - - -

"COMMISSION ON CITIZENSHIP.
Cherokee Nation, Ind. Ter.
Tahlequah, August 28th, 1889.

Rebecca Dawson)
V. S.
Cherokee Nation.) The above case was called and submitted by

[redacted]

The judgment [redacted] on Citizenship, Cherokee Nation, [redacted]

[redacted]

OFFICE [redacted]

Docket	No	Names	[redacted]	Post Office Address.
	1	Rebecca Dawson	42 Female	Talala, I. T.

1017

[redacted] for Cherokee Citizenship.

[redacted] June, 1856, [redacted] to 1902.

[redacted] Protestor,

[redacted]

V. S.

Cherokee Nation.

[redacted]

[redacted]

The above case was called [redacted] Rasmus without evidence. The Commission finds that [redacted] aged 42 years is not a Cherokee by [redacted] Citizenship in the Cherokee Nation.

Attest:

E. C. Rose,
Clerk Commission.

[redacted]

BY MR. HUTCHINSON: The [redacted] envelope and contents in the [redacted] contents being the application [redacted] as written up by the Court; [redacted] Court as copied in Book C, [redacted] rendered August 28th, 1896.

BY MR. McKENNON: To all of which the [redacted] the same is immaterial, irrelevant and incompetent.

The envelope just introduced is indorsed on back as follows:

"[redacted] CITIZENSHIP, [redacted] 1896 Book of [redacted] Book C Page [redacted] Division of Cherokee Nation, [redacted] submitted by Mr. Rasmus, [redacted]

[illegible]

[illegible]

[illegible]

[redacted]

In witness of the application I hereto set my hand on this the 4th day of Oct 1897.

(signed) James K. P. Dawson,

C. H. Taylor, Attorney."

- - - - - -

The judgment as recorded in Book A, page 145, of the records of the Cherokee Commission on Citizenship, is as follows:

Mary Dawson,

Office of Commission Citizenship.

Tahlequah, Ind. Ter., Oct. 5th, 1897.

Docket No.	Names	Age Sex	Post Office	Attorney
1	Mary Dawson,	54	Female Bowie, Texas.	
2	Walter Dawson,	18	male	Bartlett & R. Applicants Per Cherokee Citizenship.

Rolls 1835 to 1852 inclusive

vs.

Cherokee Nation.

- - - - - -

Office Commission on Citizenship,
Tahlequah, Ind. Ter.,
October 4th, A.D. 1897.

The above cause having been submitted by C. H. Taylor, attorney for applicants, without evidence, the Commission decide that Mary Dawson aged 54 years, and her son Walter Dawson aged 18 years are not of Cherokee blood. Post office Bowie, Texas.

Attest:

E. C. Rose,
Clerk Commission.

Will P. [redacted]
Chairman.
[redacted] Com."

- - - - - -

BY MR. [redacted] The [redacted] thereupon introduced the original records in the case of [redacted] Dawson and Walter [redacted] Dawson, which said records [redacted] and the [redacted] with the [redacted] Commission and [redacted] and the [redacted] the judgment [redacted]

BY MR. McKENNON: We will of which the applicants object, because the same is immaterial, irrelevant and incompetent.

The envelope just introduced above, is endorsed as follows:

"Name, Andrew J. Dawson, APPLICANT FOR CHEROKEE CITIZENSHIP. Address, Nevada, Mo. Age 44 years, - - 1835, Roll of 1835, Ancestor, - - Filed the 11 day of February 1887, Docket 37 Book A, Page 38 Testimony on Journal - - Page, Decision of Commission, Rejected, 26 day of April, 1889. Rejected."

The contents of said envelope are as follows:

"To the Commission on Citizenship.

Tahlequah, I. T.,
January 27, 1887.

	Age		
Andrew J. Dawson,	44	years	Male
E. E. Dawson,	16	"	"
Olive M. Dawson,	14	"	female
William H. Dawson,	11	"	male
Jessy K. Dawson,	9	"	"
Glennie D. Dawson,	8	"	female.

V.S.
Cherokee Nation.

Know comes Andrew J. Dawson, and five children claiming his right to Cherokee Citizenship by virtue of his Cherokee blood, he being a cousin of E. Dawson and others of the same name admitted to Citizenship by the Tom Tehee Court on Citizenship, which is a matter of record, we submit that as proof of the Justness of his claim, his ancestors will be found on the roll of 1835.

Respectfully,

Post-office, (signed) A. J. Dawson &
Nevada, Mo. five children,
by C. N. Taylor,
Attorney."

The judgment just introduced and found on page 38 of Book A, Records of Cherokee Commission on Citizenship, is as follows:

"Andrew J. Dawson,
Office Commission Citizenship,
Tahlequah, C. N., Feby 11, 1887.

Docket No	Family	Name	Age	Sex		
	1	Andrew J. Dawson,	44	Male	Nevada, Mo.	
	2	E. E. Dawson,	16	"		
77	3	Olive M. Dawson,	14	female		
	4	William H. Dawson,	11	Male	Applicants for	
	5	Jessie K. Dawson,	9	"	Cherokee Citizenship,	
	6	Glennie D. Dawson,	8	female	C. N. Taylor.	

Rolls 1835.

Rejected April 26, 1889, (red ink.)

V.S.
Cherokee Nation.

Attach receipt to this affidavit and send with papers to the Commission at Vinita, Indian Territory. This takes the place of the following Instructions, as we understand that payments are not promptly received for by the Chiefs and Governors.

xxx _____
For the Commission."

APPLICATION FOR ENROLLMENT.

To the Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss and Alexander B. Montgomery, United States Commissioners, authorized by an Act of Congress of June 4th, 1890, to hear and determine claims for citizenship in the Cherokee Nation:

Gentlemen:-

The undersigned, your petitioner, Andrew J. Dawson, ~~Minnie E. T. Dawson, Jesse K. P.~~ (Line in ink drawn through these names) for and on behalf of Minnie E. T. Dawson, Olive Maud Dawson, William H. T. Dawson, Jesse K. Dawson, Glen Dale Dawson, Jesse K. P. Dawson, William A. Dawson, Maggie E. Dawson, Richard E. Dawson and Mary E. Dawson and heirs, this day make their application to you for the purpose being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of the funds and allotments of lands in the Cherokee Nation by virtue of their Cherokee blood, and petitioner states that they are Cherokee Indians by blood, deriving the same from Captain John Rogers, Polly Rogers, Daughter of Captain John Rogers, married Samuel Dawson, whose name will be found on the authenticated rolls of Cherokees by blood, taken in the years 1817, 1818, 1819 and 1835 & 1838 the same to be submitted to your Honorable Commission for a full and complete investigation, and if found correct as stated, to be granted all the rights, privileges and immunities of other Cherokee citizens, and petitioner herewith files his proof in support of said claim, and respectfully awaits the time when his application shall be heard and tried.

Respectfully submitted,
Andrew J. Dawson,

Enrollment of family, with relationship as near as I can state, as follows:

Names.	Ages.	Relationship.
Minnie E. T. Dawson,	25	Daughter,
Olive Maud Dawson,	23	Daughter
William H. T. Dawson,	20	son,
Jesse K. Dawson,	18	son.
Glen Dale Dawson,	16	daughter.
Jesse K. P. Dawson,	7	brother.
William A. Dawson,	18	Nephew.
Maggie E. Dawson,	6	Neice.
Richard E. Dawson,	17	Nephew.
Mary E. Dawson,	6	Neice.

* IN WITNESS WHEREOF, I have hereto set my hand this third day September 1890.

(signed) Andrew J. Dawson."

-4-

Joint or Sock a" Del ware

Indian Territory,
Judicial Dist.
Northern

and

verily

Subscribed [illegible] to before me at Muskogee this day of
Sept 1896.

(signed) J. A. Gibbons,
Notary Public.

(Seal)
My Commission expires June 6th 1899.

- - - - - - -

Indian Territory,
Northern Judicial Dist. } ss.
twit

Andrew J. Brown, of lawful age, being by me first duly sworn on oath says that he is 52 years old that his post office address is Afton, I. T. Affiant further says that he is a citizen of the Cherokee Nation and is by blood deriving his Indian blood from [illegible] daughter of Certain John Rogers, that Polly Rogers was a daughter of S. Smith. John Rogers married Samuel Rogers [illegible] on the Hiwassee river while emigrating to this land.

Affiant further says that Samuel Rogers and Polly Rogers are his grandfather and grandmother that Certain John Rogers was recognized by the [illegible] Cherokee Nation as a Cherokee citizen by [illegible] Cherokee Nation of 1852 as follows: [illegible] page 88, an act of Nov. 17th 1848 [illegible] Nov. 18 1848 page 304.

Affiant further says that he is a [illegible] of E. Dawson, [illegible] and that he was admitted to citizenship [illegible] and where [illegible] upon [illegible]

[illegible]

Subscribed and sworn to before me this [illegible] A. D. 1896.

(signed) J. A. Gibbons,
Notary Public.

(Seal)
My Commission expires June 6th 1899.

"I dian Ter itory,
Judicial Dist. } S.S.

I, [illegible] of lawful age, being by me first duly sworn on oath [illegible] that he is [illegible] and that [illegible] address is [illegible]

[illegible]

[illegible]

[illegible]

Subscribed and sworn to before me this 6 day of August 1896.

(signed) W. J. Watts,
(Seal) Notary Public.

"(COPY)
In the matter of the claim of Joanah Barber nee Joanah Petty to Cherokee Indian Citizenship in the Cherokee Nation, Indian territory.

Affidavit of S. R. Dawson.

Delaware District,
Cherokee Nation,
First Judicial Division,
U.S. Court, Indian Territory. } ss

S. R. Dawson, to me well known to be a liable and respectable, after being duly sworn according to law states on oath, that he is a bona-fide citizen of the Cherokee Nation by blood- that he is a resident of said Nation- that his post-office address is Afton, I. T.; that he is fifty-one years of age- that he is well acquainted with the claimant Joanah Barber and has as long as he has known any person- that she is of Cherokee Indian descent- that her maiden name was Joanah Petty- that she was the daughter of one Elizabeth Petty, a person of Cherokee Indian descent- that Elizabeth Petty's maiden name was Elizabeth Dawson- that said Elizabeth Dawson was the daughter of Polly Rogers, a person of Cherokee Indian descent, who intermarried with Samuel Dawson, a white man- that he said Polly Rogers was the daughter of Captain John Rogers and Ailsey Vann both well known Cherokee Indians.

Affiant is not directly nor indirectly interested in the result of this application.

(Impress of National Seal)

(signed) S. R. Dawson.

Subscribed & Sworn to before me this 6 1896.

(signed) W. J. Kinnard,
Notary Public.

"United States of America,
Indian Territory, } ss
First Judicial Division.

I, William P. Bowles, a Notary Public within and for the Judicial Division aforesaid, do hereby certify that the next above in the within one page of an affidavit is a true and literal copy of the original as prepared to me at Tahlequah, Ind. Terry, this the Third day of July A.D. 1897.

(signed) William P. Bowles,
Notary Public, First Judicial Division, Indian Territory.
(Seal) My Commission expires Feby 3, 1897."

(A copy)

In the matter of the claim of Joanah Barber (nee Joanah Petty)

Subscribed and sworn to before me at Tahlequah, Ind. Terr. this third day of December A.D.1894.

(signed) [illegible]
United States Commissioner.

(seal)

UNITED STATES OF AMERICA.
Western District of Arkansas. }ss

In the case of Joanah Harber Claim #33 for citizenship in the Cherokee Nation, Indian Territory, as Cherokee Indian by blood, before Cherokee Indian Authority at Tahlequah, Cherokee Nation, Indian Territory.

Personally came this day before me [illegible], a Commissioner of the U. S. Dist. Court [illegible] District aforesaid duly authorized to administer [illegible] H. Dawson, to me personally well known and entitled to [illegible] deponent of lawful age who being duly sworn by me on his oath deposes and says: that he is [illegible] 57 years, by occupation a farmer by education, that he is a citizen of the Cherokee Nation, by virtue of Cherokee Indian blood.

And affiant further in relation to the above claim as follows, to-wit: I am personally well acquainted with the claimant Joanah Harber, whose maiden name was Fitzpatrick (commonly called "Betty") Fatty, and I know she is a full blood Indian by blood, said Elizabeth Fatty was a child of my father Robert Dawson Dawson, a Cherokee Indian by blood, and I acknowledge the relationship of Claimant said Joanah Harber to me as first cousins and I [illegible] the said Joanah Harber therefore is of Cherokee Indian blood.

(signed) [illegible]

Subscribed and sworn to before me at Tahlequah, Ind. Ter. this 17th day of November A.D.1894.

(seal)

[illegible]
United States Commissioner.

Endorsed on back as follows: [illegible]
Jim. A. [illegible], Atty.

[redacted]

[redacted]

[redacted]

Affiant states that he is a [illegible]
sum for [illegible]
Affiant [illegible]
that [illegible]
a [illegible]
[illegible]

(signed) [illegible]

Subscribed and sworn to before me this [illegible]
October, 1906.

William M. Hall,
Notary Public.

My Commission expires January 10th 1909.
(seal)

- - - - -

Before the Honorable Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. - (name torn off) A. B. Montgomery, Commissioners.

In the matter of the application of Jonnah Barber et al- for citizenship in the Cherokee Nation. Nation's No. 1573 Commission's No...

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and [illegible] the said application, and for [illegible] thereof says:

1st, That the Commission has no jurisdiction over the parties or subject matter of this controversy, and not legal right, therefor, to hear and determine the same.

And, That the application does not state facts sufficient, if true, to show [illegible] the applicants are entitled to citizenship.

Wherefore, respondent now [illegible] inquiring upon the [illegible] for citizenship, and [illegible] John Rogers [illegible] their right to citizenship in the Cherokee Nation, and has not been a citizen of the Cherokee Nation, and a removal of said Nation, and the Indian Territory, [illegible] present located and confined [illegible] any of the restrictive rules of said Nation, [illegible] any of their ancestors [illegible] resided in the Cherokee Nation and [illegible] citizens thereof.

Having fully answered, your respondent asks to be [illegible] dismissed.

S. H. Mayes, Principal Chief Cherokee Nation.

My Estabrook, Hastings & Bradford, Attorneys.

[illegible] Assistant Secretary, [illegible] being first duly sworn, states that he is [illegible] the foregoing answer are true, to the best of his knowledge and belief.

(signed) John L. [illegible]

Subscribed and sworn to before me this [illegible] October, 1906.

(signed) [illegible]
Notary Public.

(seal)



to U.S.

of

(SEAL)

Received

"IN THE UNITED STATES COURT FOR THE INDIAN TERRITORY,
SOUTH MCALESTER JUDICIAL DIVISION, AT MUSKOGEE, IND. TER.

Joshua [illegible] et al.

vs

CHEROKEE NATION,

Appellee.

PETITION FOR APPEAL FROM THE DECISION OF THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Come now the appellants in the above entitled cause, and petition the Court to [illegible] decision of the Commission, [illegible] of Indians, [illegible] and Seminole Indians, [illegible] for citizenship [illegible] declined by [illegible] not in accordance [illegible] June 10th, [illegible] October, [illegible] rights to citizenship in the [illegible]

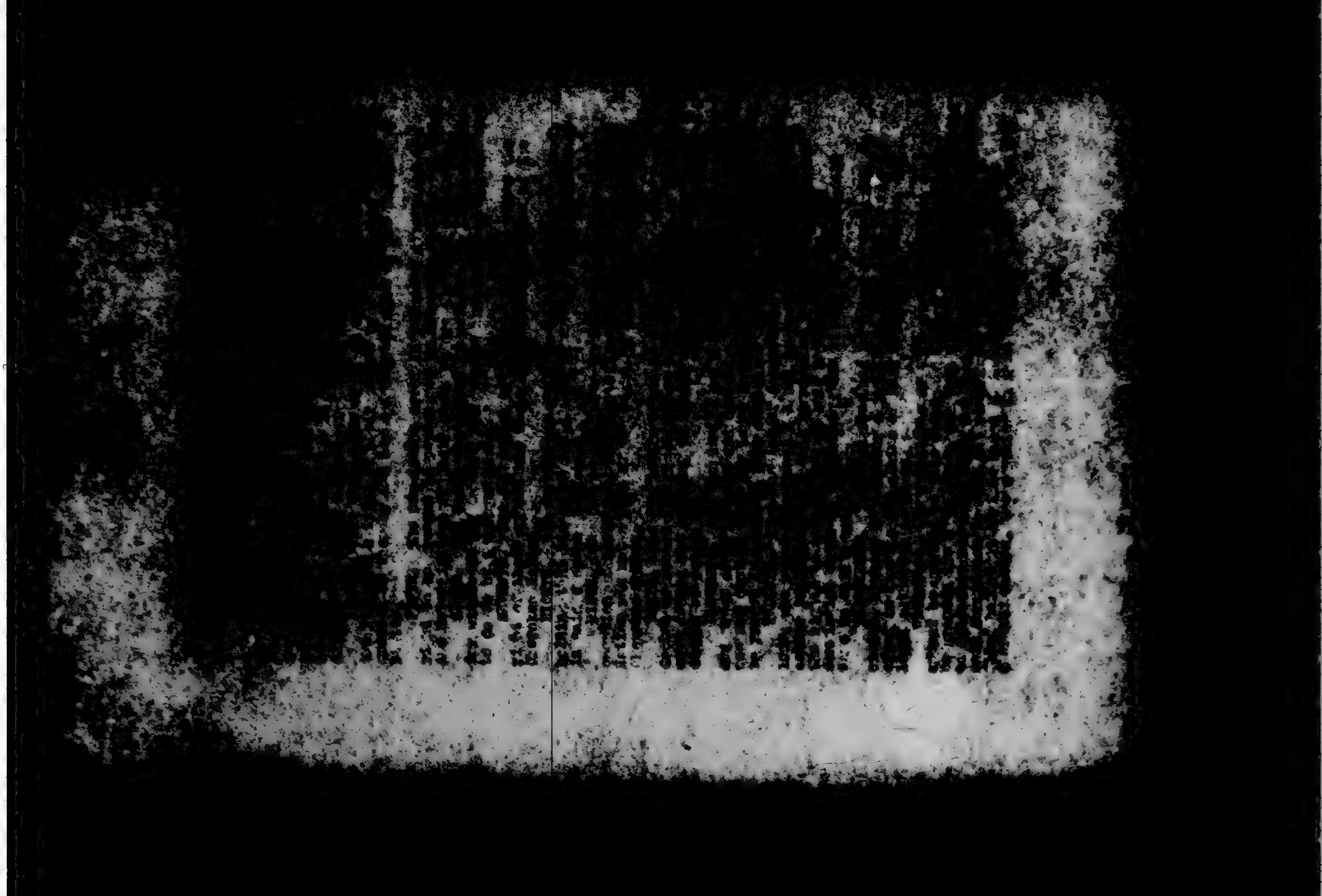
The said [illegible] rights to citizenship in the Cherokee Nation as follows: [illegible] A. Brown, J. H. Bruner.

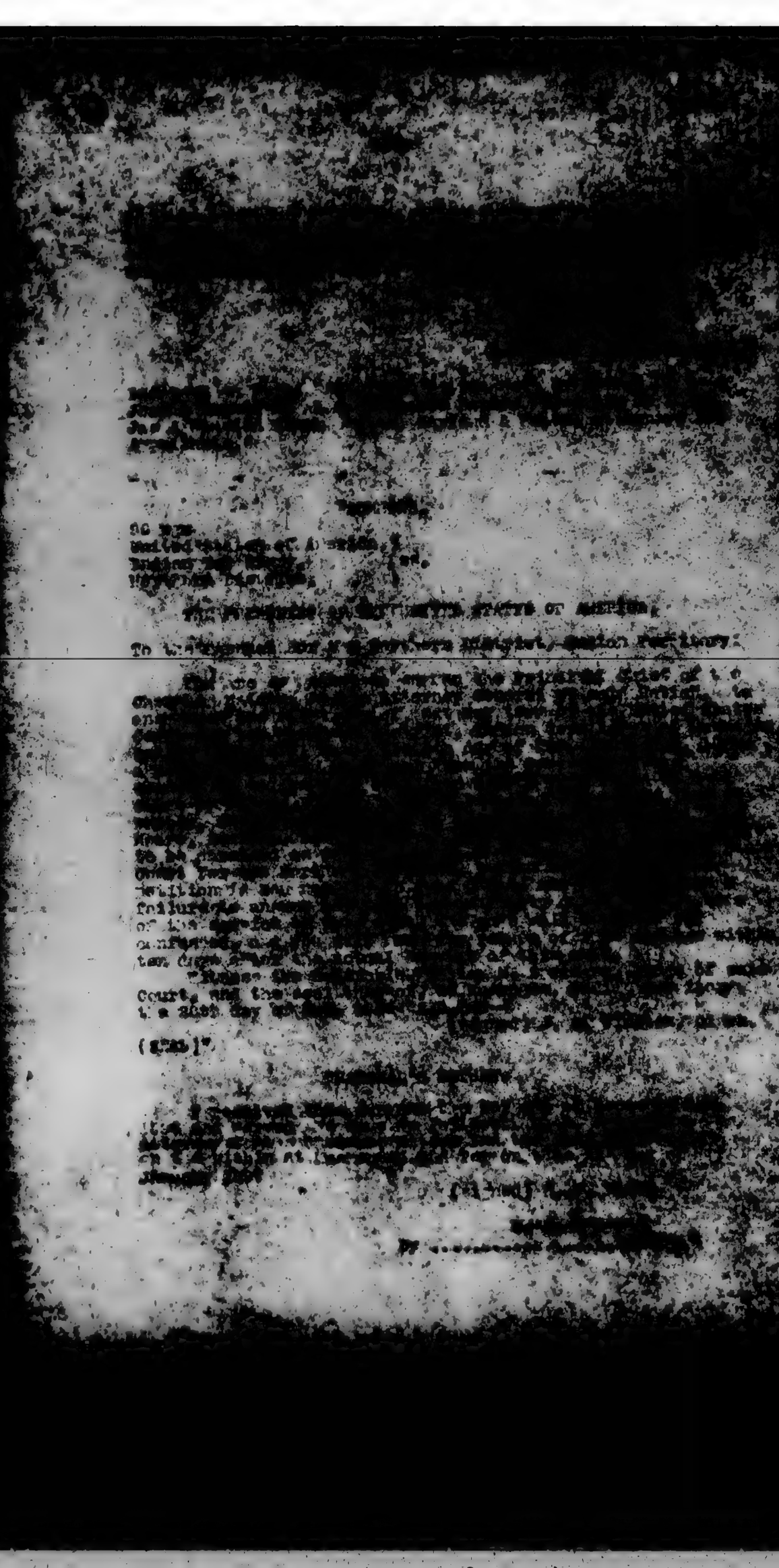
Said affiants [illegible] that said applicants are [illegible] by blood and descent, and entitled to [illegible] in the Cherokee Nation.

Said [illegible] appellants, [illegible] with and [illegible] who identified [illegible]

That a [illegible] the [illegible] Attorney General, [illegible] the U.S.A., [illegible]

The [illegible] citizenship [illegible] to this Court [illegible]





Indorsed on back as follows: Petition for Citizenship Case No. 30 Ch. C. Nation. Jurisdiction. Atty for Claimants."

"Joanna Barber et al.
vs. No.30.
Cherokee Nation.

I, W. A. Gibson, Special Master, to whom this case was referred, submit the following report:

'IN THE UNITED STATES COURT IN THE INDIAN TERRITORY,
NORTHERN DISTRICT, AT MUSKOGEE.

JOANNA BARBER ET AL)
-vs)- : REPORT OF SPECIAL MASTER.
THE CHEROKEE NATION.)

---oOo---

I, W. A. Gibson, Special Master herein, who by the Court was under the general order herein, I have examined the proof and pleadings herein, which is hereto attached and made a part hereof, and find as follows:

I

This this cause was instituted on September 9th, 1896, before the Dawes Commission to the Five Civilized Tribes, by Joanna Barber, and Isaac J. Barber, her husband, and their Children, Onie E., Willie E., James L., Jennie and Joel A. Barber. That Joel A. Barber has the following children, Hattie Toliver, George A., Franklin O., John and Ethel Barber. That the application includes also Mary A. Barber and her child Inez Barber, Emma L. Murphy and her child Claud Murphy, Ella Moore and her children Anna J., Jackson D., Mary and Gladys, Attie L. Hunt and her child Dorris Hunt, Alsey J. Smart and her children Georgia A. and Emzey M. Smart, Joanna J. Carlin House and her children Myrtle O., Cora L. and Bertie M. Carlin House. That this application was by the Commission tried and rejected on October 20th, 1896, with no reasons given for the decision, and that subsequently on December 27, 1896, the claimants appealed to this Court. That the parties all live in the Cherokee Nation, Indian Territory.

II

That the parties claim the right to be admitted to citizenship in the Cherokee Nation by reason of their descent from Polly Rogers, who is claimed to be a Cherokee Indian by blood. That there filed in support of their application the affidavits of S. R. Dawson, E. Dawson, Francis M. Dawson, and W. A. Dawson, who testify that Joanna Barber is the daughter of Elizabeth Fahey, the widow, who was the daughter of Polly Rogers, who married a white man by the name of Samuel Dawson, and that Polly Rogers was the daughter of Captain John Rogers and Ailsey Vann. That these witnesses are all Cherokee citizens by blood, acquainted with the

claimants, and appearing in their testimony, [illegible] by Mrs. [illegible]

[redacted]

Rogers a grandd[illegible] John Rogers, [illegible] a grandd[illegible] John Rogers, [illegible] that [illegible] by [illegible] Rogers by the [illegible] of Polly Rogers, and that [illegible] was his only daughter.

III

The claimants contend that they are residents of the Cherokee Nation, and are relatives of the Dawson family, who are recognized citizens of the Cherokee Nation by blood, are entitled to be enrolled in the Cherokee Nation as citizens by blood, while the applicants contend that John Rogers, through whom the petitioners claim, is not now and has not been a citizen of the Cherokee Nation since the removal west; that his name does not appear on the rolls of the Cherokee Nation, and that he nor his ancestors ever resided in the Cherokee Nation as citizens thereof.

The premises considered, in view of the unsettled condition of affairs in the Cherokee Nation at the time when [illegible] John Rogers, the ancestors through whom these claimants trace their Cherokee blood, lived, and especially in view of the absence of a recording [illegible] of records pertaining to [illegible]s, I am of the opinion that these claimants have proved that they are descended from Capt. John Rogers, who resided in the Cherokee Nation, and was a recognized citizen; though they do not show that he was ever enrolled as such, and I therefore find that the claimants are all recognized by the Cherokee Nation, Indian by [illegible], and that they are all Cherokee Indians by blood. That they have resided in the Cherokee Nation since 1907, and probably longer, but as the proof does not go to definitely how long, they have so resided.

I ask that the Court allow me a reasonable fee for my services here in the special Master.

Respectfully submitted this 10 day of August, 1909.

(signed) W. A. Gibson,
SPECIAL MASTER.

[illegible]y fee paid.
No Exceptions filed."

BY THE COURT.

From this report it appears that the claimants base their right to be enrolled as citizens of the Cherokee Nation upon the grounds that they are the descendants of a Cherokee Indian by blood, but their ancestors through whom they claim have never resided in the Cherokee Nation as now constituted. It appears that they have resided in the Cherokee Nation since 1907, and probably longer, though the proof does not show definitely how long they have so resided. It does not appear that the claimants or any of their ancestors have ever been recognized as members of the Cherokee Nation.

The judgment of the United States Commission rejecting this case is affirmed, and the application of the claimants

NOTICE.

SS
UNITED STATES OF AMERICA)
INDIAN TERRITORY)SS
NORTHERN DISTRICT.)

In the United States Court for said District.
In the matter of the application of [illegible] Barber et al to be enrolled as citizens of the Cherokee Nation.

To the Commission to the Five Civilized Tribes.

You are hereby notified that the [illegible] has been taken in the matter of the application of [illegible] Barber et al to be enrolled as citizens of the Cherokee Nation, from the said Commission, to the United States Court for the Northern District of the Indian Territory, and that said [illegible] is required by said Court to transmit at the [illegible] the proceedings had before said Court, at Muskogee, Indian Territory, a [illegible] all the orders made in the matter of said [illegible] in one, together with all testimony and [illegible] taken before said tribunal [illegible] thereof on the application, and all original papers [illegible] to.

Witness the Honorable Tillman D. [illegible], Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, this 27 day of Dec. 1906, A.D. 19[illegible].

(SEAL) [illegible]

Indorsed: No. 1044 In the [illegible] Cherokee Nation.
APPEAL ORDER OF U. S. COURT.

Foregoing paper enclosed in [illegible] envelope.

BY MR. HUTCHINGS:

We now introduce the original record in the citizenship case of Irene E. Keene, et al [illegible] tion in 1902, the exact number of [illegible] being decided by the Commission; appealed [illegible] Court, and the decision of the Commissioner [illegible]

In this case we desire to call [illegible] certified copy filed therein of the testimony of [illegible] the certified copy having been made [illegible] testimony of Dr. Baker in the case of [illegible] Nation, number 108, before the Citizenship Commission, and which was read January 19, 1906.

BY MR. McKENNON: To all of which the [illegible] because the copy is immaterial, irrelevant and [illegible]

The [illegible] in Court No. 430, [illegible] as follows:

[illegible]

[illegible], Tahlequah, January 19, 1898.

No. 190,
Robert Dawson et al) Exhibit C.
vs.
Cherokee Nation.)

Testimony for Claimants.

Witness, Dr. Arthur Baker sworn testified as follows:

My name is Arthur A. Baker I reside at Berryvill Arkansas Carroll County My age is 77 years I am not a Cherokee. I lived in the Cherokee Nation about three years then I first came to Arkansas I have been acquainted with him since he became a citizen of Carrolls County near 35 years - At my Mothers house near Calhoun I became acquainted with the claimants Robt Dawson grandmother on Mother's side she was frequently at my Mothers house though she Anna Pruet lived in the Nation side; She claimed to be a half sister to Big Joe Vann, also claimed to be half Cherokee, the first time she brought the claimants mother to my mothers house she the mothers mother was about grown when I was a little boy. She called her daughter Polly Rogers, Said Captain John Rogers who ran a boat up the River was the father of the child; I saw the girl frequently there at my Mothers and there at Louis Ramses Store.

I saw her occasionally until I was 15 or 16 years of old and I think then Old Capt. John Rogers took her off to school, I saw her no more then the time Old Capt, John Rogers took her off till I saw her here in Arkansas the wife of old Grandi Dawson, I stayed all night there and she and I had a talk over our old mothers and I asked her where she became acquainted with Dawson and she said at the time she was going to school and she said after she left school that Dawson followed her home, to the Nation and they were there married. I have told that precisely in the words that she used, Capt John Rogers claimed to be one fourth Cherokee. The claimant Pat is son of Polly Rogers, and I know Polly Rogers to be the daughter of Anna Pruett and I know the claimant to be he son of Polly Dawson.

Ca t. Rogers then reside in the Cherokee Country about twenty (Word "twenty" marked through) twelve miles below Calhoun on the Hiwassee River Anna Pruett resided in the Cherokee Nation as long as I stayed there I saw Dawson when I got acquainted with them Arkansas were recognized where they were no Cherokees. Robert Dawson children is Buck, John, Marian and two girls, The children named in th petition I recognized as being the claimants.

Question by Solicitor:

Qu. 1 How many children did Polly Rogers have?
Ans. 1 Five I think that's all.
Qu. 2 Did you say so saying about woman one being married twice?
Ans. 2 The claimant was married twice.
Qu. 3 Could Anna Pruett speak Cherokee?
Ans. 3 Yes, she could speak it well.

Ques 4 Did Polly Rogers speak Cherokee?
Ans. 4 She did when she was young.
Ques 5 How far did you live from A[illegible]?
A[illegible] 5 About seven five miles S/E of A[illegible].
Ques 6 Was Harmage in the Cherokee Nation?
Ans. 6 He was on both sides of the river here in the Nation and was out in the state.
Ques 7 When Harmage was it went to Texas?
7 George went first, then John went, they were the sons of old man Harmage, that lived us near the line.
Ques 8 Did the Claimant go to Texas?
Ans. 8 No the claimant did not go to Texas.
8 What connection was claimant and Polly Rogers?
9 The Claimant is the son of Polly Rogers
Marion here is the grandson of Polly Rogers.
10 Where does claimant now live?
10 He lives in Carroll Co Arkansas.
11 Do you know what relation old Capt John Rogers was to Charles Rogers here in Cowesscowee?
11 They claimed him but what kin I dont know there were two Capt John Rogers in the Nation I am speaking of the time when I first come to this country about the year 1830.
12 Was Anna Pruet the maiden name of claimants grandmother
12 Yes that was her maden name the Indian called her Since

his
(signed) Arthur x Baker
mark

Witness hand paralyzed is the reason why he signed by a mark thus x

I R T Hanks Assistant Executive Secretary do hereby certify that the foregoing document is a true and correct of the riginal as appears of record in the Executive Department of the Cherokee Nation.

Given under my hand and the seal of the Cherokee Nation on this the 5th day of December 1896.

(signed) R. T. Hanks,
Asst Exec Sec.

(seal)

- - - - - - -

"To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes in the Indian territory:

Your petitioner, Irena J. House, undersigned, respectfully states that she is a Cherokee Indian by blood, as asks to be enrolled as a member of the Cherokee Nation of Indians in the Indian Territory. That she derives her said Indian blood from Joannah Barber her mother, who is a Cherokee Indian by blood The said Joannah Barber being a daughter of Elizabeth Petty who was the daughter of Polly Rogers and Samuel Dawson, the said Polly Rogers being the daughter of Captain John Rogers and Anna (also Vann) Pruet, Cherokee Indians, as shown by a certified copy of the affidavit of Mr. Arthur A. Baker, which is hereto attached as Exhibit A also affidavits marked exhibits B- C- D- and E.

Your petitioner alleges that above facts be the lawful grounds for her application for citizenship in the Cherokee

Nation, and prays that her claim may be fully investigated by your Honorable Commission and that she be adjudged to be a citizen of said Cherokee Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

Her age is 34 years, My Post Office address is Talala, Ind. Ter. My family consists of the following named persons: My husband and children as follows:
F. J. House, aged 34 years; Chas. C. House, aged 8 years; Vinson T. House, aged 3 years, Anny F. House, aged 6 years.

WITNESS my hand this 19 day of August 1896.
(signed) Irene J. House.

- - - - - - - -

Northern Judicial
District, Ind. Ter. ss.

Personally appeared before me, the undersigned authority, Irena J. House, to me known to be the petitioner in the above petition, who being by me first duly sworn upon her oath says that she is the petitioner in the above petition, that she has read (or heard read) the said petition and that the facts stated therein are true, as she verily believes.
(signed) Irene J. House.
Subscribed and sworn to before me at Talala, Ind. Ter. this 19 day of August A.D.1896.
(signed) J. Barrickla,
Notary Public, My Commission expires
June 3 1899."
(seal)

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"Exhibit A.
Northern Judicial Division.
Indian Territory.

Jonnah Harper being duly sworn according to law, on oath states: My name is Jonnah Harper I am of sixty one years old. My Post office address is Talala Ind Ter. My husband's occupation is farmer I am a Cherokee Indian by blood my mother being Elizabeth Petty (nee Dawson) Daughter of Samuel Dawson and Polly Dawson (nee Rogers) and said Polly Rogers is a daughter of Dart Rogers and Anna Ward (commonly called Alawy Vann) the following Irene J. House is my daughter; she was born in Williamson County, Texas May 13th 1863, moved with her husband children to the Indian Terry and settled near Talala I Terry
(signed) Jonnah Harper
Subscribed and sworn to before me this 19th day of Aug. 1896.
(signed) J. Barricklaw,
Notary Public, My commission expires
June 3 1899
(Seal)

- - - - - - - -

"EXHIBIT B.

Indian Territory,
Northern Judicial District ss.
P. L. Dawson being duly sworn according to law deposes and says:

My name is F. M. Dawson, I am 54 years of age my post office address is Muskogee Indian Territory, I am a [illegible] of Cherokee Nation [illegible] Indian [illegible] was Polly [illegible] and she married to [illegible] Dawson [illegible] old Cherokee Nation in Tennessee. My grand parents Samuel Dawson and his wife Polly [illegible] from the old Cherokee Country in about 1832 and settled in Western Arkansas and [illegible] came on to the Indian Territory and the father of this affiant Robert Dawson and family settled in the Cherokee Nation, Indian Territory, Robert Dawson, the father of the affiant was also a recognized citizen of the present Cherokee Nation by reason of his Cherokee Indian blood.

The said Robert Dawson father of this affiant and Elizabeth Dawson who married John Petty were full brother and sister by blood, both being children of said Samuel Dawson and his wife Polly Dawson whose maiden name was Polly Rogers

The said Elizabeth Petty was the mother Of Joanna Barber who is a full cousin by blood of this affiant in the Indian side. The said Joanna Barber is the mother of Irena J. House nee Barber who is a second cousin of this affiant in the Indian side.

This affiant further states that he has seventy five to a hundred blood relatives who reside in the Cherokee Nation and are recognized Cherokee Indians by blood and drew their per capita money all the last payment; said citizens and relatives derived their Indian blood from the same source that the above named Irene J. House, derives her Indian blood and right.

This statement I have made to John H. Koogler, a Notary Public at Muskogee Indian Territory and it has been written down by him at my dictation. Such part of this statement which refers to matters occurring previous to my recollection I know by means of family history and traditions which I have always been taught and told of by my parents and grand parents from childhood up, to facts stated as occurring after my childhood I know of my personal knowledge. Affiant further states that he is not personally interested in the prosecution of the application of said Irena J. House for citizenship in the Cherokee Nation.

(signed) F. M. Dawson."

"Indian Territory,
Northern District.

I John H. Koogler, hereby certify that the annexed and foregoing statement and affidavit was dictated to me by F. M. Dawson and was subscribed and sworn to by him and was written by me from his oral statement at my office in Muskogee Indian Territory this 14 day of August 1896, and I further certify that the said F. M. Dawson is personally known to me and that he is a creditable person and entitled to belief.

(signed) John H. Koogler,
Notary Public."

(seal)

- - - - - -

Northern Judicial District,
Indian Territory. EXHIBIT D.

E. Dawson, being duly sworn according to law on oath states: My name is E. Dawson; I am 61 years old; my post office address is Talala, Ind. Ter. I am a farmer by occupation, and reside in Cowweescowee District- Cherokee Nation. I am a recognized Cherokee Indian by blood, and exercise all the rights and immunities of a Cherokee Citizen now living in the present Cherokee Nation. I was born in Carroll County Arkansas near Berryville. I derived my Cherokee Indian blood from my Grandmother Polly Rogers through my father, Robert Dawson. My grandmother Polly Rogers was a Cherokee Indian and was married to my grandfather Samuel Dawson in the old Cherokee Nation in Tennessee. My Grand Parents, Samuel Dawson and his wife Polly Dawson whose maiden name was Polley Roger came West from the Old Cherokee Country in about the year 1832, and settled in Western Arkansas, and later came on to the Cherokee Nation. My father Robert Dawson was a recognized member of the Cherokee Nation when he died, by reason of his Cherokee Indian blood.

The said Robert Dawson, the father of this affiant, and Elizabeth Dawson who married John Petty were full brother and sister by blood, both being children of the said Samuel Dawson and Polly Dawson his wife who being the same Polly Rogers as aforesaid. The said Elizabeth Petty was the mother of Joanah Barber who is a full cousin by blood of this affiant on the Indian side, the said Joanah Barber is the mother of Irena J. House, whose maiden name was Irena J. Barber and a second cousin of this affiant on the Cherokee Indian side. This affiant further states that he has seventy five to a hundred blood relatives who reside in th Cherokee Nation and are recognized Cherokee Indians of the present Cherokee Nation and exercise all the rights and privileges of such Cherokee citizens, they having drawn their shares of the Strip Money at the last per capita payment made by the Cherokee Nation.

Said citizens and relatives derived their Cherokee Indian blood from the same source, as did the above named Irena J. House.

I have made this statement before J. Barricklaw, Notary Public at Talala, Ind. Ter, and affiant further states that he has no personal interest in the prosecution of the claim for citizenship in the Cherokee Nation of the said Irena J. House.

That the above facts which are within the personal knowledge of the affiant or within his years of discreetion he knows personally, and the other facts which occured before the recollection of affiant he testifies to from what he has been taught from his family history and traditions.

That the relationship existing among all his people in the Cherokee Nation he knos from his personal knowledge and that they are related to the Cherokee Indian side.

(signed) E. Dawson.

Subscribed and sworn to before me this the 19 day of August 1896

(signed) J. Barricklaw,
Notary Public, My Commission expires June 6, 1898.
(seal)." Notary Public.

"Cherokee Nation,
Commissioners District. EXHIBIT E.

Before me the undersigned authority this day personally appeared W. A. Dawson who is to me well and personally acquainted, and after being duly sworn; deposeth and says, that he is well acquainted with Irena J. House and knows she is a Cherokee Indian, and that he knows she is the daughter of Joana Rattler, who is a neice of Robt. & James Dawson, who are both Cherokee Indians and recognized citizens of the Cherokee Nation.

Affiant further states that Irena House is the grand daughter of Mrs. Petty, who was a full sister of Robt & James Dawson.

Affiant further says that he knows that Irena House is a lineal descendant of Annie Dawson whose children (line drawn through word "children") sons, Robt & James before spoken are recognized citizens.

Affiant further says he has no interest in this suit.

(signed) W. A. Dawson.

Sworn and subscribed to before me this 17 day of August 1896.

(signed) William Lynch
Notary Public.

(Seal) My term expires Feb 6 1900."

Foregoing indorsed on cover as follows:
"No: 3099 5464. Before the Dawes Commission on Citizenship in the Five Tribes. Irene J. House V.S. The Cherokee Nation. Petition and Proof. Will E. Linton, for Petitioner. Filed Sept 8 1896 A. S. McKennon, Com'r. Denied. Filed Feb 26 1897 Jas A. Winston clerk."

- - - - - - -

"Received of M. M. Jacoway, jr., Secretary to the Commission to the Five Civilized Tribes the original papers in the cause of .... vs..... Nation, as follows..... Witness my hand and of icial seal at Muscogee this the 26 day of Feb' 1897 J. A. Winston, Clerk."
(Seal)"

Indorsed: "Court No.238 No. 5464 Receipt for original papers in the case of Irena J. House vs. Cherokee Nation, Received and filed this ..... day of..... 189..."

- - - - - - -

"Irene J. House et al,
vs. No. 238
Cherokee Nation.

Mr. M. A. Gibson, Special Master to whom this case was referred, submits the following report: (Insert report)

IN THE UNITED STATES COURT IN THE INDIAN TERRITORY.

NORTHERN DISTRICT AT MUSCOGEE.

IRENE J. HOUSE ET AL

VS # 238 REPORT OF SPECIAL MASTER.

THE CHEROKEE NATION.

----------oOo----------

I, N. A. Gibson, Special Master herein, show to the Court that under the general order herein, I have examined the proof and pleadings on file in this case which are made a part of this report, and that I find as follows:-

I

That this case is in reality a branch of Case No. 90, Joanna Barber vs Cherokee Nation, the principal claimant herein being Irene J. House a daughter of Joanna Barber.

That this cause was instituted on September 3, 1896 at which time application was made to the Commission to the Five Civilized Tribes for citizenship by blood in the Cherokee Nation.

That this case was tried by the said Commission on November 24, 1896 and the applicants denied, no reasons being given for the decision, and that on January 20, 1897, the parties appealed from said decision to this Court.

That this application was made by Irene J. House, her husband, F. J. House, and their children Chas., C. Winston T., and Henry W. House. That they file in support of their application the affidavits of Joanna Barber, F. M. Dawson, Arthur A. Baker, E. Dawson, and W. A. Dawson. That these Dawson witnesses are citizens by blood of the Cherokee Nation, and state that they are related by blood to the claimants herein on the Cherokee side. The claimants base their contention of a right to Cherokee citizenship upon the fact that the claimant Irene J. House is the daughter of Joanna Barber, who is the daughter of Elizabeth Petty, who was the daughter of Polly Rogers, and that Polly Rogers was the daughter of Captain John Rogers and Ailsey Vann, who were recognized Cherokee citizens by blood. That the testimony shows that this Dawson family are recognized citizens of the Cherokee Nation, and that the claimants herein are cousins by blood upon the Indian side, and that they all claim through a common ancestor, Polly Rogers and Captain John Rogers and Ailsey Vann, who were all recognized Cherokee Indians.

II

The appellee introduces in defense the record of the application of these claimants to the Cherokee Commission on Citizenship in the year 1897, and the record of the rejection of the claimants, and further the affidavits of W. C. Rogers, and Mrs. Sarah Carter, a grand daughter both of whom state that they never heard of any daughter of Captain John Rogers by the name of Polly Rogers, and that he had only one daughter, whose name was Cynthia.

III

The Claimants contend that they are residents of the Cherokee Nation and are relatives of the Dawsons, who are

recognized citizens of the Cherokee Nation, or entitled to be admitting to the Cherokee Nation by blood, while the ancestor or ancestors through whom the petitioners claim, is not now and never has been a citizen of the Cherokee Nation since the records were kept, that his name does not appear on the rolls of the Nation, and that neither he nor his ancestors ever resided in the Cherokee Nation as citizens thereof.

XV

The premises considered, I find that the claimants are the descendants of Captain John Rogers, and that it was entirely possible that in the condition of affairs at that early date in the Cherokee Nation, especially owing to the absence of a marriage law and of records pertaining to marriage, that these claimants should be the descendants of Captain John Rogers by a daughter, Polly Rogers, of whom the attorneys for the appellee may never have heard.

I find that the claimants are residents of the Cherokee Nation, Indian Territory, where they have resided since 1887, and that they are Cherokee Indians by blood.

I ask that the Court allow me a reasonable fee for my services herein as Special Master.

Respectfully submitted, this 9 day of Nov 1897.

(signed) M. A. Gibson,
Special Master.

My fee paid,
No Exceptions filed."

Foregoing papers indorsed on cover as follows: "238, Irene J. House et al V Cherokee Nation Final Report of Special Master, Filed Nov 10 1897 Jas. A. Pinston, Clerk."

Foregoing papers enclosed in jacket indorsed as follows: "238, Irene J. House, et al vs. Cherokee Nation."

BY MR. HUTCHINGS:

Well we close for the present.

TESTIMONY INTRODUCED ON BEHALF OF THE APPLICANTS

D. W. C. DUNCAN, being first duly sworn, and being examined, testified as follows:

BY MR. McKENNON:

Q Please state your name, age and residence? A My name is D. W. C. Duncan, my age is 72 years, my residence, Vinita, Indian Territory.

Q Are you a duly recognized citizen of the Cherokee Nation by blood? A I am.

Q You gave testimony in this case once before did you not, before the Dawes Commission? A I did.

Q Before this Commission I will say, this Commission? A The Dawes Commission? A Why I don't remember who the Commissioner was, that was taken at Vinita, ex parte.

Q Were you in any way connected with the Cherokee Citizenship Commission in 1883 known as the "Tehee Commission"? A I was Clerk of that Commission.

Q For what length of time? A I don't recollect the exact length of time, I think it was about thirty days, during the continuance of that commission, existance of that commission.
Q You were the clerk it had during its existance were you?
A I think I was.
Q You were Clerk of that Commission when it rendered a decision in favor of Robert Dawson et als, as found on page 114, of its record, numbered 108 (witness examines record referred to.) now in the possession of this Commission? A I was.
Q The members of that Commission were the same as shown by the signatures to this judgment were they? A The same, yes, sir.
Q Thomas Tehee, President of the Commission, Alex Wolfe and T. F. Thompson, Commissioners, that is correct, is it? A That's correct.
Q Were you present when this case was under consideration by that Commission and when it rendered this judgment in the case? A I was.
Q Were you at that time acquainted with F. M. Dawson, commonly called "Mad Dawson", Campbell Taylor and Samuel H. Benge, who were attorneys, who were Cherokee attorneys at that time? A I might say that I merely knew Mr. Dawson; all I know of him was I saw him there as a party to the suit. I knew Mr. Taylor and Mr. Benge more extensively; I have known them a number of years.
Q They were recognized Cherokee citizens were they? A They were.
Q Was Taylor not known generally as a Citizenship Attorney?
A I think he was.
Q Do you remember seeing him and Benge present at the time this case was under consideration by the Court? A Why I do not recollect seeing Mr. Benge, I cannot recollect, but I can recollect of seeing Mr. Taylor about the Court room now and then.
Q Do you know who submitted the case to the Court for the applicants? A Let me understand the meaning of that; who brought the case?
Q Who called up the case? A No, I don't recollect.
Q Do you remember whether that Commission rendered any other decision than that found upon this record in that case? A I never had any knowledge only but one decision.
Q Was that in favore of or against the applicants? A It was in favor of them; I will say this: that if there was another decision other than the one that appears on the docket now before you, I have no recollection of it.
Q The only decision you have any knowledge of was recorded by you in this book as here shown was it not? A That is the only one that I have any knowledge of.
Q Did Mad Dawson pay you any money in connection with that case?
A He did not.
Q Did he ever promise to pay you any money for your influence with the Court in that case? A Never.
Q Or paid you any money, either directly or through any other person? A For my influence in that case?
Q Yes, sir? A Never.
Q Did you have any knowledge of his having paid to the Court or to any member of the Court any money for the purpose of influencing their judgment in that case? A None whatever.
Q Did you have opportunity of observing his conduct during that Court at the time? A The only opportunity that I had was during the session of the Commission; I saw but very little of him during the recesses of the Commission; now and then I would see him in passing.
Q Did you see anything in his conduct toward that Court which indicated that he had used undue influence in procuring that judg-

ment? A I never observed anything of the kind; nothing that awakened a suspicion in my mind that he was engaged in that kind of practice.
Q Did Carmbell Taylor at any time after the rendition of that judgment pay to you any money as coming through him from Bud Dawson for any services which you had rendered to him in that case?
A Yes, he paid me some.
Q What amount? A My recollection is that, I think it was a twenty dollar bill. I don't know but I had better go and state the transaction all about it.
Q Yes, sir. A Mr. Dawson, Bud Dawson, during the trial of the case occasionally applied to me at my desk for writing paper, issue of a subpoena or transcript, something of that kind; I always treated him with courtesy and proper official consideration. He seemed to appreciate it, and whenever I did services of that kind to him, says he, I have no money, Mr. Duncan, but I feel as I ought to pay you. I told him I made no charges for work of that kind. And in passing I might state that I never received a cent for any kind of that work which I had been in the habit of doing for various parties before the Court.

After his trial was concluded, in the afternoon a little while before supper time I went to my hotel, The National Brick Hotel in Tahlequah; went to my room, felt a little tired, laid down upon the bed to rest. I recollect Mr. Duncan stepped into the room, drew a chair up to the bedside and sat down and commenced giving expression to his gratification at the success of his case, dwelling mostly upon the testimony in the case being so satisfactorily, establishing his Cherokee blood, and that he thought that he was entitled and that he had received justice by the Court. I listened to him, and we talked there I guess some ten or fifteen minutes; after a little he says, I must go to-morrow, I think he says to-morrow, I must go home,- he then lived down in Arkansas somewhere. Says he, Mr. Duncan, I believe I owe you something, ought to pay you something. Alluding, as I understood, to these little courtesies that I extended to him at my desk. Says I, I make no charges, Mr. Dawson, for services; if I have done you any good you are welcome. Well, says he, I feel indebted to you, I ought to pay you. I says, that makes no difference; I will leave that to you. Says he, I have hardly enough money to get back home. He shook my hand, and the last word he says to me, you shan't lose anything for your kindness to me; I thought he had reference to my services at the desk. That was the last I saw of Mr. Dawson, oh it must have been a year afterwards; I had located a little claim on the public domain up there in Delaware District, staked off what I intended to be a farm, merely stakes, I didn't make any other improvements, over there on Horse Creek. Went over in that part of the country to look after my claim, and I ran across Mr. Dawson, he had come into the Country and located and built him a little shanty and was living in it; I called upon him, he was very glad to see me; I asked him what he was doing there; he said he had moved into the country, and I told him, says I, you are encroaching upon me here; he had spread his claim over part of mine, mine had been made so long it was outlawed under Cherokee law. Well, says Mr. Dawson, I don't feel like doing you any wrong, I will pay you for your claim, and we will settle the matter in that way, that he as soon as he got his little matters together that he would satisfy me for it. Well we parted at that point. It ran on then for a long time, I don't know how long, I think I met him in Vinita, and says he, did Carp Taylor pay you any money that I sent to you? Says I, No, I have not seen Carp Taylor.

Well, says he, I gave him some money and told him to send it to you for me, and, says he, you ask him and he will hand it over to you I guess. Well we parted then. Well, went on for some time, some months; I happened to meet Mr. Taylor and Tahlequah; I met him on the street I think, jocularly I clapped my hand on his shoulder, says I, look here, did Mr. Dawson any money to be by you? He says, yes, and he pulled out what I recollect to be a twenty dollar Bill, and handed it to me; I received it, and I received it with the idea that it was compensating me for taking my claim, or possibly for doing him those little services in the Court. Now that is the sum and substance of the whole thing.

Q Was not that twenty-five dollars, Mr. Duncan? A It might possibly have been, my recollection does not serve me exactly, it might have been 35 dollars.

Q Did Campbell Taylor pay you any other money as coming from Rob Dawson? A Never a cent.

Q Did he at one time pay you fifty dollars out of a hundred dollars which he had received from Mr. Dawson? A Never.

Q Did he on a second occasion pay you fifty dollars out of one hundred dollars which he claimed to have received from Mr. Dawson? A None at all.

Q He paid you no other money than that you have already stated, from Mr. Dawson? A Not a cent.

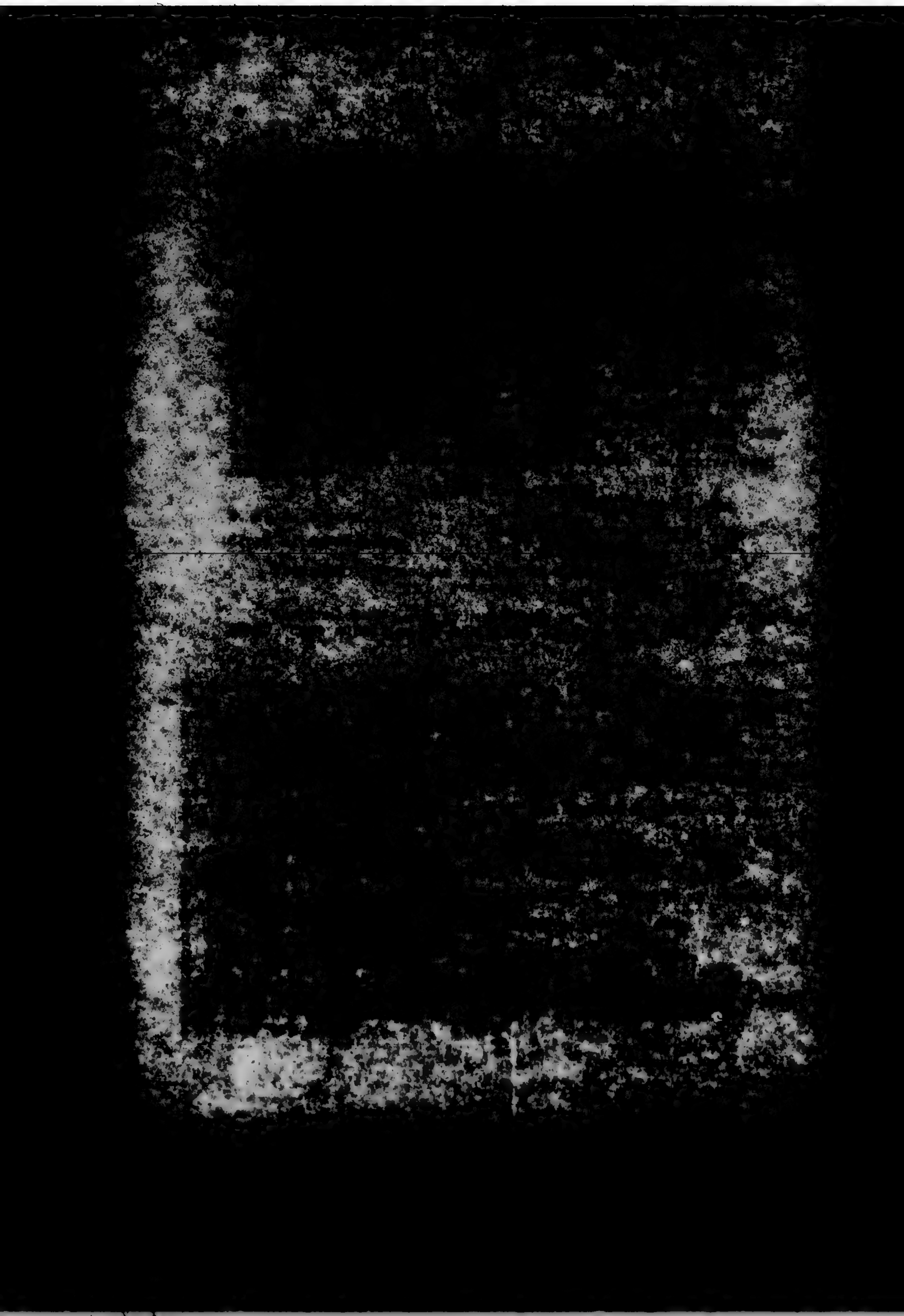
BY MR. McKENNON: We offer in evidence the judgment of the Cherokee Citizenship Commission before referred to, and ask that it be filed in evidence in the case of every application made by members of the Robert Dawson family who claim under it, or through Robert Dawson, as citizens of the Cherokee Nation, said judgment being found on page 114, Records of the Tahlequah Court, 1880 to 1884, case number 108, judgment dated January 11th, 1883, signed by Thomas Tehee, President, Alex Wolfe, T. F. Thompson, Commissioners. D. W. C. Duncan, Clerk Commission.

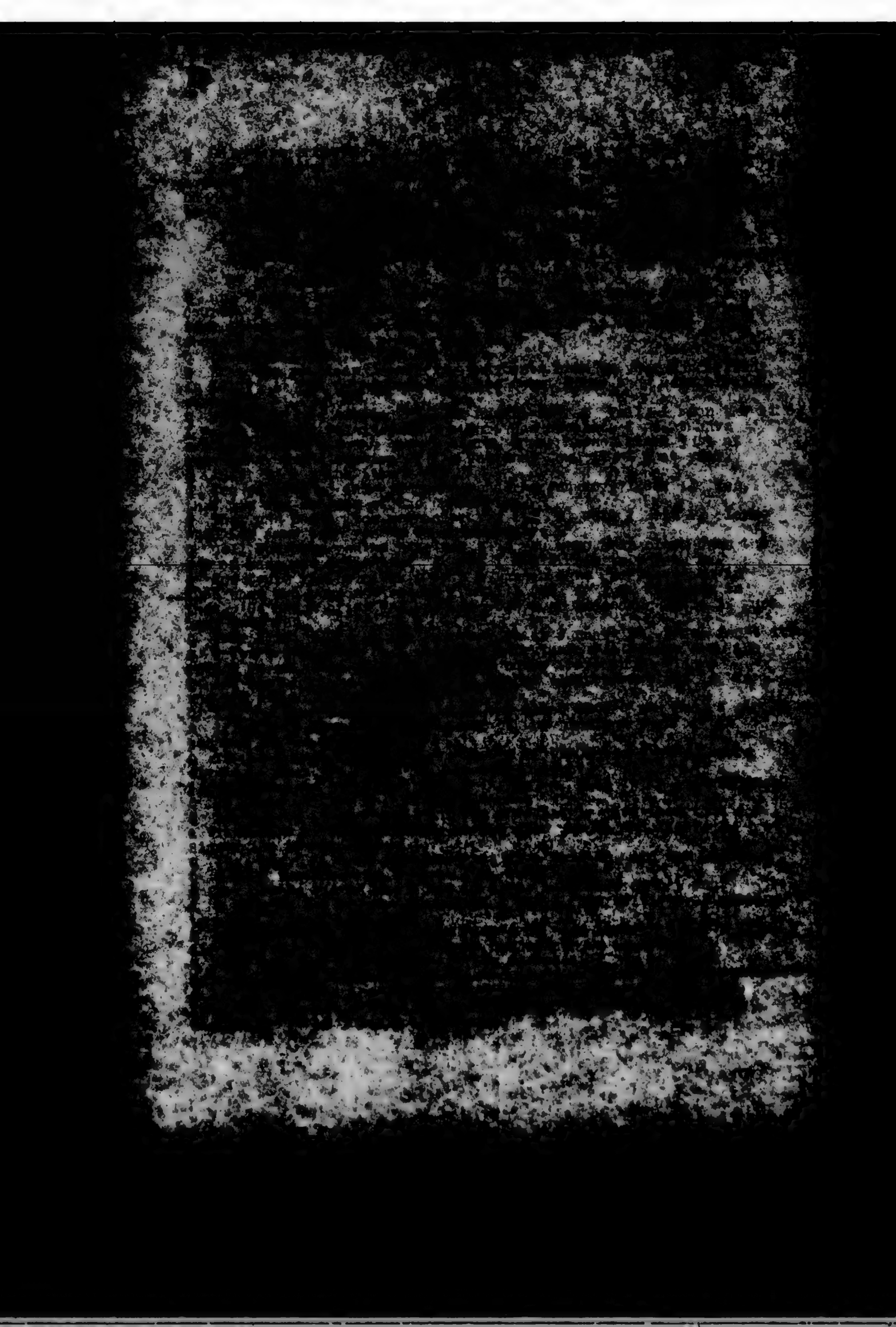
The said judgment just introduced is as follows:

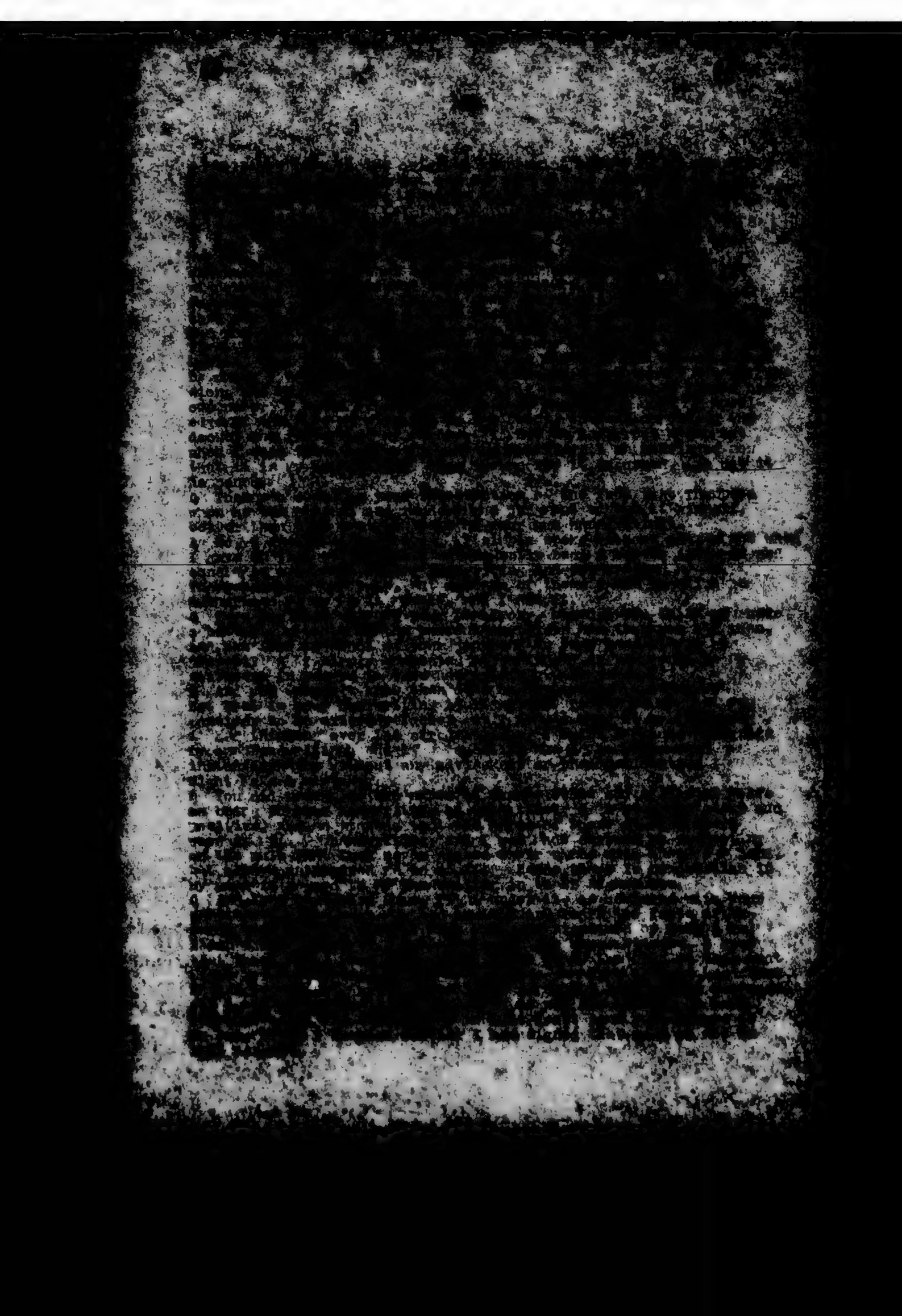
"Office Commission on Citizenship,
Tahlequah, C. N., September 24th, 1881.
No. 108
Robt Dawson,
Elbert Dawson,
Jasper Dawson,
John Dawson,
Josephine Dawson,
Joseph Dawson, Petition for Citizenship
Jane Dawson,
Molly Dawson,
Tilbron Dawson,
James Dawson,
Phil Dawson,
vs.
Cherokee Nation.

Continued by the Plaintiff, Oct. 5, 1881.

January 13th, 1882.
The above case continued by the Cherokee Nation till Sept.







Q You were asked questions at this time in your testimony by the [illegible]

Q And [illegible] I do not recollect [illegible]

Q Can you assume [illegible] like a print and what was your name, what was the day of May before yesterday, and [illegible]

A I don't remember I have thought of it since that time [illegible]

Q So the only recollection that you have got and the only aid to your recollection that you have in this judgment was entered was the fact that you did put a seal on it, on your endorsing, is it? A Yes.

Q You call [illegible] A That seeing the endorsing also, a recollection was I recall and by that the day is [illegible] all present at the time I signed it, I didn't [illegible] their action was all correct as well.

Q Was it in the [illegible] A I don't recollect [illegible]

Q In recollecting that they were all present when you signed, do you mean to say that they were all present when the judge was rendered? A Yes, that is, you mean when the [illegible] A Yes. I [illegible]

Q Did you [illegible] A [illegible] record after adjournment, generally in the evening and [illegible] next day or [illegible] the [illegible]

Q But in this [illegible] A I didn't recollect as to that.

Q And [illegible] A I don't recollect as to that.

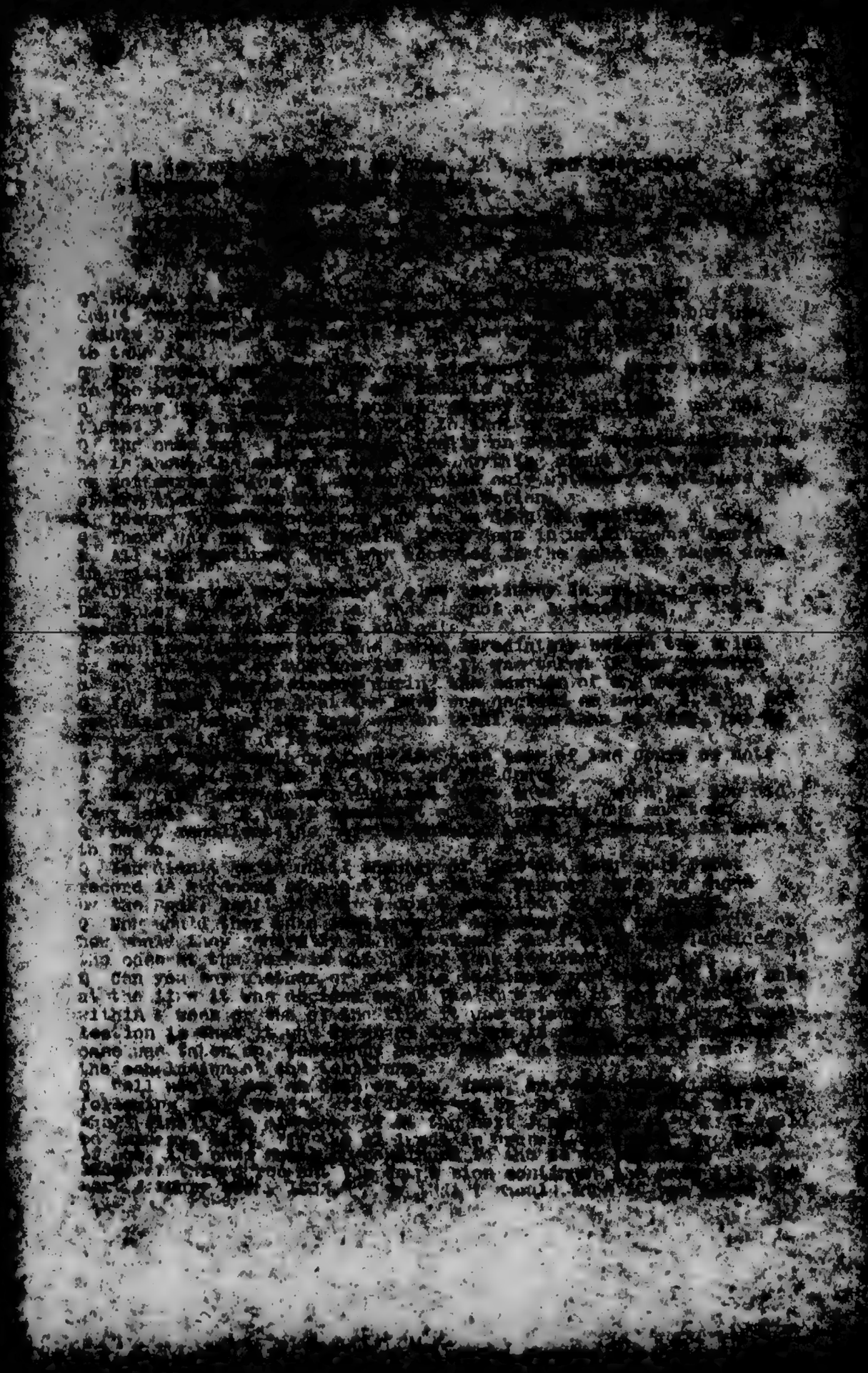
Q And indicated [illegible] judge on the day it was rendered? A I should say it was given to the [illegible]

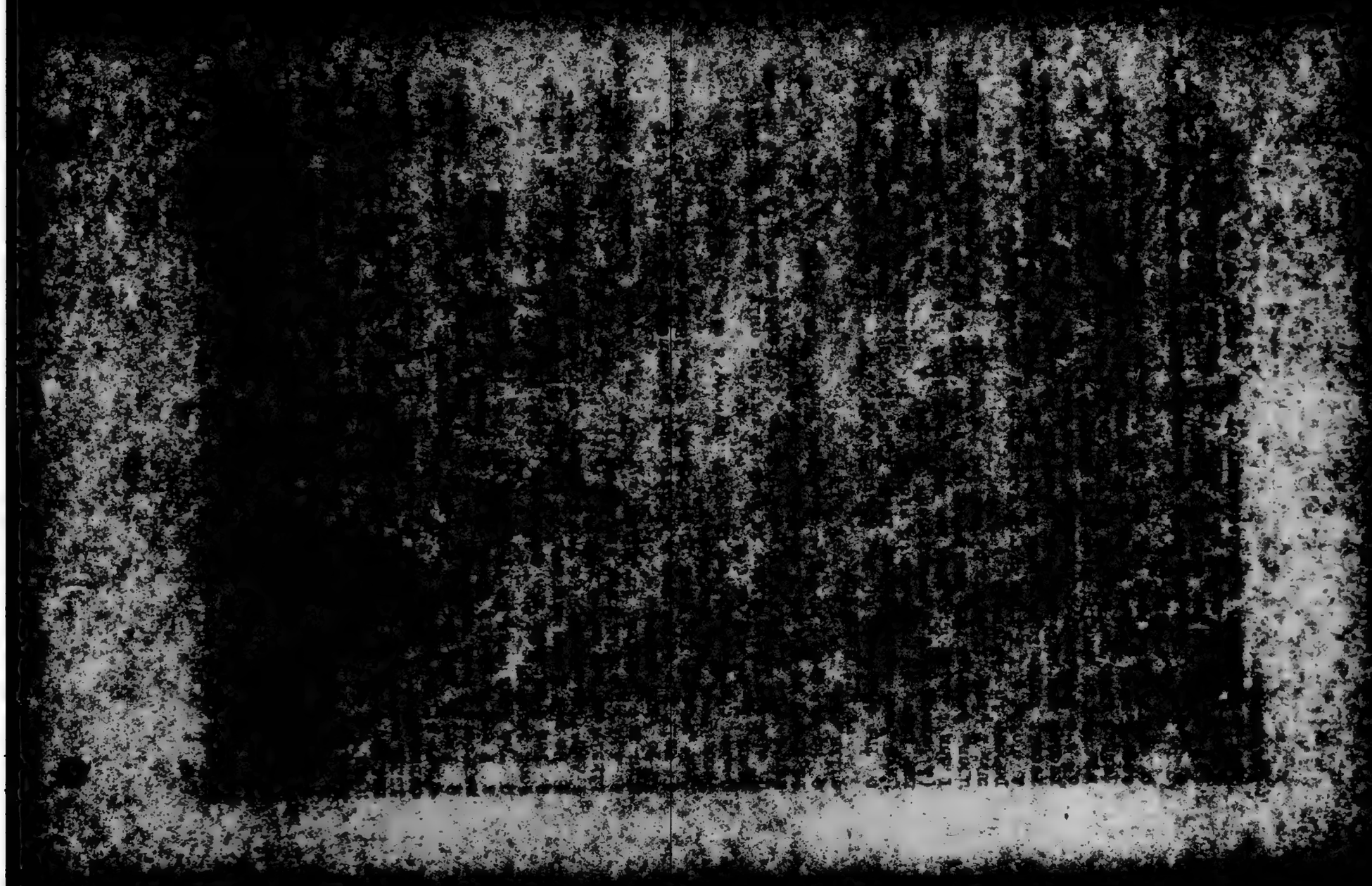
Q That was [illegible] A [illegible]

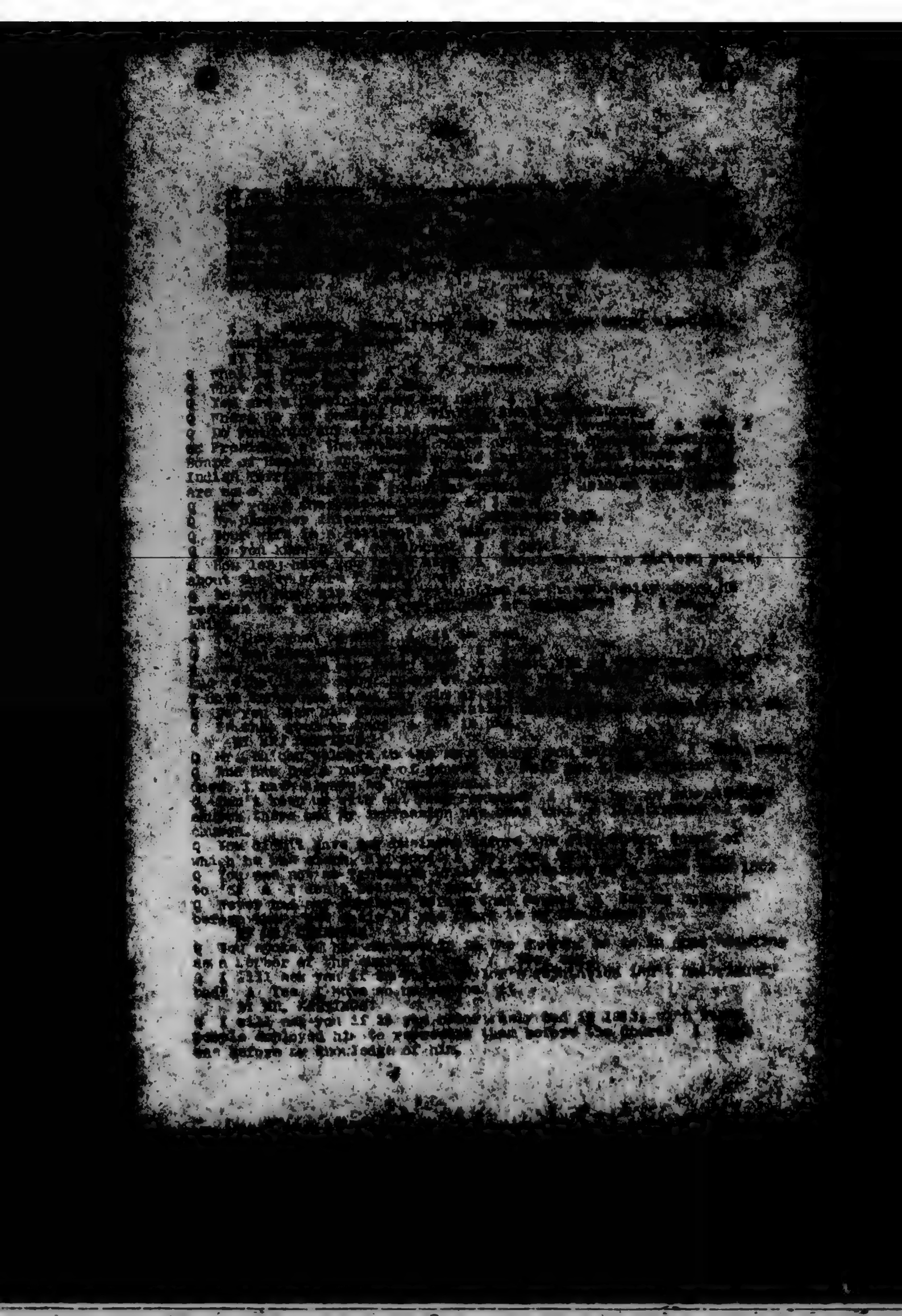
Q To return [illegible] day the judgment was rendered? A No, I don't know [illegible]

Q [illegible] A I don't recollect [illegible]

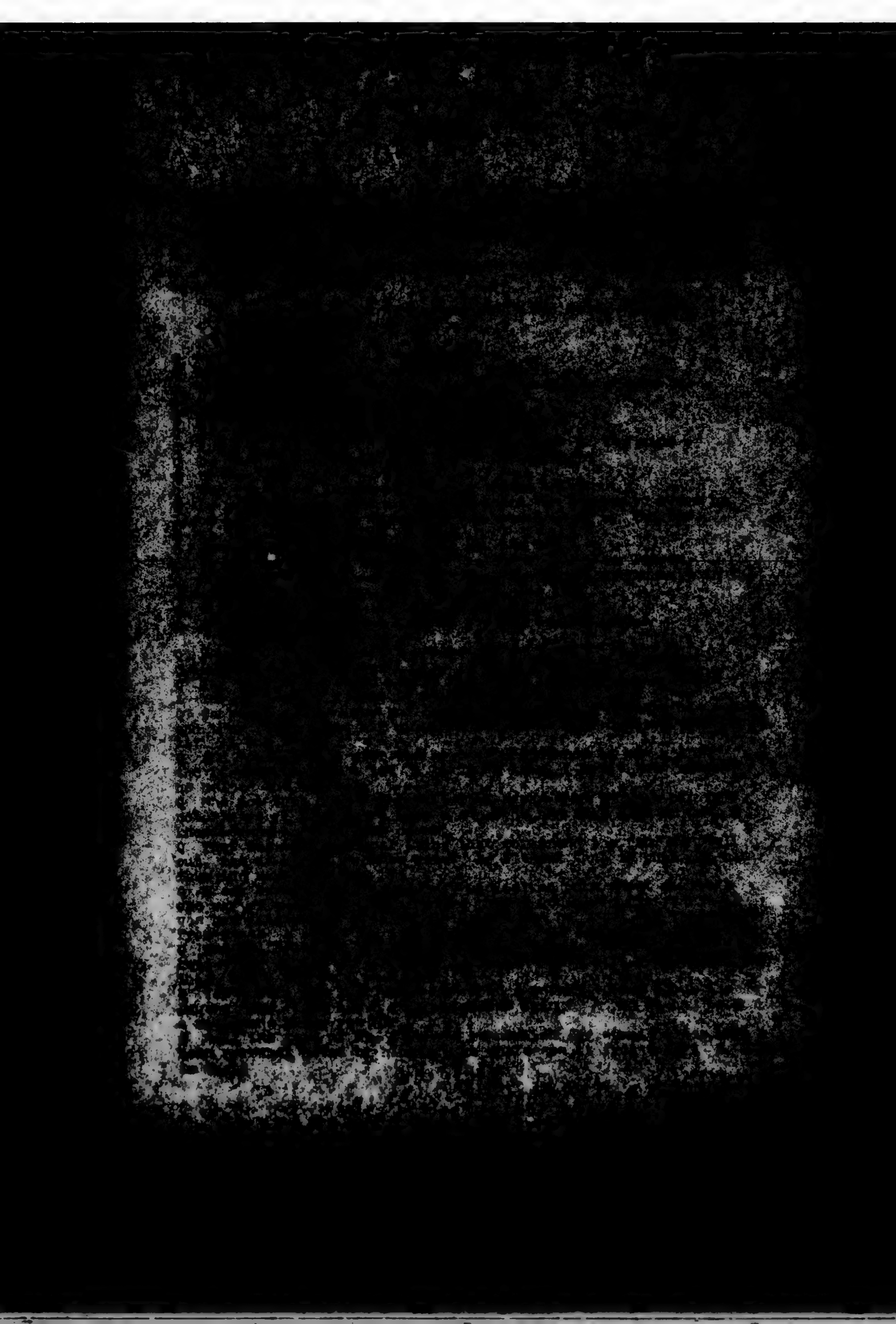
Q [illegible] A [illegible] the [illegible] day I don't recollect.





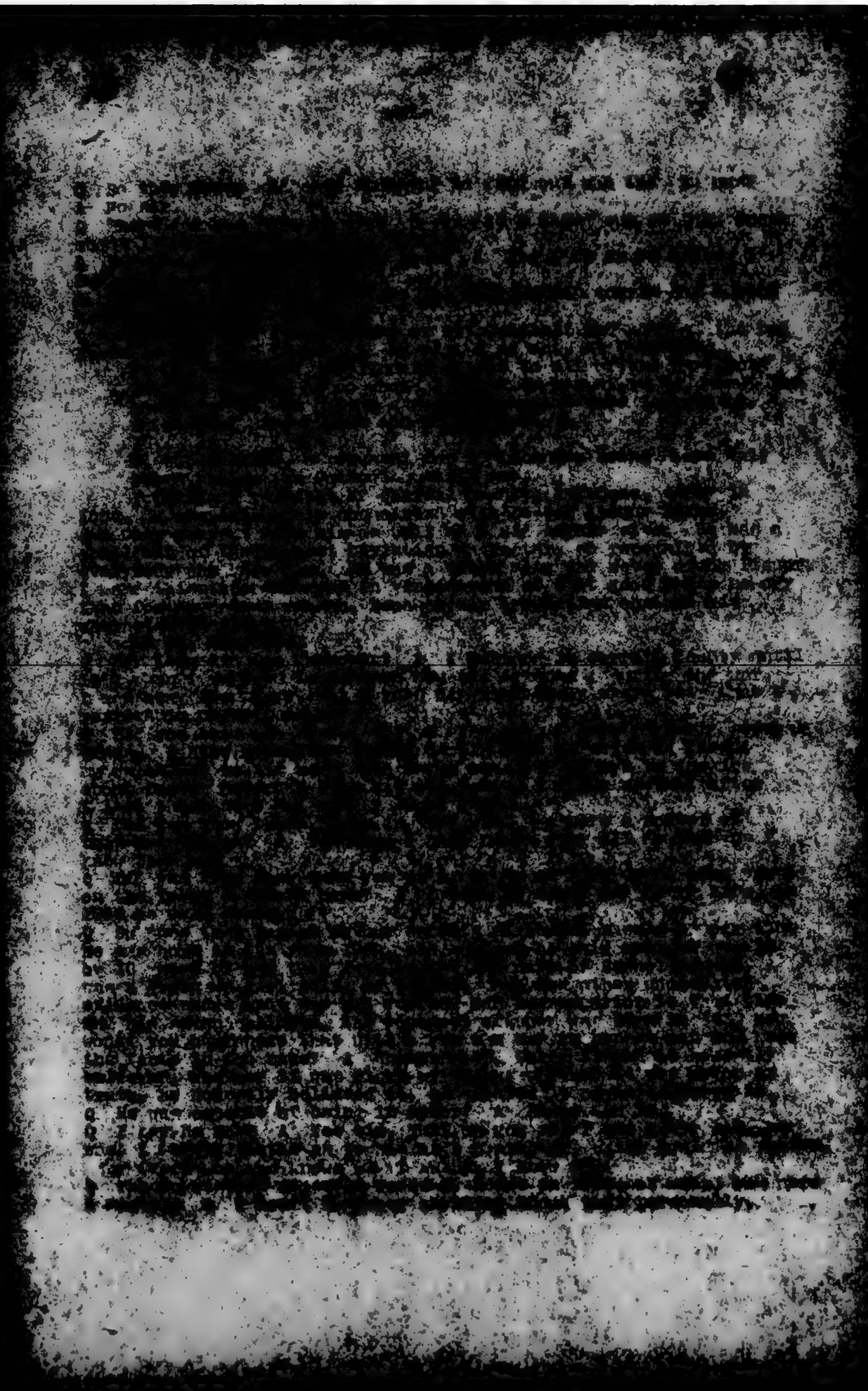




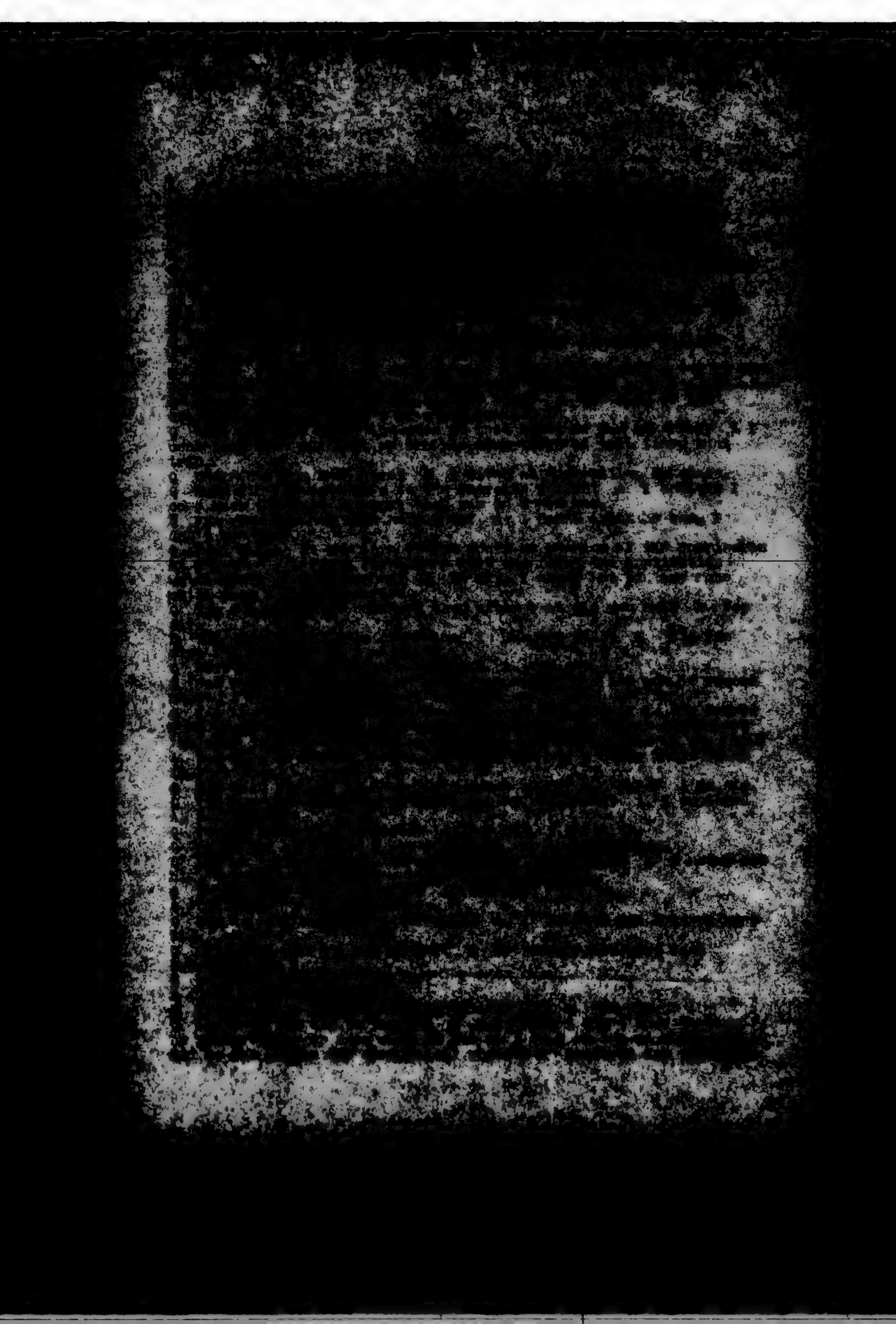


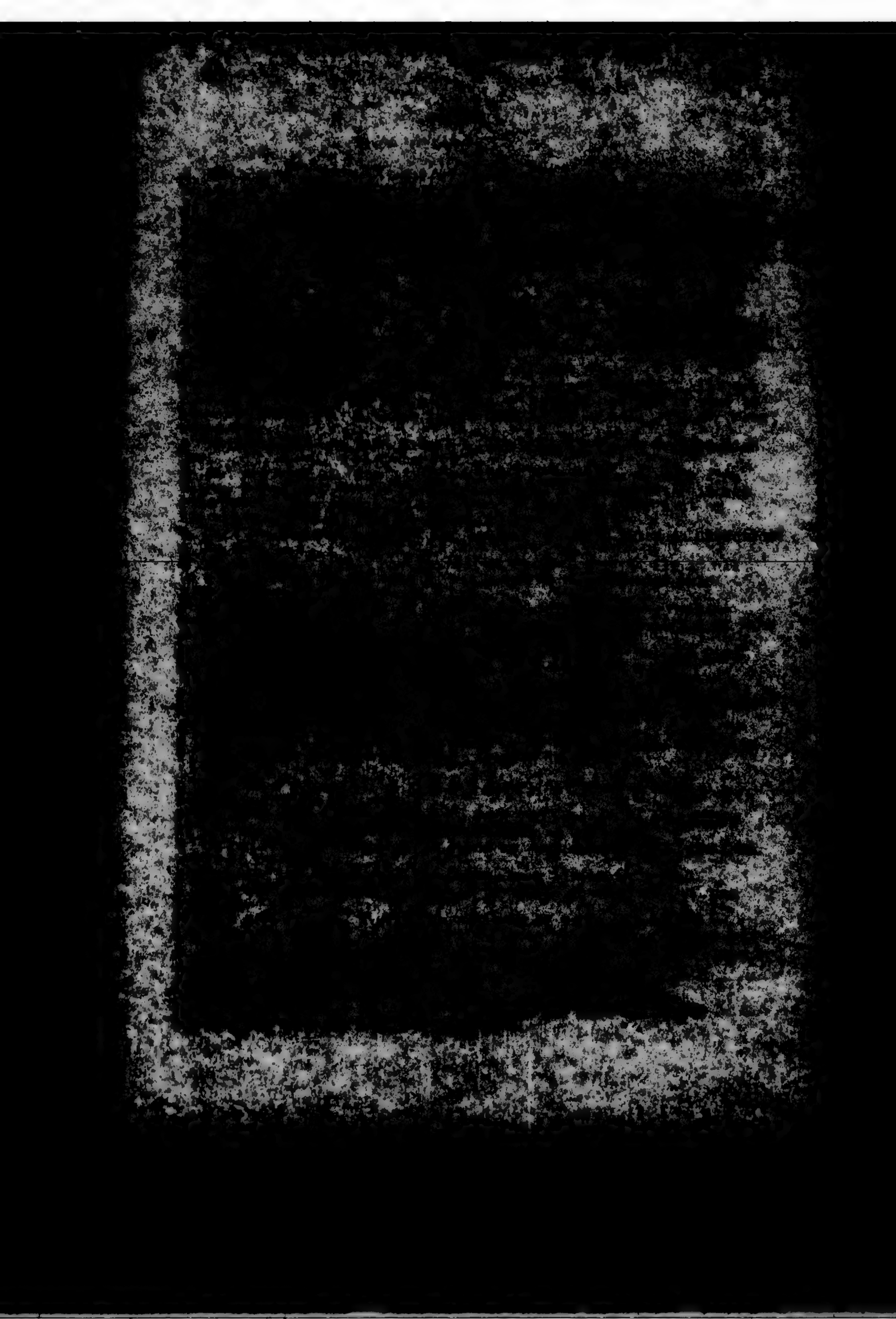


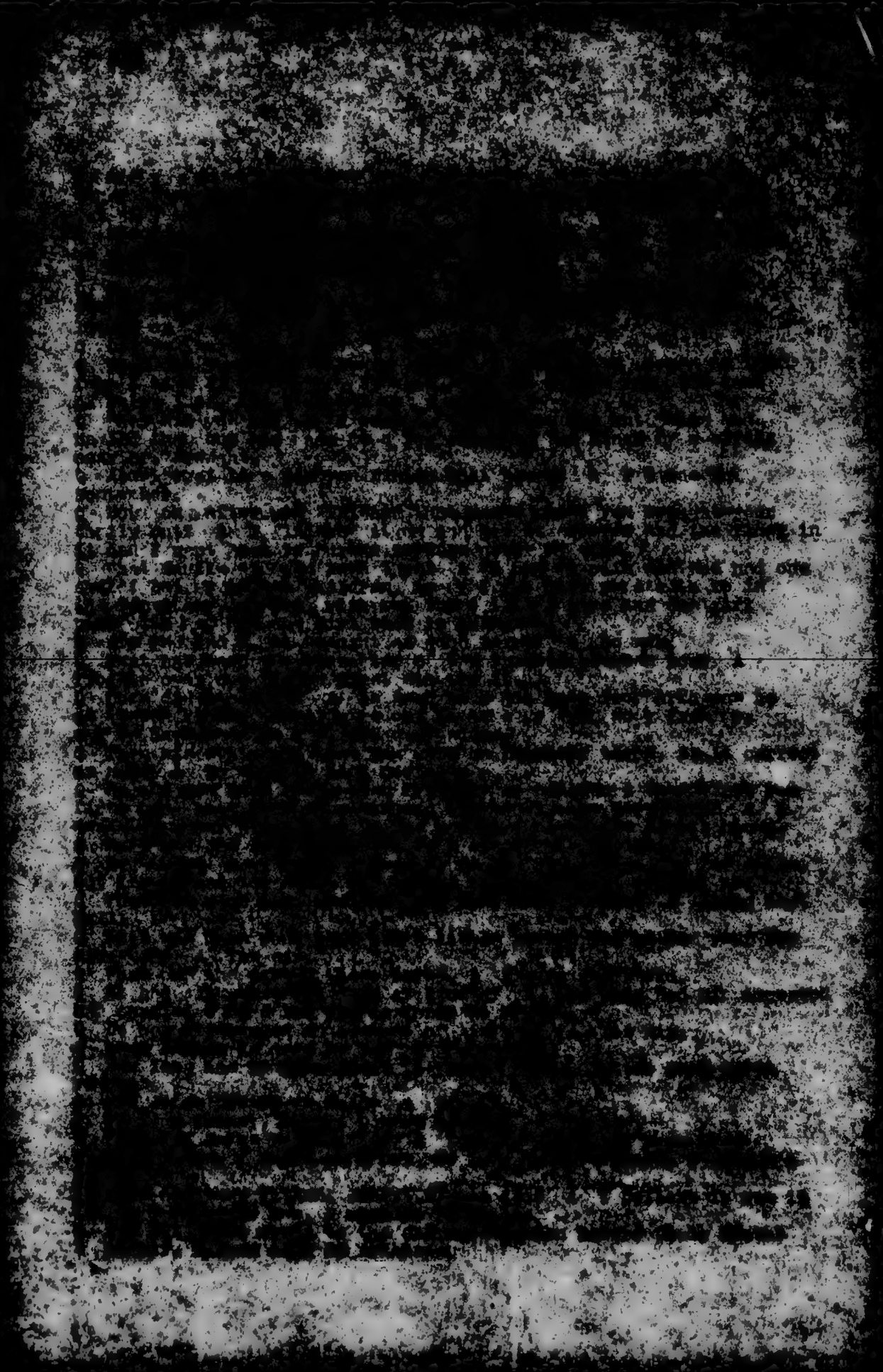












Q Those that lived here in the Nation they lived here in the Nation but went back to Arkansas and died there? A Well the rest of my folks all lived here. That was James Dawson and Buck Dawson.
Q Robert Dawson, your father, never did move to the Territory, did he? A No.
Q Did you hear the statement of the witness Beavert this morning, that about the time of hearing of the James Dawson case, at a negro church at night James Dawson came down there with someone else & introduced to him, and he loaned him ten dollars; did you hear that statement this morning? A I heard the statement, yes sir, I heard it.
Q He says that Jim James Dawson was 35 or 40 years old; was there any James Dawson living belonging to your family at that time of any such age? A No sir.
Q How many James Dawson's were there belonging to your family? A There was my uncle James Dawson and a brother James Dawson, the Doctor here.
Q How old was your brother James Dawson then? A He was a tolerable old man, I don't know his age.
Q About what age? A Must have been 60.
Q Between 60 and 70? A Yes sir.
Q What was the age of your brother James? A At that time?
Q Yes sir, in '84? A In '84 I suppose he was about 18, somewhere like that.
Q Had he anything to do with the James Dawson case? A No sir.
Q Was he present at the time that the James Dawson case was under consideration? A No sir.
Q Was James Dawson, your uncle James Dawson, present at any time during the consideration of his case? A No sir.
Q He never was present? A No sir, if Uncle Jim Dawson was ever in Tahlequah I never knew it.
Q Who conducted the prosecution of the James Dawson case before the Cherokee Citizenship Corrission, who conducted it? A The James Dawson case?
Q Yes sir? A I think James Low and Bill Jackson and Campbell Taylor.
Q Were you acting with them? A Yes sir.
Q They employed Campbell Taylor? A Yes sir.
Q Then there was no James Dawson present during that session of the Corrission? A No sir.
Q What was the condition of James Dawson's health at that time?
A It was pretty poorly; was not good.
Q Was he at that time able to get about and attend to business?
A I don't think he was.
Q Was he not a very feeble minded old man at that time? A Yes sir.
Q Regarded as rather a silly man was he not? A Yes sir.
Q Did he attend to any kind of business of the family at that time?
A No sir, didn't.
Q What was his financial condition? A Pretty bad.
Q Did he have any money? A No sir.
Q Did he have any property? A None hardly at all; horse probably, or a cow or two, something that way.
Q Was that about all the property he had? A Yes sir.
Q How about the other members of his family that were admitted at that time; what was their financial condition? A They were in poor circumstances.
Q Now then after these judgments were rendered what members of your family removed to the Territory, Cherokee Nation, I will say?
A Robert Dawson and family and James Dawson and family, that is, them and their children.

[illegible] move here? A No, I said except Robert Dawson.
Q Did all the members of Robert Dawson family move here? A Yes sir.
Q Except himself? A Yes sir.
Q And all the members of James Dawson family? A No, not all of them, Melvina Low I don't think ever lived here.
Q She has never moved here? A No sir.
Q You all the others of your family, your father's family in- [illegible] in that judgment of the Committee, rendered January 11th, [illegible]? A All but one.
Q Who is the name of that one? A Nina.
Q [illegible] Daughter of Robert Dawson.
Q [illegible] sister? A Yes sir.
Q [illegible] she then of age or was she a minor? A I think she was a [illegible], I am not sure I can remember.
Q [illegible] admitted to citizenship in the Cherokee [illegible]? A She was.
Q [illegible] the Cherokee Council? A She was first [illegible] the census rolls, her and two of her [illegible].
Q [illegible] their names? A Hattie Vernon and Vernie Fisher.
Q [illegible] what? A By certificate [illegible] Council in 1894 and they were [illegible] the roll of the Council.
Q [illegible] in 1891, they [illegible] Council admitted, re-admitted [illegible], the three above mentioned? A Yes sir. Henry and Hattie Vernon, I do not, Bob Robinson married the wife [illegible] line.
Q [illegible] there any other confirmation of the Dawson [illegible] Cherokee authorities [illegible] aside from these two [illegible] admitting the two families of Robert and [illegible] Dawson, and the act of Council of 1894 admitting these three [illegible] have just named? A Yes sir.
Q [illegible] then? A Why two of my sons was placed on the roll by the act of [illegible] Council in 1896 I think it was; left off of the rolls in per [illegible] payment and they was placed on the rolls I think, and sent [illegible] roll, per sight draft or checks for the money.
Q Have you [illegible] that copy of the act of Council admitting them? [illegible] sir.
Q [illegible] is it? A (Produces papers.)
Q [illegible] We offer in evidence an act of the Cherokee National Council making an appropriation of $6,000 [illegible] to the general fund for the payment of [illegible] persons therein named a per capita payment, as per [illegible] set opposite to its respective names, provided that the Principal Chief shall draw warrants for such amounts, and further provided "That the names of the persons appearing on the per capita rolls in this act shall be placed (on) the [illegible] roll of 1880 by the Principal Chief."
This act was approved December 21, 1891.
Approval signed by Stephen Tenee, Assistant Acting Principal-
In this act for the names of William L. Dawson for payment of $[illegible].70, and of Marion Dawson, for a like sum. Are these [illegible] the names of two of your sons? A Yes sir.
Q [illegible] paper above introduced, is filed and made a part of the [illegible] in this case.
Q Was there any other action of the Cherokee authorities relating [illegible] members of your family? A Yes sir.

Q When? A In 1894.
Q What was that? A Allowing them their Strip Money.
Q Have you a copy of that? A I think I have. (Produces papers.)
BY MR. McKENNON: We offer in evidence a duly certified copy of an act of the Cherokee National Council approved November 24, 1894, signed C. J. Harris, Principal Chief. Senate Bill No. 19, appropriating a sufficient amount of money to make payment per capita of what is known as the strip money to certain persons named therein. Among them are members of the Blassingame family, as follows: Jane, Elbert, Henry, James Ross Lennie, Pearl, Amos, Myrtle, Minnie and Clifford; this act mentions these persons as Cherokees by blood, and whose names had been left off the pay roll approved May 3, 1894, providing payment to each one of these a sum of $265.70.
Q Were these members of the Robert Dawson family? A Yes sir.
Q Which one of the members of the family? A Jane.
Q This is Jane who was admitted by the judgment admitting the Dawson family? A Yes sir.
Q And her children? A Her children, was not admitted, she was admitted.
Q I mean this mentions her children here? A Yes, that mentions her children.
(The paper last above introduced is filed and made a part of the record in this case.)
Q Do you know whether the payment of the Cherokee Strip money was to Cherokee citizens by blood only or not? A Yes sir.
Q Was there any other act of the Cherokee authorities passing upon the citizenship of members of your family? A Why the Douthett children, my brother's grand-children. Two grand-children of E. Dawson.
Q When was that? A That, I think it was in '84.
Q Have you got a copy of that act? A No, the record is here.
Q Was that by the Spears Court? A Yes sir, by the Spears Court.
BY MR. McKENNON: We now offer in evidence a judgment of the Cherokee Commission on Citizenship, 1880 and 1884, found on page 190, case No. 181, dated September 9th, 1884, signed by Ellis Spears, President, John Lee and Andrew Young, Commissioners, admitting to citizenship Lula Douthett and Dallas Douthett as Cherokees by blood.
Q These men are the Douthetts to which you refer, are they? Yes sir.
BY MR. McKENNON: Attention is called to the fact that the names of the Commissioners are all similar in the same handwriting as the record of the judgment.

The said judgment record above introduced, and found on page 190, No. 181, record of 1880 to 1884, is as follows:

"Office of Commission on Citizenship,
Tahlequah, Cherokee Nation, September 15th, 1883.

E. Dawson, for his grand-children, No. 181.
Lula Douthitt,
Dallas Douthitt,
vs
The Cherokee Nation.

C. H. Taylor, Atty for Claim.

Petition filed September 14th, 1883.

Case submitted by claimants Sept 14th, 1887.
Case submitted by Solicitor, Sept. 19th, 1887.
Continued by Petitioner Jan 23 1894 to September Court 1894.
Re-submitted September 2nd 1894, by Attys Taylor and Beavert

Submitted by defense Sept 9 1894.

And now on this the 17th day of September 1894 comes this case for final hearing and all the evidence in the case having been carefully read, and considered by the Commission on Citizenship it has been decided by the Commission that the above named Lula Dautbert and Dallas Dautbert are Cherokee by blood, and that they are entitled to all the rights and privileges of Cherokee citizenship in the Cherokee Nation and that they should be, and are hereby admitted to the full and complete enjoyment of the same in all respects, as native born Cherokees.

Eli Spears, pres.
John Lee,
Andrew Young,
Commission on Citizenship."

John L. Adair,
Clk Com'n.

Q Now were there any other actions of the Cherokee authorities of like character relating to the members of your family?
A I don't remember of any others.
Q I will ask you if when the Cherokee authorities were [illegible] the roll of 1896, in compliance with the request of the Dawes Commission for a roll to be prepared by them for the use of the said Commission, the question of the citizenship of the members of your family was not then raised and an investigation had in regard to it? A Before the Dawes Commission?
Q No, before the Cherokee Commission making the roll of 1890, of which John T. Gunter was a member? A Yes sir, yes. I had forgot it, but since you have named it there was some investigation of them at that time; this is what I understood.
Q That roll shows that the members of your family were duly enrolled by that Commission? A Yes.

Q Have you and the other members of your family since your removal to the Territory in 1883 and immediately following been recognized as Cherokee citizens by blood? A Yes sir.

Q Have you been exercising and enjoying all the rights of Cherokee citizens by blood since that time? A Yes sir.
Q You and all the members of your family are living in the Cherokee Nation? A Yes sir.
Q You have all drawn Cherokee moneys whenever payments were made?
A Yes sir.
Q And have you all male members been voting at the Cherokee elections or in the Cherokee elections? A Yes sir, I was one of the judges of the elections that was held voting on the treaty.
Q What treaty? A The treaty bill that was sent back here for the Cherokees to vote on; I was one of the judges at Afton.
Q In what year was that? A I believe it was last spring some time, last April.

Q Have any of you held any offices in the Cherokee Nation? A Yes sir.
Q What offices have the members of your family filled? A Deputy Clerk, under Pete Hastings, when he was clerk of Delaware District, I was a candidate once for Council in the Downing party.

Q Can any office of deputy clerk be held by any one else except a recognized citizen? A Only by a citizen, yes sir.
Q Is that all? A (No reply).
Q Have the children of members of your family attended the Cherokee schools, and been educated in Cherokee schools? A Yes, sir.
Q Have the members of your family been all the while subject to the jurisdiction of the courts of the Cherokee Nation? A Yes sir.
Q Have they been tried for any offences against the law? Yes sir.
Q And have they instituted their civil suits in the courts of the Cherokee Nation? A Yes sir.
Q And had suits instituted against them in such courts? A Yes sir.
Q Some of these cases have gone to the Supreme Court of the Cherokee Nation? A Yes sir.
Q And were passed upon by that tribunal? A Yes sir.
Q Is there anything else? A Nothing, now; I am sick this evening; I have got the head-ache so bad I can't hardly see.

BY MR. HUTCHINGS:

Q How old was your father Robert Dawson was he died? A I don't know, I couldn't answer that.
Q He was a very old man? A Yes sir, he was getting tolerably old.
Q Could you tell how much older he was than you? A No I don't know.
Q Mr. James Dawson in 1884 must have been a very old man, wasn't he? A Well he was old and he was feeble.
Q Well you stated that he had become silly; was he naturally that way? A He used to live in Texas; I didn't know him until after he got to the Territory.
Q I say he had gotten so old, that was the occasion of that? A I suppose so, the oldest one of these children was Mrs. Betty Peter, that's my understanding.
Q And the oldest boy was John Dawson? A We always called him Jack.
Q Jack Dawson he was the oldest? A Yes sir.
Q And who was the youngest? A Sam Riley.
Q He was the youngest one of the crowd? A Yes sir.
Q Your father lived four or five years after he and you were admitted to citizenship? A Yes sir, something about that, it was in 1883, I think he died in 1887, I wont be positive; that is as near as I remember now. I have got a headache so bad that I can't remember anything.
Q He now none of the older members of the family were ever present at any of these trials of citizenship? A No sir, not a one of them was.
Q Was a one of them was ever called upon to testify as to the blood of their mother, who she was or anything about it? A I don't know if they was.
Q Your claim of kinship was through Captain John Rogers and that your grandmother was the half sister of Big Joe Vann, wasn't it? A I don't know, I couldn't answer the question.
Q You were there when they took the testimony? A I was there when Dr. Baker's testimony was taken, that was about 16 years ago.
Q And nobody kin to the Rogers and Vanns was ever called to testify in the case? A Not as I know of.
Q They were very well known Cherokee families in the coun try? A I suppose so, I don't know.
Q And yet nobody on any side of the family connected with it was ever called to testify? A Not that I know of, I don't know what my brother done, he taken some of the evidence at Tahlequah when I was not there; he first filed his claim.

Q You had spoken to Dr. Baker about the testifying before you brought your case didn't you? A No sir.
Q What have been a short time afterwards? A It was a short time afterwards. I went back after him and it was too late and I fetched him the next time.
Q You had talked to your brother about what you could prove by Dr. Baker? A I told him I thought Dr. Baker, I thought he knew about our folks.
Q You had told him in a general way you expected to use Dr. Baker as a witness? A Yes sir.
Q You went off, came to Arkansas and left your brother at Tahlequah after you told him that fact? A Yes sir.
Q You didn't see your brother any more until after you were admitted? A No sir.
Q You and he however made trips back and forth to Tahlequah and home at different times, but you didn't happen to get together? A No. I never met him any more and I don't know what he was there until after we were admitted.
Q But you were there and brought Dr. Baker over? A Yes sir.
Q And took his testimoney a year or such a matter before ever you were admitted? A I think so well as I remember, yes sir.
Q How the way you came to get Campbell Taylor was on the recommendation of old man Bryant? A I didn't get him, didn't use him.
Q The way he came into your case? A The way he elected to come in.
Q He did more in your case than Bryant did? A Campbell didn't do anything.
Q What did Bryant do? A I think he held my brother to his evidence my brother employed him.
Q How did you happen to be sending money by Campbell to Mr. Duncan? A I never sent him any money.
Q Then when he, Mr. Duncan, states that Campbell delivered the money as Campbell said he did, both were wrong? A Oh no, you are mistaken, Mr. Duncan got 20 or 25 dollars, which he stated, from Campbell Taylor, for me.
Q How did you happen to give it to Campbell? A I give the money to Campbell to give to Joel Bryant, and he wouldn't do it, and I tried to get the money back from him, and I finally worked the 20 or 25 dollars he gave to Duncan.
Q Then you didn't tell Duncan as he testified that you sent 20 or 25 dollars by Campbell Taylor? A Campbell Taylor agreed to pay Duncan 20 or 25 dollars for me of the money I give him to give to Joel Bryant.
Q The family kept Campbell Taylor employed though as their attorney after that? A In the James Dawson case I think so.
Q E. Dawson, you remember, had him for his grand-children? A That is my understanding.
Q And your uncle James Dawson had him in the case of his children? A Uncle James had nothing to do with it; James Low and Bill Jackson got him; that was my understanding of who employed him.
Q The record here shows that the case was originally instituted by C. E. Taylor and was finally submitted by him September 2nd, 1884, in the James Dawson case? A I don't deny him being in that case.
Q You say he was employed in the E. Dawson case? A I don't know who was in the Dauthett children's case.
Q The record shows that Campbell Taylor instituted the case, and it was finally submitted by him, and Mr. Beavert, who testified a while ago? A That was in the James Dawson case, wasn't it?
Q That was in the E. Dawson grand-children? A Blount?
Q No, in the Dauthett children's case? A Oh yes.

Q He was likewise attorney in the Mary Dawson case was he, and before the Adair court, the 4th of October, 1887, in the case of James K. P. Dawson? A I don't know anything about that.
Q And the case likewise of Riley Dawson? A I don't know anything about those.
Q They are relations of yours? A Well I couldn't say.
Q James K. P. Dawson proves to be a son of Riley Dawson? A Well if he is he is by connection then. There are so many Dawsons I don't know them all.
Q You know Andrew J. Dawson? A Yes sir.
Q The Dawsons have so many children their brothers didn't hardly know them did they? A That's it, I don't know them.
Q Well then you don't know who Andrew J. Dawson is? A No sir, I don't know.
Q He refers in his application as being a cousin of F. Dawson, and yourself, who were admitted to citizenship by the Tehlo Court? A He may be, I don't know nothing about it.
Q He resided I believe, at that time at Nevada, Missouri? A I don't know anything about their people.
Q Old Sam Baker was an old and paralyzed man at the time he testified wasn't he? A Getting old, he was not paralyzed.
Q Then the statement made that the reason he couldn't write his name and had to make his mark, because he was paralyzed, in the testimony isn't that true? A He didn't have good use of his fingers.
Q Then he was not paralyzed? A No, I brought him over there in a hack from Berryville, Arkansas.
Q Well I say he was a very old man? A Yes, getting old.
Q How didn't you come to this place up there joining Drought's and work on it some time before you brought your family? A No, I brought my family with me, except my wife.
Q And you subsequently built a log house on it? A Yes sir.
Q And went back and got your wife and moved them to the log house? A Yes sir, went to Eureka and got my wife.
Q You never saw your grandfather at all? A Sam Dawson, yes sir, I saw him.
Q You remember do you of being with him much of any at all? A I was in Texas in time of the war, with my uncle Riley Dawson, and he was there.
Q In '60 sometime? A '62, I reckon, or '63. Somewhere along there, it was in time of the war.
Q How old a man was he at that time? A Pretty old man.
Q You never saw your grandmother, she died before she came?
A Yes sir, I never saw her at all.
Q Who first started the citizenship matter, your brother in Texas or you? A Why it was me, and my brother together.
Q I mean who first conceived the idea? A I first commenced talking about it.
Q And sent down for him? A I was in Texas with him and then in Arkansas; I went backwards and forwards a time or two after the war.
Q About that time nearly everybody in Arkansas were trying to get some clair of kinship to Cherokees? A No sir, not at that time.
Q They were getting pretty thick in there in 1880? A Well in 83 and '4 and '5 I think.
Q Been some excitement over there to get yourselves on the rolls?
A Just got to be everybody; but it wasn't at the time we was admitted there was not much stir about the rights here.
Q Well the Watts had been admitted before that? A I suppose they had; there was not much excitement over the Watts claim at that time.

BY MR. HASTINGS:

Q You did locate and board with Sam Shables when you first came to Tahlequah in '31? A I think I did.
Q Your brother Buck Dawson stayed there also? A Yes sir.
Q Sam Shables lived in the north end of town, old German? A Yes sir, old German, lived in the lower part of town.
Q Did you ever hear the names of any other witnesses which you stated perhaps testified in your case? A I have heard them but I have forgot them.
Q You don't recollect any name now? A I dont remember them now sir.
Q In the Irene House case and Joanna Barber case, in which you testified before the Commission, when you were making search for this testimony you couldn't find any other testimony from that of record except the Dr. Baker testimony, could you? A That's all we could find; no we didn't find the testimony, we got a copy.
Q Well it must have been a copy of the original, the certificate shows that? A I don't know; House got a copy of what claimed to be the affidavit of Baker and he told me to give it to him; that is all I know about it.
Q Well the certificate there does not bear my certificate does it? A I don't know about that, I am no scholar.
Q Well you didn't get the testimony of any other witnesses except that of Dr. Baker; you couldn't find any other over there of record? A I didn't hunt for any; House hunted for them.
Q Now of you have ever been able to dfind any other? A No. Not even find our petition.
Q Samuel P. Dawson applied to what is known as the Adair Court, didn't he? A I don't remember now.
Q He was an uncle of yours wasn't he? A Yes sir, claimed to be.
Q The father of these two parties who testified here this morning? A Well I don't know, they claimed to be, I never met them to know them.
Q He was rejected by the Adair Court, or Hayes Court? A I don't know whether he filed his petition.
Q Did you testify in his case? A I don't remember; I might have dont it.

Q Didn't you testify in the Andrew J. Dawson case before what is known as the Hayes Court? A I don't recollect, if I did I don't remember.
Q Did you testify in the Riley Dawson case? A No sir, not that I remember.
Q Didn't you know of his being rejected by that court? A I don't remember, sir.
Q You know that the Cherokee Council never authenticated the roll of 1896, don't you? A No sir, I don't know it; I didn't know this was done until I went to Tahlequah after some papers and come back and they told me about it.
Q You never found out that W. H. Taylor was a big rascal up until the present time have you? A (No response)
Q The records here show that he has been in the constant employment of your family from that date up to this time? A Why it shows here from the record; I would rather be excused for my part of it.
Q You were the man that had the most to do with it? A I never employed him, I can say that.
Q You are the man that had most to do with the records? A In my case and in my father's case.
Q Didn't you testify for your uncle Jim Dawson? A Yes sir.
Q Wasn't he attorney for him? A Yes sir.

Q Wasn't he employed by Jim Dawson after you got your citizenship?
A Why not but the grand-children.
Q Jim Dawson's petition was filed in September 1883, after yours?
A Yes sir.
Q C. H. Taylor, attorney of record, filed his petition? A He might have filed it for all I know.
Q Well you hadn't at that time fallen out with C. H. Taylor had you? A Why no, we never did have any trouble, only over this money, he never would give it back to me or give it to Bryant.
Q You never discovered that he was such a bad man until after your judgment was rendered? A I know he was not of good character.
Q Are you and Brought, this man who testified for the Cherokee Nation, on speaking terms? A Hardly speak.
Q Does he refuse to speak to you? A So. etimes he does.
Q Do you refuse to speak to him? A Yes sir.
Q Have you been speaking to him for the last two or three months? A I have not spoke to him until I met him here at the hotel the other day.
Q First time you spoke to him since he had the boy arrested? A Yes sir.
Q When did he have the boy arrested? A Along in September or October, September I think.
Q When did Dr. Baker die? A I don't remember.
Q You don't remember how much older your father was than you? A No, I don't know.
Q What is your age? A I will be 60 in May.
Q Then you were born in '42? A Yes sir, '42 according to the record.
Q Was your father as much as 25 years old when you were born? A I couldn't say.
Q What was your best judgment? A I suppose he was 30 or 35 years old. My understanding he married young.
Q Can't you give any better idea than 4 or 5 years of your father's age? A I say 25.
Q Your father was born say, 25 from 42 would have made him be born in 1817; now had your father any older brothers or sisters? A I think Jack Dawson was the oldest of the family, no, Betty, the girl, was the oldest and Jack next, and then my father as well as I remember about it.
Q There were two girls older? A No, one of the girls I never saw.
Q Then you think there are only 2 older than your father? A Yes, that's my understanding of the family.
Q Dr. Baker gives his age 77 in '82, which would make him be born in '89, now he states that when he was 15 or 16 years old, which added to 1808, will make 1824, that your grandmother Anna Priett, was a school girl; whereas from your testimony and that of the family history introduced here shows that your grandmother Anna Priett was the mother of seven children, the youngest being born in 1823, how do you reconcile that? A I don't remember about the statement of Dr. Baker; I don't know what he made such statement as that, I don't remember about it.
Q And if he did you don't know how to reconcile it ? A (No response.)

Q Did you talk to any of the members of the Court that admitted you? A No sir, I was not acquainted with them.
Q You know whether they were old or young men? A They were old men like; Steve Tehee. I got acquainted with him afterwards, and Tom Thompson, at the Council you know I was there a good deal.

Q That was the fellow that was on the Court? A Yes sir.
Q He was afterwards Assistant Chief of the Cherokee Nation?
A I think so.
Q Steven Tehee, that's the man you had reference to? A Yes sir, I think it was, I just knew the man; I had no acquaintance with him at all.
Q D. W. C. Dawson boarded when you were down there at the National Hotel? A I think he did, as well as I remember now when we were admitted.
Q Don't you know he did? A I think he did, as well as I remember.
Q Were not you over there to his room? A I think I was.
Q You remember which it was that you brought Dr. Baker down there to make a statement before the Court? A It was in January, Term, Was in January Term of 1882 I believe, it was, as well as I remember about it.
Q Well you didn't take any more testimony after Dr. Baker testified?
A No sir, I didn't.
Q But your case was not submitted or passed upon for a year?
A I think it was, yes sir, as well as I remember.
Q I would like to ask you when the Blassingame family came to the Cherokee Nation? A Alex Balsingame came with me when we moved here, and went back and got his family and moved that fall.
Q Did he move his family here that same fall? A Yes sir.
Q What year was that? A In the fall of '83 I believe it was, as well as I remember now.
Q When did the Bulaska family come? A I think the girl and the old lady came in the next spring.
Q How long did they remain that time? A The old lady stayed here, but the girl went back and in a short time her and her husband came back.
Q Did she come back until after her marriage? A No, she was married when she came first.
Q The last time? A She was married I think, she was married when she came out.
Q How long has August Bulaska been a permanent and continuous resident of the Cherokee Nation? A I think he came there in the fall of 1884 or 1885, I wont say which.
Q How long has Robert Pierce been a continuous resident of the Cherokee Nation? A Ever since he was admitted.
Q When was that? A '83.
Q How long has Martin L. Patterson? A Ever since he married his wife, and he was living here before he married his wife.
Q Who is Arizona Alsey? A That is my daughter.
Q Did you bring her with you? A No not when I moved.
Q When did she come? A She came out in a year or two after I moved here.
Q Was she married when you moved here? A No sir, she was not married.
Q She was not married when you were admitted? A No sir, she was a child.
Q When did Jim Lowe come to this country? A With his grandfather, James Dawson.
Q What was his mother's name? A Melvina Dawson.
Q You know Jim Lowe's age? A No sir.
Q Don't know how old he was in '83? A No sir.
Q Was he grown? A I think he was.
Q Married? A No no.
Q Married in this country? A Yes sir.
Q Who is James H. Hanson? A Married one of the Jackson girls.

Q When did they come to this country? A Right away after they was admitted.
Q In what year? A I think the winter of '84, I think it was, spring or winter of '84.
Q You know Gideon Graham? A Yes sir.
Q Who is his mother? A Missouri Ann Grahar, formerly Missouri Ann Dawson.
Q Did he come from Texas to Arkansas? A Came from Texas.
Q Did you know them in Texas? A I knew the girl.
Q You never knew them until they come to this country? A I never knew Gid.
Q When did you see him here? A I think they came here in the fall or winter of 1884 or '5.
Q He was married then? A I think he was.
Q Brought his wife? A I think he was, I don't know.
Q Did he have any children when you first saw him? A He came to my house and I never saw his family for-I don't know, for several years.
Q You understood he had a family? A Yes sir.
BY MR. McKENNON:
Q Do you mean to say '84 or '94? A '84.
Q Did you see Gid Graham in '94? A '84, let me study, maybe '85.
BY MR. HASTINGS:
Q Did you see him in '85, are you positive on that proposition? A I think so.
Q Will you swear to? A No sir, I won't positive swear it, but I think it was, as I remember now it was; I couldn't say positive.
Q All the people Mr. Duncan that have been admitted to citizenship by courts of competent jurisdiction unless they were de-citizenised by courts of acquired jurisdiction, enjoyed the same privileges that you have narrated here about going to school and being tried in the courts? A Yes sir.

Q All that sort of thing, that you have been telling here in your direct examination? A Ask me the question again.
Q I say all people who were admitted here by courts of competent jurisdiction, until they were de-citizenised by courts of like jurisdiction, enjoyed the same privileges that you did? A So far as I know they was.
Q They all drawed money and all tried in the courts as long as we had criminal courts, were they not? A Yes sir, so far as I know.
Q There was no special privilege granted to you in preference to anybody else? A None but recognized citizens of the Cherokee Nation.
Q Well you had been recognized since you were admitted? A Yes sir, I enjoyed the same privileges of native born Cherokees.
Q Well I say there is nothing special about it? A No, I don't know as there is.
Q You got acquainted with Mr. Duncan while you were up there during the hearing? A Yes sir, I was acquainted with him, knew him, when I saw him.
Q Mr. Bill Rose did the examination of Dr. Baker? A Yes sir.
Q Did you file any other paper before the Court other than your petition and then Dr. Baker's statement? A I never filed any petition there at all.
Q Have you not? A I don't remember any.
Q Will you never had occasion to file any papers before Mr. Duncan? A I got him to do some writing for me.
Q What? A Letters to my brother in Texas.
Q Mack Duncan? A Yes sir, A. Duncan.

Q That? A Yes sir, Buck Dawson.
Q Well is that all he did for you? A I don't remember now about it.
Q Why didn't you get your attorney to do that letter writing? A There was not any there.
Q Taylor nor Benge was not there then? A No sir.
Q That is what you paid the 20 or 25 dollars for, was writing this letter back to your brother? A I paid him for that claim.
Q When did you pay that? A I think I paid it, I don't exactly when, Camp Taylor paid it a year or two after I moved out here and settled where I did; might have been 3 years. I don't remember.
Q There was Duncan living then? A I couldn't say where.
Q Was he still clerk of this Court? A No sir, not when that money was paid; that is, when Camp Taylor said he paid it.
Q You did send Camp Taylor some money? A I sent some money to him for Joel Bryant.
Q You knew Joel Bryant's address didn't you? A No, I don't know that I did, No I didn't send Camp Taylor any money, I gave it to him.
Q How much did you give him? A One hundred dollars.
Q When? A Right at that time; he claimed it from me as soon as he got our papers; he come onto me and duaned me for Bryant.
Q You never sent him any then after that? A No sir.
Q Did you ever see Bryant after that? A Yes sir
Q How long after that? A I don't know, a year or two afterwards. a year I believe, my brother wrote, I wrote to my brother about paying Camp Taylor money and he went onto my brother about it and he never paid him until we moved out to this country.
Q After all that you got him to attend to your uncle Jim Dawson's and the other relatives cases? A The other parties did.

BY MR. McKENNON:

Applicants object to all that part of the witness' evidence in response to interrogatories by representatives of the Cherokee Nation which relates to the character of the evidence upon which the judgments admitting members of the James and Robert Dawson families were admitted, and to the history of the members of the Dawson family, because the same is immaterial, incompetent and irrelevant.

BY MR. McKENNON:

Q One question I omitted to ask you Mr. Dawson, as to the Court at the time the judgment admitting Robert Dawson's family was rendered, who of the judges were present on that day? A They was all three of them, Wolfe, Tehee and Thompson.
Q Are you positive of that fact? A Yes sir.
Q You do not know this Andrew Dawson family who applied to the Dawes Commission for Cherokee citizenship, and who stated that they are cousins of some members of your family? A Andrew?
Q Andrew J. Dawson, who claims to be from Missouri? A How was the question?
Q You do not know them do you? A I don't know that they are any kin to us.
Q You don't know that they are related to you at all? A No sir.
Q This Mary Dawson case, do you know the members of that family? A No sir, I don't.
Q Don't know who they are? A No sir.
Q The Rebecca Dawson case? A I don't know her either.
Q You don't know whether they are related to you or not? A No sir.
Q If any of these persons are related to you or your family did you have any knowledge of it? A Not as I know of.

Q Joanna Barber, do you know anything about them? A They claim to be kin to us.
Q Where are they from? A They are from Texas.
Q Do you know they are related to you? A They claim to be kin.
BY MR. HASTINGS:
Q Well you swore for them before the Commission? A Yes, they claim to be kinfolks of mine.
BY MR. McKENNON:
Q Irene J. House, who is that? A That is a cousin of mine; claims to be.
BY MR. HASTINGS:
Q You testified for her didn't you before the Commission? A I think I did as well as I remember.
BY MR. McKENNON:
Q Before the Court that admitted James Dawson and family, who were the witnesses there? A Oliver Miller, from Berryville, Arkansas.
Q Who were the others? A Myself and J. Dawson and there was two other witnesses, I don't remember who they are.
Q Were they Cherokee citizens and residents of the Cherokee Nation? A Yes sir.
BY MR. HASTINGS:
Q You don't remember their names? A Which?
Q Of these other people who claimed to be citizens of the Cherokee Nation and who were witnesses? A I said about me and J. Dawson was citizens of the Cherokee Nation.
Q You only proved that Jim Dawson was a brother of Robert Dawson before the Court? A Yes sir.
Q And then referred back to the decision in the Court before? A We proved that they were citizens, and he knew my folks before we ever came here.
Q Was he older than Dr. Baker? A About the same age.
Q Why didn't you get Oliver Miller's testimony in the House case?
Q He was dead.
Q You and no member of your family in the Irene House case or the Joanna Barber case or any of those cases that were tried before the Dawes Commission in your affidavits ever made reference to the fact that Oliver Miller testified in Jim Dawson's case in '84 did you? A I don't remember about that.
Q You did make reference to the fact that Dr. Baker testified there in '83, didn't you? A I don't remember about that now.
Q You never made reference to any other witness having testified other than Dr. Baker did you? A I don't remember about it now.
BY MR. McKENNON:
Q Now just one other question: All of these papers in the original application and everything, so far as you know, in the James Dawson case, were filed before the Commission which admitted the James Dawson family, are lost or mislaid are they not? A I suppose they are, I don't know, I never saw them.
Q Have you tried to get copies of them? A Yes sir, I tried to get the original papers.

BY COMMISSION: This case is continued until 8:30 a.m., tomorrow morning, March 20th, 1902, it now being the hour for adjournment.

MARCH 20, 1902,- 8:30 A. M.- F. M. DAWSON again on the stand, testifies as follows:
BY MR. McKENNON:
Q Where was your brother Buck Dawson raised? A In Arkansas.

Q What County? A Carroll.
Q [illegible] town? A Berryville.
Q Did Dr. Baker live at Berryville? A Yes sir.
Q Was your brother intimately connected with him for many years?
A Yes sir.
Q Did he know him sufficiently to be acquainted with his character and habits of life? A Yes sir.
Q Do you know Josephine Pierce? A Yes sir.
Q Whose daughter was she? A Everit Dawson's.
Q Is she the same identical person who is called Josie Pierce, and Josie Dawson? A Yes sir.
Q Is there any other Josie Pierce or Josie Dawson or Josephine Pierce or Josephine Dawson? A I don't know but the one.
Q She was also called Josephine or Josie Kelly? A Yes, after she married; her first husband was Pierce.
Q And her second husband A Was Kelly.
Q There was another Josephine Dawson wasn't there, Bulaska's wife? A Why they called her Joe, I suppose that's her name, I could not be positive; that was Bile Dawson's daughter, August Bulaska's wife.
Q She is much younger than your sister, Josephine, above referred to? A Yes sir, oh yes.

BY MR. HUTCHINGS:

Q Where were you born, Mr. Dawson? A Carroll County, Arkansas.
Q How old are you? A 42.
Q 42? A I think so.
Q How many older children were there of your father's than yourself? A Three.
Q Which were they? A E. Dawson, Miles Dawson and Jasper Dawson.
Q You are the fourth child and the fourth boy? A Yes sir, fourth boy.
Q Where were your father and mother married, do you know, Bro. Family history? A I think it was in Arkansas, I wouldn't be positive, I think they was.
Q Do you know how long your grandfather lived in Arkansas? A No sir I don't.
Q Don't know what year he came to Arkansas? A Only from statement.
Q Well what did they say about it? A I think they come there in '30.
Q You know whether your father was born in Arkansas? No any of your grandfather's children were born there? A There was none of them born in Arkansas according to history and according to what he always told me, they were born in Tennessee.
Q He came there in '30, and all the other children were born on the Hiwasee River in Tennessee, before he ever came? A That is what I think, yes sir. Now I am not positive about that. They were from Tennessee, but either Dr. Baker lived there or my folks come from there; I don't know as I remember that I ever heard my father say where he was born at.
Q In Tennessee somewhere; he said he was a good big boy when he came to Arkansas? A I don't know as I ever heard him say.
Q Do you know the difference in the ages of yourself and your three older brothers? A No I don't.
Q Don't know the time that comes in between you? A No I don't know what; I think it is about two years though.
Q That would make E. Dawson about eight years older than you, probably? A Yes sir.

BY MR. McKENNON:
Q Did Josephine Pierce have a daughter who married Mr. Bogle?
A Yes sir.
Q What was her name? A I always knowed her by Dode Pierce; I don't know whether that is her right name or not.
Q What is Bogle's name? A John Bogle.
Q She is the child of Josephine Pierce who married John Bogle?
A Yes sir.
BY MR. HASTINGS:
Q Where did she marry John Bogle? A Near Afton.
Q When? A I douldn't state.
Q About when? A You have got a copy of the marriage license.
Q When did Josephine Pierce come to the Cherokee Nation? A '83.
Q Has she lived here continuously since that time? A Up until her death; she is dead.
Q Any of her children come with her at that time? A Yes sir.
Q And have they lived here continuously since that time? A Yes sir, except Bill Pierce, he went to Colorado and died.

J. C. STARR, being first duly sworn and being examined, testified as follows:
BY MR. McKENNON:
Q Your name is J. C. Starr is it? A Yes sir.
Q Mr. Starr, was that instrument taken by you, or before you? (Showing witness document.)
A Yes sir.
Q Where? A At the residence of S. H. Benge near Fort Gibson.
Q When? A On the 15th day of this month.
Q What day of the week was that? A On Saturday.
Q Is that the day it was taken? A Yes sir.
Q Did you go there on Saturday to take this? A Yes sir.
Q Then when Judge Benge stated on Tuesday that it was taken "yesterday" meaning Monday, the 17th, he was mistaken, was he?
A It was taken Saturday, the 15th.
Q Was he mistaken or not? A It was not taken then.
Q Then his statement made on Tuesday the 18th that it was taken on "yesterday", meaning Monday, the 17th, was not correct, was it?
A I think not, because I was there, and it was taken on the 15th.
Q And it was taken on the 15th, you are positive it was taken on the 15th? A Yes sir.

Q Then of course his statement could not be correct? A I guess not.
BY MR. HASTINGS:
Q He was just mistaken about the date, wasn't he? A Yes sir.
BY MR. McKENNON:
Q Did you tell Charles T. Moore who is now present, on last Tuesday that they sent you out there on Monday to take that? A No sir.
BY MR. HASTINGS:
Q I sent you there last Saturday? A Yes sir.
Q And you went there at my direction, didn't you? A Yes sir, and came back Saturday night.

ROBERT L. DAWSON, being first duly sworn, and being examined testified as follows:
BY MR. McKENNON:
Q What is your name? A My name is Robert L. Dawson.
Q What is your age? A My age is something close to 30 years old, I am 28 past.

Q Are you a son of E. Dawson, commonly known as Buck Dawson?
A Yes sir.
Q I will ask you if you will examine this letter sent with the enclosure and state whether or not you found that among the papers of your father after his death? A (Hands letter to witness who examines it) A Yes sir, I found this amongst the papers of my father. He always kept all his own papers, and me looking over them I saw this letter.
Q Has that been in your custody ever since you found it? A Yes sir, if that's the letter that was in the envelope.
Q Well that's what it is, you can tell whether it is or not. (Witness further examines letter) Q That purports to be a letter from Samuel H. Benge, does it not, to your father? A Yes sir. (Here applicants' attorney hands letter and envelope referred to to attorneys for Cherokee Nation.)

BY MR. McKENNON: I want to offer this letter in evidence in this case: it is a letter signed by S. H. Benge, attorney at law, dated Fort Gibson, C. N., Jan. 13, 1883. Addressed to Mr. E. Dawson, Esq., together with the envelope, in which it was enclosed, with the card of C. H. Taylor upon it, attorney at law, Tahlequah, Indian Territory, and postmarked Tahlequah, Ind. T., January 13.

BY MR. HUTCHINGS: The Nation objects to the introduction of this letter for the reason that S. H. Benge is living and has testified in this case, and his handwriting should be either proven or denied by himself.

G. W. BENGE, being first duly sworn, and being examined, testified as follows:
BY MR. McKENNON:
Q What is your name? A G. W. Benge.
Q Are you a son of Samuel H. Benge? A Yes sir.
Q Do youknow his handwriting? A I believe so.
Q Is that his handwriting? (Shows witness letter before referred to.) A Yes sir, it is either his or a resemblance of his.
Q To the best of your knowledge and belief is that his letter?
A Yes sir.

BY MR. McKENNON: Now we offer it in evidence.

BY COMMISSION: (Reading letter)

"Fort Gibson, C. N.,
Jan 13th, 1883.

Mr. E. Dawson, Esq.,

Dear Sir:- I write this note to inform you that your case came off before the Court on Citizenship on the 11th inst, and was decided in your favor, so you all are citizens of this Nation. F. M. Dawson was furnished with a copy of the decision at the court. He will write to you also. You will please send me fifty dollars as my fee in your case according to contract. Send it to Fort Gibson, Cherokee Nation.

Respecfelly yours,
S. H. Benge,
Attorney at law."

Enclosed in envelope, as follows:
Card in upper corner, left hand:
"Return in ten days to C. H. Taylor,
Attorney at Law,
Tahlequah, Ind. Ter."
Addressed. "Mr. E. Dawson"

Henryetta,
Clay Co., Texas."

Post-marked: "Tahlequah, Jan 17 Ind T."

ROBERT L. DAWSON, -re-called and further examined, testified as follows:

BY MR. McKENNON:

Q Now examine that and see if that is also a paper which you found among your father's papers after his death? (Hands papers to witness) A That is the same letter that I found.

Q Among the same that you found the Benge letter? A Yes sir.

BY MR. McKENNON: This is a letter purporting to have been written by J. M. Bryan, to E. Dawson, dated at Chouteau Station, Cherokee Nation, and not dated, which we offer in evidence. (Applicants' attorney hands said paper to Nation's attorneys.)

Q Mr. Bryan is dead is he not? A I think so.

BY MR. HUTCHINGS: We have no objection.

BY COMMISSION: (reads letter)

"Chouteau Station, Cherokee Nation.
I. T., M. K. & T. R. R.

MR. Dawson:
Dear Sir:-

I am in receipt of your favor of the 30th inst in regard to our contract.

After I had got the claim so there would be little more to do I employed Campbell Taylor to answer for me when the case came up, for which I was to pay him $20 out of my fee.

This all the action I had in the matter with Taylor.

I saw Taylor in Washington last month, and he told me that your brother had made another contract with him, and paid him, or that you was to pay him $100- and that you had offered him a check on some bank in Texas.

That $100- matter with Taylor, I have nothing to do with, nor couldn't have if I wanted to.

I hope Mr. Dawson this letter will explain the matter fully.

And I am satisfied that you are apprised of the earnest work I done for you, Please write to me.

Very respectfully,
Very truly,
J. M. Bryan."

Q I will ask you if you know of your father having paid Bryan that money? A Yes sir, paid him a horse and some other money.

BY MR. HUTCHINGS:

Q How old was your father when he died? A He, I don't know whether I know his age or not.

Q If you don't know you can't say? A I wouldn't have no reason to know his age; never asked him his age; of course I guess my mother knows.

Q Never had occasion to talk about his age at all? A Oh I have heard him speaking of his age at different times, but then I never paid enough attent on to it.

Oid Graham; being first duly sworn and being examined testified as follows:

BY MR. McKENNON:

Q What is your name? A Oid Graham.

Q How old are you? A Mr. Graham? A I am 35 years old.
Q How long have you been living in the Territory? A I came out here in 1887 or '88.
Q To the Cherokee Nation? A Yes sir.
Q How long have you been living in the Cherokee Nation, what year was that '87 or '8? A Yes sir.
Q Have you resided here continuously from that time ever since in the Territory? A Yes sir.
Q How long did you live in the Cherokee Nation? A About 6 years.
Q Where did you go then? A Wagoner.
Q In the Creek Nation? A Yes sir.
Q And been residing there ever since? A Yes sir.
Q In business? A Yes sir.
Q Have you all the while been recognized as a citizen of the Cherokee Nation? A Yes sir.
Q Mr. Graham, do you know Judge Samuel H. Benge? A Yes sir.
Q Did you have a conversation with him in Fort Gibson about September of 1900? A Well as to the exact time I couldn't say, it was sometime about the time that the Dawes Commission were at Sallisaw, or possibly a little later, somewhere about there.
Q Taking the census of the Cherokees? A Yes sir.
Q At that time had the question of the validity of the judgment of the Cherokee citizenship commission admitting Robert Dawson and family been called in question? A Yes sir.
Q Did you talk to him about the facts concerning the obtaining of that judgment? A I did.
Q What did he tell you about it; well I will just ask you, did he then and there tell you that that judgment was regular and all right nothing wrong with it? A He did.

BY MR. HUTCHINGS:

Q You were looking around for testimony at that time, Mr. Graham, were you? A How was that?
Q You were looking around for testimony at that time, expecting this case to be questioned? A Since the validity of that judgment had been attacked by the authorities of the Cherokee Nation, I thought it was well to look into the matter.
Q And he told you the judgment was all right? A Having known that Mr. Benge was connected with the case, I saw him in Fort Gibson, subsequent to that time and asked him about it, if there was anything wrong about the matter, and also that I might want his affidavit concerning the matter, and I also I think maybe wrote to him; possibly prior to that, I am not sure as to the writing, but I think possibly I did.
Q Did he tell you he would make an affidavit? A I don't think at that time that I asked him for an affidavit. I thought as he lived right near here I would use him in person; he assured me that everything was all right.
Q Your mother was Missouri Dawson was not she? A Yes sir.
Q Her name was Missouri Graham when she was re-admitted to citizenship? A Yes sir.
Q And was not [illegible] named in that judgment? A Yes sir.
Q Do you know whether the other [illegible] children named in there had married and changed their names also at the time they were admitted? A There were not any of them married.
Q Ella Dawson was your aunt? A Yes sir.
Q Was she married at that time? In 1883? A Yes sir.
Q Melvina Dawson, was she married at that time? A Yes sir.
Q And the fourth one you have mentioned, Missouri Dawson, was your mother? A Yes sir.

Q Can you give us the exact date of your birth? A Yes sir.
Q Do so, please? A January 21, 1867.
Q And you came to the Territory when? A In 1887 or 1888.
Q You can't make that any more definite? A Well sir, it has been a good while ago, and I didn't have anything to cause me to.
Q Well I just want to know whether you did have or not? A No sir.
Q When were you married? A 1886.
Q You were married prior to coming here? A Yes sir.
Q Your first child born away from here? A Yes sir.
Q What is its name? A John W.
Q '86 you were married, and he was born about the spring of '87?
A Somewhere in 1887, I don't remember.
Q Prior to your coming here? A Yes sir.
Q That is the only child you had that was born away from here?
A No sir, Julius.
Q Julius was not born in the Territory? A No sir.
Q And prior to the time of your removing to the Territory? A Yes sir.
Q These are the only children born out? A Yes sir.

BY MR. McKENNON:

Q Do you know Campbell Taylor? A Yes sir.
Q I will ask you if about February 1901, he came to Wagoner, and sent his son to have you come to the hotel at night where he was, and if he then and there said to you "You people are on the doubtful list, and if you will give me five hundred dollars I will make it all right and)see that you are enrolled, and if you don't I will see that you don't get on".? A Well now as to the first part of thatquestion, where you say he sent his son; that is an error; I don't know whether he came to my house or sent some one; when I returned home that evening my wife told me there was some one there to see me, and was at the city hotel at Wagoner, and said come down and see him; I went down there; I never had met Taylor; he introduced himself to me and stated what his business was; asked me if I was on the doubtful list, etc., to which I replied that we were; he asked me if I didn't want to employ him, stating that if we would give him, our family would give him five hundred dollars he would see that we were placed on the rolls all right, but if we refused to give him five hundred dollars that he would use his influence against us and see that we were rejected.
Q You never had met him before, or had any communication with him?
A I never met him before; as to the communication, I may have written him something about his affidavit as to the validity of that judgment, I can't say as to that. He said in his testimony that I did; I don't know whether I did or not now.

BY MR. HUTCHINGS:

Q You knew he was the attorney in the case, originally? A After looking at the records I did.
Q I mean you knew it at the time you wrote to him about the affidavit; that was the reason why you thought he would know something? A Certainly.
Q He never told you he was going to swear against you or threatened to tell anything that was not true? A He just simply said unless we gave him that five hundred dollars he would see we were all put off the rolls.
Q Said he would use his influence against you, that is what he said? A Yes sir.

BY MR. HASTINGS.
Q You don't deny writing to him then for the affidavit? A I don't say I did or I did not; I neither affirm it or deny the question.
Q You went to Captain Benge and also wrote him with reference to what he knew about the case? A I don't know whether I wrote him or not, I said I was under the impression I wrote him son.
Q You went to see Aaron Butler, who was interpreter before that court that admitted you? A Yes sir.
Q And you went with Aaron Butler to see Jim Smith, attorney before that court? A Yes sir.
Q And you either wrote or went to see everybody you knew of that was before that court then? A Yes sir.
Q That shows you used considerable activity? A Yes sir, I used such activity as was to my interest.
BY MR. McKENNON:
Q That was all after the representatives of the Cherokee Nation objected to the enrollment of the Dawson family and by reason thereof such as had appeared before the Commission had been placed upon a doubtful card? A Yes sir.
Q Then you began to look up the evidence and see what there was in it? A Yes sir.
Q As Mr. Hastings has stated? A That's right.
BY MR. McKENNON:
Q You are a grandson of James Dawson? A Yes sir.
Q The old gentleman? A Yes sir.
Q About what was his age when he was admitted to citizenship in the Cherokee Nation, in 1884, wasn't it? A Yes sir, well I can't be exact as to that.
Q Well as nearly as you can? A He was somewhere about 70 or 72, years of age.
Q Well what other James Dawson did you know belonging to the families, either one of these families, Robert Dawson family or the James Dawson family? A I never knew of but two James Dawsons.
Q Who were the others? A Dr. James R. Dawson, who is present and standing right here: my grandfather, James Dawson.
Q Was there in '84 any James R. Dawson 35 or 40 or 45 years old, that you know of, belonging to either one of these families? A No sir.
Q Do you know how old Mr. James R. Dawson was that that time? A James Dawson? Q No I am speaking of Dr. James R. Dawson? A Oh, how old he was, no sir. I do not.
BY MR. HASTINGS:
Q Do you know who was here attending to your mother's citizenship case at that time, at the time they were admitted? A Yes sir, James Low and Bill Jackson, son of Ellen Jackson.
Q Who was W. A. Dawson? A That is Walburn, my uncle.
Q Was he here? A I don't know sir.
Q You were not here any of the time? A No sir.
Q You knew your grandfather then, you had lived in the same neighborhood with him? A Yes sir, I knew him well.
Q He didn't die but a year or two after that did he? A After when, Mr. Hutchings?
Q After his admission to citizenship? A No sir, he didn't die I think until 1891 or '92, several years after.
Q Very old man when he died? A Yes sir.
BY MR. McKENNON:
Q About what age? A He was approximately 80 years old.
BY MR. HASTINGS:
Q When he died? A Yes sir.

BY MR. HASTINGS:
Q That about [illegible]? A I think so, yes sir.
BY MR. McKENNON:
Applicants object to the testimony of the witness elicited by interrogatories of Counsel for the Cherokee Nation relating to his family, their history, etc, as being immaterial, irrelevant and incompetent.

James R. Dawson, being first duly sworn, and being examined, testified as follows:
BY MR. McKENNON:
Q Your name is James R. Dawson? A Yes sir.
Q Where do you live? A Afton, Indian Territory.
Q What is your age? A 45.
Q You are a physician are you not? A Yes sir.
Q Was James Dawson, whose family was admitted in 1884, an uncle of yours? A Yes sir.
Q Do you know what his age was at that time? A No sir, I do not, only approximately.
Q State as nearly as you can? A At the time of theadmission?
Q Yes sir? A About 70, I don't know exactly.
Q How old was he when he died? A I would suppose he was about 78.
Q What was your age in 1884? A I am 45.
Q What year were you born, Doctor? A I was born in '[illegible].
Q Must have been '56? A Yes sir, that's right.
Q What was your age then? A In '84?
Q Yes sir? A About 28.
Q Were you present at the time that James Dawson family was admitted, or at any time while their case was pending before the Cherokee citizenship commission? A Not while the James Dawson case was, no sir.
Q You were present during your father's case? A I was there at the time.
Q When was that? A The dates I cannot; when the case first come up, I cannot remember the exact date.
Q How long were you there? A I was there about a week.
Q Was that when it first came up you say? A Yes sir.
Q Nothing was done? A No sir.
BY MR. HUTCHINGS:
Q You never saw Dr. Baker? A Yes sir.
Q Did he and your uncle Jimmie used to talk about how they played together when they were boys? A My uncle Jim and Dr. Baker talk?
Q Yes? A I never saw them together.
Q They were about the same age? A Yes sir, I believe Dr. Baker was 15 years older probably.
Q Dr. Baker must have been mistaken about his own age? A Guessing, that's all I know about his age.
Q The Doctor had been paralyzed, rather a decrepid looking man at the time he was over here at this citizenship business? A No sir, not as I know anything about.
Q He was near about 70 then? A I couldn't tell you, he was an old looking man.
Q Your uncle Jimmie was about 70? A Yes sir.

TESTIMONY OF W. W. HASTINGS IN THE MATTER HEREIN.

W. W. HASTINGS, being first duly sworn, and being examined testified as follows:

BY MR. [illegible]:

Q State your name? A W. W. Hastings.

Q Residence? A Tahlequah, age 71.

Q You are attorney for the Cherokee Nation in the general preparation of these cases? A Yes sir.

Q Just state how it happened that you summoned Mr. Campbell Taylor, and what occurred between you with reference to his testimony? A Well there had been some talk, as the testimony here indicates, that there was perhaps fraud in the admission of this family, and by agreement with counsel on the other side, and the Commission, this case was set for the 14th day of March, and some short time prior to that, as the attorney for the Nation I began to make some preparation or inquiry into the case, and I wrote a great many letters around to different people and among them I wrote C. M. Taylor to come down here. I don't think in that letter that I told him what I wanted with him. I don't think I told him the case that I wanted him to testify in: that is my recollection now. Mr. Taylor prior to that time, neither directly nor indirectly, so far as I know, ever gave me any information voluntarily against this family, or ever told anything that would lead me to believe that he knew anything of a fraudulent character connected with it. But I summoned him; perhaps the fact that I knew he had been connected with them in some way and that I perhaps also would get some information from him. Well he came in response to a letter that I wrote, and I took him up to my office. I talked to him quite a long while. He was exceedingly reluctant about giving any testimony whatever, he told me first and last that he didn't intend to testify before the Commission. He told me he had been attorney for these people, and he didn't believe he could be compelled to testify, and that is he was put upon the stand he would claim that privilege, and he didn't believe I could force him to testify. I talked to him at some considerable length; I asked him what he knew about it; of course he for a long time declined to tell me: and what information I did get from him was by piecemeal. He was exceedingly reluctant all through the interview to give any information. I asked him finally though that if the Court compelled him to testify when he got before the Commission, if he would tell the facts about it, and he said that he would. I told him then that I would subpoena him.

Well we talked quite a good while and finally after always telling me that he intended to claim that privilege, and never wanting to testify, he detailed to me the facts just as he told them on the stand: I don't believe there is the slightest variation, except that he perhaps was not so full at that time and it was told by piecemeal, but I got all those facts out of him, or very nearly all those facts out of him. He may have elaborated a little more here by examination; but he never voluntarily gave me any information at all, either directly or so far as I know indirectly. I don't think he sent any one to me. I got his name because I heard he was connected with the case, and perhaps knew something about it, like I did a great many other people, some of whom I didn't bring, because they didn't know what I supposed they did know about the case.

With reference to S. H. Benge, I want to state that he never voluntarily gave me any information at all about this case, nor did I know that he knew anything in connection with this case until I sent J. C. Starr over to S. H. Benge's place to take his affidavit on Saturday, March 15, in the W. H. and J. W. Shoemake case, and their descendents. I had heard that Mr. Benge knew some important facts in connection with the Shoemake case and I sent him over there then to take that affidavit; and when Mr. Starr came back he told me that he knew some facts also in connection with these other cases, and I was surprised to find he had instead of one affidavit, in the Shoemake case, that he also had another affidavit in the Dawson case. That is the first information I had that Mr. Benge knew anything whatever in connection with the Dawson case, and therefore he never voluntarily, either directly or indirectly gave any information prior to that time to me.

I impressed upon Mr. Taylor that the Nation only wanted the absolute truth in this matter; that it was not seeking anything else but the truth, and didn't want him to tell anything else but the truth.

I want to say again that after he was on the stand and left that evening, and after Captain McKennon, or counsel for the family, had indicated his willingness for Mr. Taylor to testify, that he went over all of these facts that he testified to on the stand subsequent to that time in the presence of J. C. Starr in my office. I simply wanted to go on the stand for the purpose of showing that Mr. Taylor hadn't voluntarily given me any information, and

I make this statement for that purpose.

BY MR. McKENNON:

Q You had no power to compel him to give you any information at that time at all did you? A No sir, none other than the persuation that I brought to use.

Q He therefore did it simply upon your persuations? A Yes sir.

Q You knew he had been acting as attorney for these parties?

A Yes sir, I had seen from the record that he did too.

Q And he told you so? A Yes sir.

BY COMMISSION: The attorneys for the applicant and the representatives of the Cherokee Nation will be granted thirty days from the receipt of the transcript in this case in which to file a brief in this case with the Commission.

I, M. D. Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

(Signed) M. D. Green.

I, Arthur G. [illegible] being duly sworn, state that in attempting to the Commission by the First [illegible] I made the foregoing, and that the same is a true and complete copy of the Original.

Arthur G. [illegible]

Subscribed and sworn to before me this 18th day of December, 1909.

B.O. Jones
Notary Public.

File with Cherokee B-580, John Dawson.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Francis M. Dawson, et al for enrollment as Cherokee citizens, consolidating the applications of,

Francis M. Dawson et al	Cherokee	D.	324
John Dawson,	"	D	580
William R. Dawson,	"	D	581
Andrew C. Atkins, et al	"	D	584
Francis M. Dawson, Jr.	"	D	588
Arizona Allred, et al	"	D	835
Samuel R. Dawson, et al	"	D	350
Robert Dawson,	"	D	352
Albert H. Dawson, et al	"	D	358
August Bulawsky, et al	"	D	365
John W. Dawson, et al	"	D	482
Ketie Newman	"	D	402
John Dawson, et al	"	D	578
Thomas P. Dawson, et al	"	D	360
Orle M. Dawson, et al	"	D	530
Robert Pierce, et al	"	D	408
William Pierce,	"	D	409
Charles E. Pierce,	"	D	431
Ona Gray, et al	"	D	471
Effie Pierce,	"	D	472
John S. Bogle, et al	"	D	479
Joseph R. Dawson, et al	"	D	364
Wilborn Dawson,	"	D	475
Charles T. Moore, et al	"	D	518
James R. Dawson, et al	"	D	526
Henry A. Blasingame, et al	"	D	832
Elbert L. Blasingame, et al	"	D	833
James R. Blasingame, et al	"	D	834
Martin L. Patterson, et al	"	B	435
William C. Dawson, et al	"	D	604
Robert L. Dawson,	"	D	605
Elbert R. Dawson, et al	"	D	608
Richard W. Dawson, et al	"	D	617
Ella L. Spickerman, et al	"	D	626
Francis M. Dawson,	"	D	627
Sarah J. Dawson,	"	D	609
John W. Graham, et al	"	D	23
Gideon Graham, et al	"	D	35
Mathew A. Painter, et al	"	D	836
Charles T. Bradshaw, et al	"	D	1124
Joe E. Graham, et al	"	D	1125
John F. Graham, et al	"	D	1126
Joe Willie Neal	"	D	1127
James M. Graham, et al	"	D	1128
Green W. Jackson, et al	"	D	395
James M. Harmon, et al	"	D	476
Toshie A. Jackson,	"	D	568
Lizzie Jackson, et al	"	D	870
William C. Lenox, et al	"	D	847
James Love, et al	"	B	839
Millie T. Dawson,	"	D	405

Texanna Woolley, et al.,	Cherokee	D	406
Henry T. Richardson, et al.,	"	D	716
Etta Brauer,	"	R	12
William A. Dawson,	"	R	13
Alonzo M. Fishback, et al.,	"	D	343
Miner F. Waddle, et al.,	"	D	521
William D. Southitt,	"	D	523
Florence Morgan, et al.,	"	D	737
John E. Fishback,	"	D	845
George A. Mabry, et al.,	"	D	979

D E C I S I O N.

It appears from the record herein that applications were made to this Commission at the times and places hereinafter mentioned for the enrollment of the following named persons as citizens of the Cherokee Nation:

D 324 By Francis M. Dawson, son of Robert Dawson, at Vinita, Indian Territory, on September 17, 1900, for the enrollment of himself and his minor children, Lula, Ray, Jessie J., Jacob L., Hugh A. and Laura A. Dawson as citizens by blood, and for the enrollment of his wife Katie Dawson as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on April 8, and October 30, 1902.

D 530 By John Dawson, at Nowata, Indian Territory, on October 15, 1900, for the enrollment of himself as a citizen by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 1, 1902.

D 531 By William R. Dawson, at Nowata, Indian Territory, on October 15, 1900, for the enrollment of himself and his wife, Fannie Dawson as citizens by blood. Fannie Dawson has been differently classified and is not embraced in this decision.

D 524 By Andrew C. Atkins, at Nowata, Indian Territory, on October 15, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Lizzie Atkins and his minor children, Arthur, Edna E., Edward C. and George J. F. Atkins as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 10, 1902.

D 528 By Francis M. Dawson, Jr., son of Francis M. Dawson and grandson of Robert Dawson, at Nowata, Indian Territory, on October 15, 1900, for the enrollment of himself as a citizen by blood.

D 333 By Francis M. Dawson, Sr., at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of his daughter Arizona Allred and his grand-son Blaine C. Allred as citizens by blood.

D 350 By Samuel R. Dawson, at Vinita, Indian Territory, on September 19, 1900, for the enrollment of himself and his two minor children August and Mate Dawson, as citizens by blood, and for the enrollment of his wife Catherine Dawson as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, October 3, 1902.

D 352 By Robert Dawson, at Vinita, Indian Territory, on September 19, 1900, for the enrollment of himself as a citizen by blood.

D 358 By Albert H. Dawson, at Vinita, Indian Territory, on September 19, 1900, for the enrollment of himself and his minor children Ralph H., Alford and Cecil Dawson as citizens by blood, and for the enrollment of his wife Sarah F. Dawson as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 21, and October 3, 1902.

D 365 By August Bulawsky, at Vinita, Indian Territory, on September 20, 1900, for the enrollment of himself as a citizen by intermarriage, and for his wife Josephine, and his minor children Dora, Ida, Annie, Blanche, May and Oscar Bulawsky, as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 8, 1902.

D 482 By John W. Dawson, at Vinita, Indian Territory, on October 1, 1900, for the enrollment of himself as a citizen by blood, and for the enrollment of his wife Nannie as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 3, 1902.

D 402 By Charles J. Newman, for the enrollment of his wife Katie Newman as a citizen by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on March 18, 1902.

D 578 By John Dawson, at Nowata, Indian Territory, on October 15, 1900, for the enrollment of himself and his minor children Robert B., Iola M., Lemuel H., Rosa B., Charles B., Mattie J., Jennings B. and James U. Dawson as citizens by blood, and for his wife Sarah J. Dawson as a citizen by intermarriage. On November 20, 1901, an affidavit was filed for Vergal C. Dawson, a ninth child of the applicant. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, October 20, 1902.

D 360 By Thomas P. Dawson, at Vinita, Indian Territory, on September 20, 1900, for the enrollment of himself and his minor child Marice J. Dawson as citizens by blood.

D 530 By Orle H. Dawson, at Vinita, Indian Territory, on October 4, 1900, for the enrollment of himself and his minor child, Burt R. Dawson as citizens by blood. On October 31, 1902, a birth affidavit was filed for James W. Dawson, a second child of the applicant.

D 403 By Robert Pierce, at Vinita, Indian Territory, on September

24, 1900, for the enrollment of himself and his minor child Myrtle as citizens by blood, and for the enrollment of his wife Nellie as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 3, 1902. On January 9, 1902, an affidavit was filed showing the birth of Arthur Pierce, a second child of the applicant.

D 429 By William Pierce, at Vinita, Indian Territory, on September 24, 1900, for the enrollment of himself as a citizen by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 21, 1902.

D 431 By Charles E. Pierce, at Vinita, Indian Territory, on September 25, 1900, for the enrollment of himself as a citizen by blood.

D 471
D 472 By John B. Gray, at Vinita, Indian Territory, on Septe ber 28, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Ona Gray, his minor child, Cecil Gray, and his sister-in-law, Effie Pierce (now Effie Akin#), as citizens by blood. John B. Gray is differently classified and is not embraced in this decision. Further proceedings were had in the matter of this application at Vinita, Indian Territory, on October 4, 1900, and at Muskogee, Indian Territory, on July 21, 1902. On February 18, 1903, an affidavit was filed showing the birth of Velton Gray, a second child of the applicant.

D 479 By John S. Bogle, at Vinita, Indian Territory, on October 8, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Nancy J., and his minor children, James E., Edna M., John H., Marvin R. and Claud Bogle as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 9, 1902. On October 31, 1902, a birth affidavit was filed for Nancy Edith Bogle, born since the date of this application.

D 501 By Joseph R. Dawson, at Vinita, Indian Territory, on September 20, 1900, for the enrollment of himself and his five minor children, Clarence E., Council J., Elmer A., Cleo, and Rufus T. Dawson, as citizens by blood, and for the enrollment of his wife, Florence Dawson, as a citizen by intermarriage. Further proceedings were had in the matter of said application at Vinita, Indian Territory, on October 19, 1901, and at Muskogee, Indian Territory, on October 3, 1902. On October 19, 1901 an affidavit was filed showing the birth of Edgar Dawson, a sixth child of the applicant.

D 47[illegible] By Filborn Dawson, at Vinita, Indian Territory, on September 29, 1900, for the enrollment of himself as a citizen by blood.

D 513 By Charles T. Moore, at Vinita, Indian Territory, on October 4, 1900, for his enrollment as a citizen by intermarriage, and for the enrollment of his wife, Mollie, and his five minor children, Nora, Walter, Clara, Ora and James W. Moore as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on March 18, and October 10, 1902, and on March 17, 1902, an affidavit was filed showing the birth of Edna E. a sixth child of the applicant.

D 826 By James R. Dawson, at Vinita, Indian Territory, on October 4, 1900, for the enrollment of himself and his three minor children, Vinnie D., Ermine C. and Edwin C. Dawson as citizens by blood, and for the enrollment of his wife, Martha A. Dawson, as a citizen by intermarriage. Further proceedings were had in the matter of said application at Vinita, Indian Territory, on October 5, 1900, and at Muskogee, Indian Territory, on October 3, 1902, and on September 13, 1901, an affidavit was filed showing the birth of Ancil F. Dawson, a fourth child of the applicant.

D 832 By Henry A. Blasingame, at Chelsea, Indian Territory, on November 19, 1900, for the enrollment of himself and his minor child, Vinnie C. as citizens by blood, and for the enrollment of his wife, Birdie J. as a citizen by intermarriage. Birdie J. Blasingame is differently classified and is not embraced in this decision.

D 833 By Elbert L. Blasingame, at Chelsea, Indian Territory, on November 19, 1900, for the enrollment of himself and his three minor children Ellis F., Earl D. and Alexander Blasingame, Jr., as citizens by blood, and for the enrollment of his wife Id., as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, October 6, 1902. On October 31, 1902, a birth affidavit was filed for Elmer H., born since the date of this application,

D 834 By James R. Blasingame, at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of himself and his two minor children, William A. and George L. Blasingame as citizens by blood, and for the enrollment of his wife, Mary A. Blasingame as a citizen by intermarriage. On February 28, 1901, an affidavit was filed showing the birth of Grace D. Blasingame, a third child of the applicant. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 6, 1902.

D 835 By Martin L. Patterson, at Vinita, Indian Territory, on September 26, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Zona, and his five minor children, Sarah A., Martha A., Claud A., Digar L. and Thomas M. Patterson, as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on April 8, and October 4, 1902, and on October 23, 1901, an affidavit was filed showing the birth of Virgil V., sixth child of the applicant.

D 604 By William C. Dawson, at Nowata, Indian Territory, on October 16, 1900, for the enrollment of himself as a citizen by blood, and for the enrollment of his wife Alice as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on April 3, and October 10, 1902.

D 605 By Robert L. Dawson, at Nowata, Indian Territory, on October 16, 1900, for the enrollment of himself as a citizen by blood.

D 608 By Elbert B. Dawson, at Nowata, Indian Territory, on October 16, 1900, for the enrollment of himself as a citizen by blood. On July 8, 1901, an affidavit was filed showing the birth of Ralph E. Dawson, a child of the applicant.

D 609 By Sarah J. Dawson, at Nowata, Indian Territory, on October 17, 1900, for the enrollment of herself as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 15, 1902.

D 617 By Richard W. Dawson, at Nowata, Indian Territory, on October 17, 1900, for the enrollment of himself and his minor child Ina E. as citizens by blood, and for the enrollment of his wife, Luella as a citizen by intermarriage. Luella Dawson is differently classified and is not embraced in this decision. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on April 8, 1902.

D 620 By Ella L. Spickerman, at Nowata, Indian Territory, on October 17, 1900, for the enrollment of herself and her minor child, Hellen J. Spickerman, as citizens by blood, and for the enrollment of her husband, John J. Spickerman as a citizen by intermarriage. John J. Spickerman is differently classified and is not embraced in this decision. On March 8, 1901, an affidavit was filed for William Glenn Spickerman, a second child of the applicant.

D 627 By Francis M. Dawson, son of Elbert Dawson, at Nowata, Indian Territory, on October 17, 1900, for the enrollment of himself as a citizen by blood.

D 27 By John F. Graham, at Fairland, Indian Territory, on July 15, 1901, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Missouri and his minor children Tenna V. and Robert S. Graham, as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 2, 1902.

D 35 By Gideon Graham, at Westville, Indian Territory, on July 16, 1900, for the enrollment of himself and his minor children, Joel W., Julius E., Francis F., Mary E., Jesse E., Gracie L. and Florence M. Graham as citizens by blood, and for the enrollment of his wife Elizabeth Graham, as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 17, 1902.

353 By Mathew A. Painter, at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Laverna A. and his five minor children Ada R., Eva P., John W., Ray D., and Roberta A. Painter, as citizens by blood. On December 7, 1900, an affidavit was filed for Roy V. Painter, a sixth child of the applicant. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 2 and 3, 1902.

D1124 By Charles T. Bradshaw, at Muskogee, Indian Territory, on February 23, 1901, for the enrollment of himself as a citizen by intermarriage, and for his wife Florence P. and his minor children, Myrtle and Claude Bradshaw as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 21, and October 20, 1902.

D1125 By Joe E. Graham, at Muskogee, Indian Territory, on Febru-

ary 23, 1901, for the enrollment of himself and his minor child William C. as citizens by blood.

D1128 By John F. Graham, at Muskogee, Indian Territory, on February 23, 1901, for the enrollment of himself and his minor child Edna M. as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 21, 1902. On October 31, 1902, a birth affidavit was filed for Robert Lee Graham, a second child of the applicant.

D1127 By James Neal, at Muskogee, Indian Territory, on February 23, 1901, for the enrollment of his wife, Joe Willie Neal, as citizen by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 21, 1902.

D1126 By James M. Graham, at Muskogee, Indian Territory, on February 23, 1901, for the enrollment of himself and his minor children, Marion, Maggie, Luther, Lizzie and Margaret Graham as citizens by blood, and for the enrollment of his wife Bessie as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 17, 1902. On October 27, 1902, a birth affidavit was filed for Floyd Graham, born since the date of this application.

D 395 By Green W. Jackson, at Vinita, Indian Territory, on September 22, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Ella Jackson as a citizen by blood.

D 475 By James M. Harmon, at Vinita, Indian Territory, on October 1, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Flora and his minor children, Lillie R., Claud, Dwight, and William D. Harmon, as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 3, 1902.

D 503 By Toshie A. Jackson, at Vinita, Indian Territory, on October 3, 1900, for his enrollment, among others, as a citizen by blood. The other parties to the application are differently identified and are not embraced in this decision. Further proceedings were had in the matter of said application at Tahlequah, Indian Territory, on December 7, 1900.

D 536 By Lizzie Jackson, at Chelsea, Indian Territory, on November 19, 1900, for the enrollment of herself as a citizen by intermarriage, and for the enrollment of her minor children Osie, Lizzie, Jessie, Ray and Clyde Jackson as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 3, 1902.

D 847 By William C. Lenox, at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Fannie and his minor children Birtie E. and Myrtle Lenox as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 3, 1902.

D 879 By James Lowe, at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of himself and his minor children, May, Zelma, Roberta and Rosa Lowe as citizens by blood.

D 405 By Millie T. Dawson, at Vinita, Indian Territory, on September 24, 1900, for the enrollment of herself as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 17, 1902.

D 406 By Texanna Woolley, at Vinita, Indian Territory, on September 24, 1900, for the enrollment of herself and her minor child Irene W. Woolley as citizens by Blood. On March 27, 1902, an affidavit was filed showing the birth of Wilburn E. Woolley, a second child of the applicant.

D 715 By Henry T. Richardson, at Claremore, Indian Territory, on October 26, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Kitty, his minor children Delia F. and Finis T. Richardson and his step-children, Edgar, Walter, Alice, Laura, Oscar, Claude, Edna and Florence Flournoy as citizens by blood. Florence Flournoy is embraced in another application herein as Florence Morgan (D - 737). Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 9, 1902, and on August 20, 1902, a birth affidavit was filed for Jasper C. Richardson, born to Henry T. Richardson and his wife, Kittie, since the date of this application.

D 12 By Etta Brauer, at Fairland, Indian Territory, on July 12, 1900, for the enrollment of herself as a citizen by blood.

D 13 By Melissa A. Dawson, at Fairland, Indian Territory, on July 12, 1900, for the enroll ent of herself as a citizen by intermarriage.
Further proceedings in the matter of said application were had at Vinita, Indian Territory on October 4, 1900, and at Muskogee, Indian Territory, on October 14, 1902.

D 521 By Lula Pearl Weddle, at Vinita, Indian Territory, on October 4, 1900, for the enrollment of herself and her minor children Curtis and Morris O. Weddle as citizens by blood, and for the enrollment of her husband, Hiram F. Weddle as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 14, 1902. October 31, 1902, a birth affidavit was filed showing the birth of Roy Weddle, a third child of the applicant.

D 522 By William D. Douthitt, at Vinita, Indian Territory, on October 4, 1900, for the enrollment of himself as a citizen by blood.

D 747 By Alonzo M. Fishback, at Vinita, Indian Territory, on September 19, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Laverna A. Fishback and his minor children William A. and Annie B. Fishback as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on March 18, and October 3, 1902.

D 737 By Elbert L. Morgan, at Claremore, Indian Territory, on October 29, 1901, for the enrollment of his wife Florence and his minor child Clide as citizens by blood. On April 30, 1902, an affidavit was filed showing the birth of Alice A. Morgan, a second child of the applicant.

D 845 By John E. Fishback, at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of himself as a citizen by blood.

D 979 By George A. Mabry, at Tahlequah, Indian Territory, on December 14, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Edna, and his minor children Roby and Charley Mabry as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, January 15, 1901, and March 17, and October 15, 1902.

Proceedings were had in the matter of F. M. Dawson, et al., before Lewis T. Martin, a Notary Public on October 4, 1900, and further proceedings were had therein before the Commission at Muskogee, Indian Territory on March 17, 1902. All of these proceedings have been made a part of the record herein.

The evidence, and an examination of the records of the Cherokee Nation, in the possession of this Commission show that on January 11, 1883, one Robert Dawson and his adult children, F. M. Dawson, Elbert Dawson, Jasper Dawson, Mollie Dawson, Wilborn Dawson, James Dawson, Rial Dawson, Josephine Dawson, Joseph Dawson, Jane Dawson and John Dawson were admitted to citizenship in the Cherokee Nation by the Cherokee Commission on Citizenship, commonly known as the "Teehee Court", and that on September 9, 1884, one James Dawson, a brother of the Robert Dawson aforesaid, together with his adult children, Ella Dawson, W. A. Dawson, Malvina Dawson and Missouri Dawson were admitted to citizenship in the Cherokee Nation by the Cherokee Commission on Citizenship commonly known as the "Spears Court." In addition to their tribal enrollment as shown by the evidence herein, it also appears from an examination of the Cherokee tribal rolls, in the possession of this Commission, that F. M. Dawson is identified on the Cherokee pay rolls of 1883 and 1894, Elbert Dawson on the Cherokee pay roll of 1886, Mollie Dawson on the pay roll of 1883, Wilborn Dawson on the pay rolls of 1886 and 1894, James Dawson on the pay rolls of 1883 and 1894, Rial Dawson on the pay rolls of 1886 and 1894, Josephine Dawson on the pay roll of 1886, Jane Dawson on the pay roll of 1883, Joseph Dawson and John Dawson on the pay rolls of 1883, 1886 and 1894, Ella Dawson and W.A.

Dawson on the pay roll of 1886, and Missouri Dawson on the pay roll of 1894.

A majority of the above named persons, together with the descendants of the persons admitted as aforesaid and such white persons as may have intermarried with the said Dawsons or their descendants are the applicants herein.

For convenience, the applications are divided into groups: Group 1, includes the applications of Francis M. Dawson and those claiming through him and embraces cases numbered D 324, D 580, D 581, D 584, D 588 and D 835.

The evidence shows that Francis M. Dawson is the same person admitted to citizenship as hereinbefore stated under the name of F.M. Dawson. Katie Dawson, his wife, was married to him on November 21, 1880. The Cherokee Supreme Court in the cases of Cherokee Nation vs. Nancy Rogers and Melissa Dawson vs. W. A. Dawson held that a white woman married to a Cherokee Indian at the time of his admission to citizenship acquires thereby the rights of Cherokee citizenship. She has lived with her said husband since they were married, and the six children included in the application of said Francis M. Dawson, and hereinbefore named are the issue of the marriage aforesaid. All the applicants herein are identified on the Cherokee Census roll of 1896.

John Dawson, William R. Dawson, Lizzie Athins, formerly Dawson, Francis M. Dawson, Jr., and Arizona Allred are the children of said Francis M. Dawson by a former wife, Julia Ann. They were minors at the date of their father's admission to citizenship. John Dawson, Lizzie Athins and Francis M. Dawson, Jr., are identified on the Strip payment roll of 1894, and William R. Dawson and Arizona Allred are identified on the Cherokee Census roll of 1896.

Andrew C. Athins was married under a Cherokee marriage license

and in accordance with the laws of the Cherokee Nation on March 23, 1891, to the above named Lizzie Dawson. He has resided in the Cherokee Nation with his said wife since they were married, and the four children included in his application, and hereinbefore named are the issue of that marriage. The oldest child, Arthur, is identified on the Cherokee pay roll of 1894, and the three younger children are identified by birth affidavits on file with this Commission.

Arizona Allred, nee Dawson, came from Arkansas to the Cherokee Nation for the first time in 1894, remained there about two years and then returned to Arkansas, where she was married to Lee Allred. Such marriage was not in accordance with the laws of the Cherokee Nation. Arizona Allred and her husband came to the Cherokee Nation in 1896, stayed there a month and returned to Arkansas where they remained until September, 1898, at which time they came to the Cherokee Nation, remained there about a year and returned to Arkansas in 1899, where they were living at the date of this application. William C. Allred is the child of said Arizona Allred and possesses no rights not acquired by his mother. He is identified on the Cherokee Census roll of 1896.

Paragraph 8, Section 21, of the Act of Congress approved June 28, 1898 (30 Stats., 495) provides:

> "No person shall be enrolled who has not heretofore removed to and in good faith settled in the Nation in which he claims citizenship."

The evidence further shows that Francis M. Dawson, his wife, Katie and William R. Dawson, Francis M. Dawson, Jr., and Lizzie Atkins have resided in the Cherokee Nation since 1883, and Andrew O. Atkins, the husband of said Lizzie Atkins, since 1891, and that John Dawson has resided in the Cherokee Nation for at least fourteen years prior to the date of his application. The residence of the minor children of the above named persons is considered to be that of their parents, with whom they are living.

Group II, includes the applications of Samuel R. Dawson, together with those claiming through him and embraces cases numbered D 350, D 352, D 358, D 365, D 482 and D 402.

The evidence shows that Samuel R. Dawson is identified as the Rial Dawson admitted to citizenship in the Cherokee Nation as hereinbefore stated. His wife, Catherine, a White woman, was married to him on July 11, 1866. The Cherokee Supreme Court in the cases of Cherokee Nation vs. Nancy Rogers and Melissa Dawson vs. W. A. Dawson held that a white woman married to a Cherokee Indian at the time of his admission to citizenship acquires thereby the rights of Cherokee citizenship. She has lived with her said husband since their marriage, and August and Mate Dawson are the issue of the aforesaid marriage. Samuel R. Dawson, his wife and children are identified on the Cherokee Census roll of 1896.

Robert Dawson, Albert H. Dawson, Josephine Bulawsky, formerly Josephine Dawson, John W. Dawson, and Katie Newman, formerly Katie Dawson are the children of said Samuel R. Dawson. They were minors at the date of their father's admission to citizenship, and they are all identified on the Cherokee Census roll of 1896.

Sarah F. Dawson, nee Abbott, was married to the said Albert H. Dawson in October, 1894. She has lived with her said husband, since they were married. Ralph H., Alford and Cecil Dawson are the issue of that marriage. Sarah F. Dawson and her child Ralph H. are identified on the Cherokee Census roll of 1896. Alford is identified by a birth affidavit on file with this Commission. The evidence further shows that the youngest child, Cecil Dawson, is dead.

August Bulawsky, was married under a Cherokee marriage license and in accordance with the laws of the Cherokee Nation on May 25, 1893, to the said Josephine Dawson. He has lived with his said wife since they were married and the six children included in his application, and hereinbefore named, are the issue of that marriage. The

four older children are identified on the Cherokee Census roll of 1896, and the Strip payment roll of 1894. May Bulawsky is identified on the Cherokee Census roll of 1896, and Oscar Bulawsky is identified by a birth affidavit on file with this Commission.

Mannie Dawson, nee Baugher, was married to the said John W. Dawson on September 2, 1894, and she has lived with her said husband since they were married.

The evidence further shows that Samuel P. Dawson, his wife, Catherine, and Robert Dawson, Albert P. Dawson, John W. Dawson, and Katie Newman have resided in the Cherokee Nation since 1889, August Bulawsky and his wife Josephine, since 1892, and Sarah J. and Mannie Dawson since 1894. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group III, includes the application of John Dawson, and those claiming through him and embraces cases numbered D 578, D 580 and D 530. The evidence shows that John Dawson is the same person admitted to citizenship in the Cherokee Nation as hereinbefore stated. Sarah J. Dawson, nee Wood, his wife, a white woman, was married to him on October 4, 1871. The Cherokee Supreme Court in the cases of Cherokee Nation vs. Nancy Rogers and Melissa Dawson vs. W. A. Dawson hold that a white woman married to a Cherokee Indian at the time of his admission to citizenship acquires thereby the rights of Cherokee citizenship. She has lived with her said husband since they were married and the nine children included in the application of said John Dawson, and hereinbefore named, are the issue of said marriage. John Dawson, his wife, and his seven older children are identified on the Cherokee Census roll of 1896. The two younger children are identified by birth affidavits on file with this Commission.

Thorne P. Dawson and Orle M. Dawson are the children of said John Dawson. They were minors at the date of their father's admission to citizenship, and they are both identified on the Cherokee

Census roll of 1896.

Thomas P. Dawson was married on April 24, 1898, to Allen A. Allison, and Marion J. Dawson is the issue of that marriage. The said child is identified by a birth affidavit on file with this Commission.

Orle H. Dawson was married on December 28, 1899, to Willie York, and Burr R. and James W. Dawson are the issue of that marriage. The said children are identified by birth affidavits on file with this Commission.

The evidence further shows that the said John Dawson and his wife, Sarah J., have resided together in the Cherokee Nation since 1883; that said Orle H. Dawson has resided in the Cherokee Nation since 1883, and that Thomas P. Dawson has resided in the Cherokee Nation since 1888. The residence of the minor children herein is considered to be that of their parents, with whom they are living.

Group IV, includes the applications of those claiming through the said Josephine Dawson, now deceased. At the time of her admission she was the wife of one Thomas Pierce, but was admitted to citizenship under maiden name of Dawson. The group embraces cases numbered D 408, D 409, D 431, D 471, D 472 and D 479.

The evidence shows that Robert Pierce, William Pierce, Charles E. Pierce, Ona Gray, formerly Ona Pierce, Effie Pierce (now Effie Akin) and Nancy J. Bogle, formerly Nancy J. Pierce are the children of said Josephine Dawson. They were minors at the date of their mother's admission to citizenship, and they are all identified on the Cherokee Census roll of 1896.

Nellie Pierce, a white woman, was married to said Robert Pierce on July 15, 1894. She has lived with her said husband since they were married, and Myrtle and Arthur Pierce are the issue of said marriage. Nellie Pierce is identified on the Cherokee census roll of 1896, and her two children are identified by birth affidavits on file with this Commission.

Ora Gray was married to John B. Gray on April 7, 1898, and Cecil and Velton Gray are the issue of that marriage. Ora Gray is identified on the strip payment roll of 1894 and her children are identified by birth affidavits on file with this Commission.

John S. Bogle was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on April 8, 1894, to the above named Nancy J. Pierce. He has lived with his said wife since they were married and the six children included in his application, and hereinbefore named, are the issue of that marriage. John S. Bogle and his two older children are identified on the Cherokee Census roll of 1896, and his four younger children are identified by birth affidavits on file with this Commission.

The evidence further shows that the said William Pierce died in January, 1902.

It further appears that Robert Pierce, Charles E. Pierce, Nancy J. Bogle and Ora Gray have resided in the Cherokee Nation since 1884; that John S. Bogle, husband of Nancy J. Bogle, and Mellie Pierce, wife of Robert Pierce, have resided in said Nation ever since they were married, and the residence of the minor children herein is considered to be that of their parents with whom they are living. It appears that Effie Akin was seventeen years old at the date of the application for her enrollment, and it further appears that she resided in the Cherokee Nation from about 1886 up to December, 1900, when she went to Colorado, was married there to Will Akin, and is now living in that state with her said husband.

Group V, includes the application of the said Joseph Dawson, Wilborn Dawson and James Dawson, and embraces cases numbered D 364, D 475 and D 526.

Joseph R. Dawson is identified as the Joseph Dawson admitted to citizenship in the Cherokee Nation as hereinbefore stated. He was married to Florence Jackson on May 16, 1886, and they have lived to-

gether since the date of their marriage. The said Florence Jackson is the daughter of Ella Dawson, but she was of age at the date of her mother's admission to citizenship. The six children included in the application of said Joseph M. Dawson, and hereinbefore named, are the issue of the said Joseph M. Dawson and Florence Dawson. The applicant, his said wife and the four older children are identified on the Cherokee Census roll of 1896. The [illegible] birth certificates on file with the application.

[illegible] admitted to citizenship as hereinbefore stated.

[illegible] Cherokee Census Roll of 1896

[illegible] James Dawson admitted to citizenship as hereinbefore stated. His wife, Martha [illegible] February [illegible], 1900. She has [illegible] marriage, and the four children included in the application of said James R. Dawson [illegible] marriage. The applicant and his wife and three children are identified on the Cherokee Census Roll of 1896. The youngest child is identified [illegible].

[illegible] that James R. Dawson has resided [illegible] Dawson and Wilborn [illegible] and that James R. [illegible] excepting a temporary [illegible]. The residence of the minor children is [illegible] be that of their parents, with [illegible].

[illegible] the application of Millie Dawson and those claiming through her and witnesses were numbered 1 to 518.

The evidence shows that Millie Moore, formerly Dawson, is identified as the Millie Dawson [illegible] citizenship in the Cherokee

Nation as hereinbefore stated. Her husband, Charles T. Moore, was married to her under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on January 17, 1887. He has lived with his said wife since they were married and the six children included in his application, and hereinbefore named, are the issue of said marriage. Charles T. Moore, his wife Mollie, and his four older children are identified on the Cherokee Census roll of 1896; the two younger children are identified by birth affidavits on file with this Commission.

The evidence further shows that said Charles T. Moore, his wife Mollie and his oldest child have resided in the Cherokee Nation since 1883; the younger children have resided in said nation all their lives.

Group VII, includes the applications of those claiming through the above named Jane Dawson, who, at the time of her admission to citizenship in the Cherokee Nation, as hereinbefore stated, was the wife of one Alexander Blasingame, but she was admitted under her maiden name of Dawson. Jane Dawson is a resident of Arkansas, and is not an applicant for enrollment. This group embraces cases numbered D 832, D 833 and D 834.

The evidence shows that Henry A. Blasingame, Elbert L. Blasingame, and James R. Blasingame are the children of said Jane Dawson. They were minors at the time of their mother's admission to citizenship and they are all identified on the Cherokee Census roll of 1896.

Henry A. Blasingame was married to his wife Birdie J., on December 6, 1896, and Vinnie C. Blasingame is the issue of that marriage. The said child is identified by a birth affidavit on file with this Commission.

Ida Blasingame, a white woman, was married to the said Elbert L. Blasingame on September 8, 1894. She has lived with her said husband ever since they were married and the four minor children included in the application of said Elbert L. Blasingame are the

issue of that marriage. The said Ida Blasingame and her two other children are identified on the Cherokee Census roll of 1896. The two younger children are identified by birth affidavits on file with this Commission.

Mary A. Blasingame was married to the said James R. Blasingame on August 11, 1896. She has lived with her said husband since they were married and the three minor children included in the application of said James R. Blasingame, and hereinbefore named, are the issue of that marriage. Mary A. Blasingame and her oldest child are identified on the Cherokee Census roll of 1896. The two younger children are identified by birth affidavits on file with this Commission.

The evidence further shows that the said Henry A. Blasingame, Elbert L. Blasingame and James R. Blasingame removed to the Cherokee Nation in 1897 and have resided therein with their said wives ever since. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group VIII, includes the applications of those claiming through the said Elbert Dawson, and embraces cases numbered D 435, D 604, D 603, D 605, D 609, D 617, D 626 and D 627.

The evidence shows that Zona Patterson, formerly Dawson, William C. Dawson, Robert L. Dawson, Elbert B. Dawson, Richard W. Dawson, Ella L. Spickerman, formerly Dawson, and Francis M. Dawson are the children of the said Elbert Dawson. All of them, excepting the said Francis M. Dawson, were minors at the time of their father's admission to citizenship. Zona Patterson is identified on the Cherokee Census roll of 1896, and William C. Dawson, Robert L. Dawson, Elbert B. Dawson and Richard W. Dawson are identified on the Strip payment roll of 1894. An examination of the Cherokee tribal rolls, in the possession of this Commission, shows that the said Ella L. Spickerman is also identified on the Strip payment roll of 1894.

Martin L. Patterson was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on July 13, 1890, to the said Zona Dawson. He has lived with his said wife since they were married and the six children included in his application, and hereinbefore named, are the issue of that marriage. Martin L. Patterson and his three older children are identified on the Cherokee Census roll of 1896, and his three younger children are identified by birth affidavits on file with this Commission.

Alice Dawson, nee Alexander, was married to the said William C. Dawson on November 18, 1886. She has lived with her said husband ever since they were married.

Elbert B. Dawson was married on February 16, 1898, to Cora Bright, a non-citizen, and his child Ralph E. Dawson is the issue of that marriage. The said child is identified by a birth affidavit on file with this Commission.

Sarah J. Dawson, nee Jones, was married to the above named Elbert Dawson about 1854, and lived with him as his wife until his death in February, 1899, and has not re-married since his death. The Cherokee Supreme Court in the cases of Cherokee Nation vs. Nancy Rogers and Melissa Dawson vs. W. A. Dawson held that a white woman married to a Cherokee Indian at the time of his admission to citizenship acquires thereby the rights of Cherokee citizenship.

Richard W. Dawson was married to Luella Mason, a white woman, on January 24, 1898. His child Ina M. Dawson is the issue of that marriage, and she is identified by a birth affidavit on file with this Commission.

Ella L. Spickerman was married to John J. Spickerman, a white man on September 7, 1897. Her children Hellen J. and William Glenn are the issue of that marriage. They are identified by birth affidavits on file with this Commission.

It further appears from the evidence that Francis M. Dawson, son of Elbert Dawson, at the time of his father's admission to citizen-

ship in the Cherokee Nation was twenty-two or twenty-three years old. There is no evidence that the said Francis M. Dawson has been admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation, or by the Commission to the Five Civilized Tribes, or by the United States Court under the provisions of the Act of Congress of June 10, 1898 (30 Stats., 321), Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), Provides for the enrollment of,

> "all persons who have been enrolled by the tribal authorities who have heretofore made permanent settlement in the Cherokee Nation whose parents, by reason of their Cherokee blood have been lawfully admitted to citizenship by the tribal authorities, and who were minors when their parents were so admitted."

The evidence further shows that Zona Patterson, William C. Dawson and Richard W. Dawson have resided in the Cherokee Nation since 1884; Robert L. Dawson, Elbert B. Dawson, Sarah J. Dawson, and Ella L. Spickerman since 1883; Alice Dawson since 1886, and Martin L. Patterson since 1894. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group IX, includes the applications of the said Missouri Dawson, and these claiming through her. The said Missouri Dawson at the time of her admission to citizenship was the wife of one John W. Graham, but she was admitted under her maiden name of Dawson, This group embraces cases numbered D 23, D 35, D 836, D 1124, D 1125, D 1126, D 1127 and D 1128.

The evidence shows that John W. Graham was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on February 12, 1888, to the said Missouri Dawson. He had been formerly married to her in the State of Texas in 1866, and has lived with her since that time. Tempa V. and Robert S. Graham are the issue of the aforesaid marriage. John W. Graham, his wife and two children are identified on the Cherokee Census roll of 1896.

ship in the Cherokee Nation was twenty-two or twenty-three years old. There is no evidence that the said Francis M. Dawson has been admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation, or by the Commission to the Five Civilized Tribes, or by the United States Court under the provisions of the Act of Congress of June 10, 1896 (29 Stats., 321). Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), provides for the enrollment of,

> "all persons who have been enrolled by the tribal authorities who have heretofore made permanent settlement in the Cherokee Nation whose parents, by reason of their Cherokee blood have been lawfully admitted to citizenship by the tribal authorities, and who were minors when their parents were so admitted."

The evidence further shows that Zona Patterson, William C. Dawson and Richard W. Dawson have resided in the Cherokee Nation since 1884; Robert L. Dawson, Elbert E. Dawson, Sarah J. Dawson, and Ella L. Spackerman since 1885; Alice Dawson since 1886, and Martin L. Patterson since 1894. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group IX includes the applications of the said Missouri Dawson, and those claiming through her. The said Missouri Dawson at the time of her admission to citizenship was the wife of one John W. Graham, but she was admitted under her maiden name of Dawson. This group embraces cases numbered, D 23, D 35, D 836, D 1124, D 1125, D 1126, D 1127 and D 1128.

The evidence shows that John W. Graham was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on February 12, 1888, to the said Missouri Dawson. He had been formerly married to her in the State of Texas in 1886, and has lived with her since that time. Tompa V. and Robert S. Graham are the issue of the aforesaid marriage. John W. Graham, his wife and two children are identified on the Cherokee Census Roll of 1896.

Joe E. Graham was married to Mary Bradshaw, a non-citizen on January 6, 1898. William C. Graham is the issue of that marriage, and he is identified by a birth affidavit on file with this Commission.

John F. Graham was married on February 11, 1900, to Mattie Lawson, a non-citizen, and Edna M. and Robert Lee are the issue of that marriage. Said children are identified by birth affidavits on file with this Commission.

Bessie Graham was married on November 2, 1892, to the said James M. Graham. She has lived with him since the date of their marriage, and the six children included in the application of said James M. Graham, and hereinbefore named, are the issue of the said marriage. The oldest child Marion is identified on the Strip payment roll of 1894, and the five younger children are identified by birth affidavits on file with this Commission.

The evidence further shows that the said John W. Graham, his wife Missouri Graham, Gideon Graham, Mathew A. Painter, and his wife Laverna A. Painter, Florence P. Bradshaw, John F. Graham and Joe Willie Neal have resided in the Cherokee Nation since 1888, and that Joe F. Graham and James M. Graham have resided in the Cherokee Nation since 1884. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group X, includes the application of the said Ella Dawson and those claiming through her. The said Ella Dawson, at the time of her admission to citizenship, was the wife of Green W. Jackson, but she was admitted to citizenship under her maiden name of Dawson. This group embraces cases numbered D 395, D 476, D 508, D 830 and D 847.

The evidence shows that Green W. Jackson was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on March 24, 1887 to the said Ella Dawson. He had been previously married to her in Texas prior to her admission to

citizenship. From an affidavit made a part of this record it appears that Green W. Jackson died subsequent to the date of this application, and prior to September 1, 1902.

The evidence further shows that Flora Harmon, formerly Jackson, Toshio A. Jackson, William Jackson and Fannie Lenox, formerly Jackson are the children of said Ella Dawson, now Ella Jackson. Flora Harmon, Toshio A. Jackson and Fannie Lenox were minors at the date of their mother's admission to citizenship, and they are all identified on the Cherokee Census roll of 1896.

James H. Harmon was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on April 24, 1887, to the said Flora Jackson. He has lived with his wife since the date of their marriage, and the four minor children included in his application, and hereinbefore named, are the issue of the said marriage. James H. Harmon and his three older children are identified on the Cherokee Census roll of 1896. The youngest child is identified by a birth affidavit on file with this Commission.

William C. Lenox was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on April 1, 1888, to the said Fannie Jackson. He has lived with his wife since the date of their marriage, and the two children Birtie B. and Myrtle Lenox, included in his application, are the issue of the said marriage. William C. Lenox and his two children are identified on the Cherokee Census roll of 1896.

Lizzie Jackson claims to have been married in 1888 to the said William Jackson, who is now deceased. It appears that William Jackson at the date of his mother's admission to citizenship, was over twenty-one years old. There is no evidence that the said William Jackson was ever admitted to citizenship in the Cherokee Nation, by the duly constituted authorities of said Nation, or by the Commission

to the Five Civilized Tribes, or by the United States Court under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321). Lizzie Jackson and the five minor children included in her application, and hereinbefore named, are identified on the Cherokee Census roll of 1896, and they take only such rights as may have been possessed by the said William Jackson. The authority of the Commission herein is defined in Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), heretofore quoted.

The evidence further shows that the said Ella Jackson, the said Flora Harmon and the said Toshie A. Jackson have resided in the Cherokee Nation since 1884, and that William C. Lenox, and his wife Fannie Lenox have resided in the Cherokee Nation since 1888. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group XI, includes the applications of those claiming through Malvina Dawson and embraces case numbered D 839.

The evidence shows that James Lowe is the son of the said Malvina Dawson, and that at the time of her admission to citizenship the said James Lowe was over 21 years old. There is no evidence that the said James Lowe was ever admitted to citizenship in the Cherokee Nation, by the duly constituted authorities of said Nation, or by the Commission to the Five Civilized Tribes, or by the United States Court under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321). It further appears that the said James Lowe was married on June 12, 1887, to Mollie Knight, a white woman, and the four minor children included in his application and hereinbefore named, are the issue of that marriage. James Lowe and his said children are identified on the Cherokee Census roll of 1896 and said children take only the rights which may have been acquired by their father.

The authority of the Commission herein is defined in Section 21 of the Act of Congress approved June 28, 1898 (30 Stats., 495), heretofore quoted.

Group XII, includes the applications of those claiming through the said W. A. Dawson and embraces cases numbered D 405, D 406, D 715, R 12 and R 13.

The evidence shows that Millie T. Dawson was married to the said W. A. Dawson in 1892 and lived with him as his wife in the Cherokee Nation until his death in 1899, and that she has not re-married since his death. Texanna Woolley is the daughter of said W. A. Dawson and his former wife Melissa A. Dawson. Texanna Woolley was a minor at the date of her father's admission to citizenship, and she is identified on the Strip payment roll of 1894. She was married on March 27, 1898, to James Woolley, and her children Irene V. and Wilburn E. are the issue of that marriage. They are identified by birth affidavits on file with this Commission.

Henry T. Richardson was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on July 11, 1886, to one Sellar Dawson, who was the daughter of the said W. A. Dawson by his first wife Melissa A. Sellar Dawson was a minor at the date of her father's admission to citizenship. Henry T. Richardson lived in the Cherokee Nation with his said wife Sellar from the date of their marriage until her death in 1892. On September 22, 1898, Henry T. Richardson married one Kitty Flournoy nee Dawson. The said Kitty Flournoy was re-admitted to citizenship in the Cherokee Nation by an Act of the Cherokee National Council on December 1, 1894. Of the children herein applied for, Delia F. Richardson is the child of the applicant by his first wife, Sellar. Finis T. Richardson and Casper C. Richardson are children by his wife Kitty. Edgar, Walter, Alice, Laura, Oscar, Claude and Edna Flournoy are the children of his said wife Kitty by a former husband.

The six older children were admitted to citizenship in the Cherokee Nation on December 1, 1894, with their mother as the members of her family. The youngest child Edna Flournoy was born in 1896 and was living at the date of this application. Delia F. Richardson is identified on the Cherokee Census roll of 1896, and Finis T. and Jasper C. Richardson are identified by birth affidavits on file with this Commission.

Etta Brauer is the daughter of said W. A. Dawson, and was a minor at the date of her father's admission. She was married in 1892 to a non-citizen but such marriage was not in accordance with Cherokee laws. She is identified on the Cherokee Census roll of 1896.

Melissa A. Dawson was married to the said W. A. Dawson in the State of Texas on September 28, 1873. The Supreme Court of the Cherokee Nation in the case of Melissa A. Dawson vs. W. A. Dawson, decided that Melissa A. Dawson, the applicant herein was a citizen of the Cherokee Nation by virtue of intermarriage with her said husband, W. A. Dawson. She is identified on the Cherokee Census roll of 1896, and she has not re-married since her divorce from said W. A. Dawson.

The evidence shows that Texanna Woolley has resided in the Cherokee Nation since 1884; that Etta Brauer and Melissa A. Dawson have resided in the Cherokee Nation, with the exception of temporary absences, since 1884; that Millie T. Dawson has resided in the Cherokee Nation since 1892; that Henry T. Richardson has resided in the Cherokee Nation since 1886, and that Kitty Richardson, his wife, has resided in the Cherokee Nation since 1894. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group XIII, includes the following applications: Miram F. Weddle, et al D 521; William D. Douthitt, D 522; Alonzo M. Fishback, D 343; Florence Morgan, et al D 939; John B. Fishback, D 849 and George A. Mabry, et al D 979. The persons embraced in these appli-

cations are related to the above named Dawsons. They are not claiming the right to enrollment by virtue of such relationship, but rely upon a separate adjudication of their rights.

The evidence shows that Hiram P. Weddle was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on September 13, 1884, to Lula P. Douthitt, who was admitted to citizenship in the Cherokee Nation by the said "Spears Court" on September 13, 1884. Curtis, Morris O. and Roy Weddle are the issue of the said marriage. Hiram P. Weddle and his said wife are identified on the Cherokee Census roll of 1896, and their three children are identified by birth affidavits on file with this Commission.

William D. Douthitt is the brother of said Lula P. Weddle, and was admitted to citizenship in the Cherokee Nation with his said sister on September 13, 1884. He is identified on the Cherokee Census roll of 1896.

Alonzo M. Fishback was married under a Cherokee marriage license and in accordance with the laws of the Cherokee Nation on May 17, 1880, to Lavirna A. Dawson. He had been previously married to the same wife in Texas in 1877, and has lived with her ever since. It appears that Lavirna Fishback was re-admitted to citizenship in the Cherokee Nation by an Act of the Cherokee National Council on December 1, 1894. William A. and Annie B. Fishback are the issue of the said marriage. Alonzo M. Fishback and his said wife and children are all identified on the Cherokee Census roll of 1896, and his wife is also identified on the Cherokee pay roll of 1890.

Florence Morgan, the wife of Elbert L. Morgan, is the daughter of the Kitty Richardson heretofore mentioned and was admitted to citizenship in the Cherokee Nation on December 1, 1894 with the said Kitty Richardson as a member of her family. Ollie and Alice A. Morgan are her children by her said husband. The said children are

identified by birth affidavits on file with this Commission.

John E. Fishback is the son of Laverna Fishback, who was re-admitted to citizenship on December 1, 1894, as heretofore stated. He was a minor at the date of his mother's admission to citizenship and he is identified on the Cherokee Census roll of 1896.

George A. Mabry was married to one Edna Dawson in the State of Arkansas in 1884. He claims to have been married under a Cherokee marriage license to his said wife in 1889, but he presents no satisfactory proof of such marriage. Edna Dawson was re-admitted to citizenship in the Cherokee Nation by an Act of the Cherokee National Council on December 1, 1894. Roby and Charley Mabry are her children by her said husband, George A. Mabry. Edna Mabry is identified on the strip payment roll of 1894, and the two children were minors at the date of their mother's admission to citizenship.

The evidence further shows that Alonzo M. Fishback and his wife Laverna A. Fishback have resided in the Cherokee Nation since 1883; that Lula P. Weddle, William D. Douthitt, and John E. Fishback have resided in the Cherokee Nation since 1884, and that Florence Morgan and Edna Mabry have resided in said Nation since 1894. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

All birth affidavits for the minor children embraced in this decision, and hereinbefore noted, are made a part of this record.

It is contended by the Cherokee Nation that the applicants herein are not entitled to be enrolled by this Commission because they have never been lawfully admitted or enrolled by the Cherokee authorities, and that the judgment of the Cherokee Commission on Citizenship admitting Robert Dawson and his family was obtained by fraud on the part of said Dawson.

In considering the question at issue, it is the opinion of this Commission that it has no power, and that it is not the purpose of this proceeding, to review or to set aside the judgment in the Dawson case, or to determine such questions as were necessarily involved in the issues before the Cherokee Commission, and were passed upon by that Commission. In United States vs. Throckmorton, 98 U.S. Page 61, it is stated, "the doctrine is well settled that the Court will not set aside a judgment because it was founded on perjured testimony or for any matter which was actually presented and considered in the judgment assailed." Only such facts therefore, are considered by this Commission, as were not part of the record in the Robert Dawson case before the Teehee Commission, and which tend to show whether the judgment admitting the Dawsons was a bona fide judgment of the Teehee Commission, or whether such judgment is void because of fraud, and upon this proposition the burden of proof is upon those attacking the judgment.

Briefly stated, the circumstances attending the admission of the Dawsons appear to be as follows:

On September 24, 1881, an application was made to the Cherokee Commission on Citizenship known as the "Teehee Court", for admission to Cherokee citizenship of Robert Dawson and the members of his family above mentioned. The members of that Commission were Thomas Teehee, Alex Wolfe and T. F. Thompson. The first two were full blood Cherokee Indians; they could understand, but could not talk English. One D. W. C. Duncan was the Clerk of the Commission. The Dawson case was continued several times before final decision. J. M. Bryan appears to have been an attorney in the case, and after some delay he notified Francis M. Dawson that the case would be taken up by the Commission at its session in January, 1883, and also informed him that C.H.Taylor would look after Dawson's interests as he, Bryan,

would be in Washington. On receipt of this notice Francis M. Dawson went to Fort Gibson, Cherokee Nation, and made arrangements with his uncle Samuel N. Benge to go to Tahlequah and conduct the case. Benge who is a witness herein testifies that he was connected with the Dawson case when it was commenced in 1881; that it was continued several times for want of evidence, and that in January, 1885, in company with F. M. Dawson he went to Tahlequah and while there secured the testimony of Tosk Rogers, a negro, who knew the Dawson's ancestors, and that after getting his evidence the case was submitted to the Commission. He further testifies that the Commission rendered a decision against the Dawsons and that next morning the Commission reopened the case, but not upon motion of the witness, and rendered a judgment admitting the Dawsons to citizenship. He further states that on his way home to Fort Gibson with Dawson he remarked to the latter, "it was a pretty hard blow when they rendered a decision against us," to which Dawson is alleged to have replied, "yes, but Duncan was the man to reach and he reached him with five hundred dollars."

Dawson denies ever having had such a conversation and says that he did not return to Fort Gibson with Benge but went home to Arkansas by a different route.

C. H. Taylor testifies that he was an attorney in the case and was present when the case was decided. He says there were only two Commissioners present, Teehee and Wolfe. He further testifies that D. W. C. Duncan, the Clerk of the Court asked the witness to let him know when any large citizenship cases came up; that he introduced F. M. Dawson to Duncan on the evening of January 10th, heard part of a conversation between them in which Duncan addressing Dawson said, "there is a hitch in your evidence, if that was straightened out it will be all right." Next morning witness says Dawson told him to call up the case, which he did. That there was no additional

evidence introduced and no argument made, and that the case was then decided in favor of the Dawsons. Witness further testifies that Dawson gave him twenty dollars and said he would send him the balance in a short time, that in the course of ten days he sent him one hundred dollars with directions to pay over half of it to Duncan; that Dawson soon afterwards sent him another hundred dollars with the same instruction to give Duncan half of it.

Dawson denied the matters testified to by Taylor excepting in the matter of paying Taylor money, which he admits in part, but says that the twenty dollars mentioned was sent to Taylor about a year after the decision, and that he instructed Taylor to pay it over to Duncan to pay him for a land claim, and that the other money was in payment of J. M. Bryan's attorney fees which Taylor represented to Dawson he had for collection against him. Taylor's reputation for truth and veracity has been impeached by various disinterested witnesses.

The evidence which may be considered as tending to support the charge of fraud is the testimony of S. M. Denge, C. H. Taylor, Thomas J. Babcart, J. L. Clinkenbeard, James W. Lewis, C. G. Draught and David Meredith.

S. M. Denge testifies that a judgment adverse to the Dawsons was rendered by the Commission on the evening of one day and without any additional proceedings in the case that judgment was reversed on the morning of the next day.

Even if this were a material fact, there is no other proof that two judgments in the case were ever rendered. The record of the proceedings and judgment in the Commission's docket is all on one page, the entry of the application in 1881 and the first continuance being entered under authority of a former Commission and by a different clerk, and there is no evidence of erasure on that page. It is not an unusual thing for a Court to change its judgment, and this fact, if it is a fact, is not in itself any evidence of fraud.

Thomas B. Dabeart testifies that one James Dawson, a man of forty or fifty years of age, in company with Butler, the Commission's interpreter and Jim Smith, solicitor for the Nation, came to the witness in Tahlequah the evening of January 10, 1883, to borrow some money; that Dawson was vouched for by Butler as a responsible party and that Dawson told the witness that he had to have money that night, that his case was to be submitted the next day if he could get some money, that Smith had agreed to submit the case without evidence, and that witness thereupon let Dawson have ten dollars.

Admitting all this to be true and that the influence of these officials was purchased for the sum of ten dollars, the Commission fails to see how these alleged facts show that the Court was imposed upon or misled. Bribery of officials to use their influence with the Commission would not necessarily vitiate the judgment, but it must appear that the fraud, or corruption reached the members of the Commission and tainted the judgment itself. The case was not submitted without evidence as appears from the record, and it is shown that such evidence was carefully considered by that Commission. Furthermore, the evidence shows that there was no such person then in Tahlequah as the James Dawson described by witness.

Clinkenbeard testifies that he had a talk with Elbert Dawson about 1881; that Dawson told him he had only one witness, Dr. Baker of Arkansas, "an old man 85 or 90 years old who did not know straight up" and that he could give Dr. Baker four drinks of Arkansas whiskey and he would swear black was white. Witness further testifies that Dawson told him that money was what made the mare go in Texas, and that he had found out that it goes here too.

Assuming that this Commission can go into thequestion of perjury in connection with evidence in that case, the testimony of Clinkenbeard establishes, if anything, only the facts stated, and does not prove that Dr. Baker committed perjury in giving his testi-

mony before the Commission. Further, it is not clear that Dr. Baker was the only witness in the case. Benge stated that Tosh Rogers was a witness, Duncan is under that impression also, and T. P. Thompson, one of the Commissioners, states that he thinks there were three witnesses. The testimony of Dr. Baker, seems, however, to be the only testimony preserved of record. As to whether Doctor Baker offered perjured testimony by Dawson's procurement, it is proper to state that the evidence of W. H. Curtis and A. S. McFennon, witnesses for applicants, show that Doctor Baker was a man of integrity and was not addicted to drinking.

The testimony of James W. Lewis is to the effect that he had a conversation with F. M. Dawson about 1883, in which Dawson had told the witness that it had cost him seven hundred dollars to get his rights. Draught also testifies that he was an applicant for citizenship about 1881 or 1882, and that while his case was pending he had a talk with F. M. Dawson who told him that if he (the witness) ever got in, it would cost him seven hundred dollars, and that Dawson told him he had paid one witness three hundred dollars, and made arrangements with the Court to get the Dawsons in at one hundred dollars a family. David Meredith testifies that he had a talk with old James Dawson in 1888, and that the latter told the witness it cost him twelve hundred dollars to get his case through.

It can hardly be urged that such evidence is sufficient to show that the members of the Tecklee Commission were corrupted by the fraudulent use of money. So far as these witnesses have been able to testify the money spent by the Dawsons might have been for proper and legitimate purposes. F. M. Dawson gives a detailed statement of what the case cost him and his brother in a legitimate way. The presumption can not be indulged that such moneys were used for fraudulent purposes and the proof to the contrary must be very clear

before this Commission will deny applicants the right to be enrolled upon that ground.

Admitting the truth of all the testimony in this case as to the actual transfer of money by the Dawsons, it appears that Duncan, Butler and Smith were the only beneficiaries of that money. There is no evidence that the members of the Commission received or were offered any of it.

The judgment entered in the Commission's docket shows the signature of the three members of the Commission appended thereto. There is some conflict as to whether Duncan signed Thompson's name, or whether Thompson affixed his own signature. Duncan testified that all three signatures were made by him as Clerk under authority of the Commissioners present, the two full bloods being unable to sign their names. T. F. Thompson testifies that he signed the original transcript of the judgment, which was made on the day of its rendition. The question, however, is not considered to be very material. The signing of judgments by each Commissioner appears to have been a matter of custom only. T. F. Thompson testifies that he remembers the Dawson case and recognizes the judgment therein as the final judgment of the Commission, and that there was no fraud or corruption in the procurement of that judgment by the Dawsons or by any one else so far as he knew.

Much evidence has been introduced by the Cherokee Nation for the purpose of showing that the ancestor, through whom the Dawsons claim, was not a Cherokee, and that other members of the Dawson family, claiming from the same source, have been denied Cherokee citizenship by subsequent Cherokee tribunals, and also by this Commission and by the United States Court. Such evidence, in the opinion of this Commission, is not competent for any purpose in this proceeding. The only question before this Commission is whether there was

fraud in the procurement of the Robert Dawson judgment, and not whether the applicants are Cherokee Indians, or whether they ought to have been admitted to citizenship upon the proof submitted. These were questions presented, considered and passed upon by the Teckes Commission. If their decision is a valid and regular judgment, it is binding on this Commission. If, on the contrary, the applicants have never been lawfully admitted to citizenship, because the judgment under which they claim is void, for fraud, then the question as to whether they are Cherokees by blood is not material, as this Commission has now no authority to admit them to citizenship.

While it is true, that since 1883, a number of applicants, members of the Dawson family, have been denied admission to citizenship in the Cherokee Nation, no argument derived therefrom is of any force, for it is also true that other members of the same family have been admitted to citizenship, and the action of the Cherokee authorities in admitting them has never been questioned by the Cherokee Nation. Whatever inference, therefore, may be drawn from these facts applies with equal force both for and against the validity of the judgment in question.

The Dawsons have lived in the Cherokee Nation, most of them since 1883; they have exercised the rights of Cherokee citizenship for many years, some of them occupying official positions in the Nation, and no protest seems to have been made against their citizenship until within the last few years. The records of the Cherokee Nation, in the possession of this Commission, show, that since 1883, there have been Commissions on citizenship charged with authority to investigate the judgments of former tribunals alleged to have been secured by fraud, and the Cherokee Legislature had power to order an investigation, and to create a tribunal with authority to set aside a judgment so obtained. No such action appears to have been taken

by the Cherokee authorities with reference to the judgment of the Teehee Commission in the Robert Dawson case.

After a careful consideration of all the facts in this case this Commission is of the opinion that the evidence fails to establish that the Dawsons secured their admission to citizenship by fraud or that the judgment of the Teehee Commission as rendered January 11, 1883, was fraudulent as the result of corruption, bribery, or deception upon the part of the Dawsons, or their agents, and that such judgment, and also the judgment of the Spears Commission in 1884, and the Act of the Cherokee National Council of December 1, 1894, which have not been attacked by the Cherokee Nation, being regular on their face, must therefore be accepted by this Commission as the valid judgments of the duly constituted Cherokee authorities.

It is, therefore, the opinion of this Commission that,

(Group I.) Francis M. Dawson, son of Robert Dawson, Lula Dawson, Ray Dawson, Jessie J. Dawson, Jacob L. Dawson, Hugh A. Dawson, Laura A. Dawson, John Dawson, William R. Dawson, Lizzie Atkins, Arthur Atkins, Edna E. Atkins, Edward C. Atkins, George J. F. Atkins, Francis M. Dawson, Jr., son of Francis M. Dawson and grand-son of Robert Dawson,

(Group II.) Samuel R. Dawson, August Dawson, Nate Dawson, Robert Dawson, Albert E. Dawson, Ralph M. Dawson, Alford Dawson, Josephine Bulawsky, Dora Bulawsky, Ida Bulawsky, Annie Bulawsky, Blanche Bulawsky, May Bulawsky, Oscar Bulawsky, John W. Dawson, Katie Newman,

(Group III) John Dawson, Robert R. Dawson, Iola M. Dawson, Lemuel H. Dawson, Rosa B. Dawson, Charles B. Dawson, Hattie J. Dawson, Jennings B. Dawson, James U. Dawson, Vergal C. Dawson, Thomas P. Dawson, Marion J. Dawson, Orlo H. Dawson, Burr R. Dawson, James W. Dawson,

(Group IV) Robert Pierce, Myrtle Pierce, Arthur Pierce, Charles E. Pierce, Ona Gray, Cecil Gray, Velton Gray, Effie Akin (formerly

Effie Pierce), Nancy J. Bogle, James E. Bogle, Edna M. Bogle, John H. Bogle, Marvin R. Bogle, Claud Bogle, Nancy Edith Bogle,

(Group V) Joseph R. Dawson, Clarence E. Dawson, Council T. Dawson, Elmer A. Dawson, Cleo Dawson, Rufus T. Dawson, Wilborn Dawson, Edgar Dawson, James R. Dawson, Vinnie D. Dawson, Ermine C. Dawson, Edwin C. Dawson, Ancil F. Dawson,

(Group VI) Mollie Moore, Nora Moore, Walter Moore, Clara Moore, Ora Moore, James W. Moore, Edna E. Moore,

(Group VII) Henry A. Blasingame, Vinnie C. Blasingame, Elbert L. Blasingame, Ellis W. Blasingame, Earl D. Blasingame, Alexander Blasingame, Jr., Elmer H. Blasingame, James R. Blasingame, William A. Blasingame, George L. Blasingame, Grace D. Blasingame,

(Group VIII) Zona Patterson, Sarah A. Patterson, Martha A. Patterson, Claud A. Patterson, Edgar D. Patterson, Thomas M. Patterson, Virgil V. Patterson, William C. Dawson, Robert L. Dawson, Elbert B. Dawson, Ralph E. Dawson, Richard W. Dawson, Ina E. Dawson, Ella L. Spickerman, Hellen J. Spickerman, William Glenn Spickerman,

(Group IX) Missouri Graham, Tempa V. Graham, Robert S. Graham, Gideon Graham, John W. Graham, Julius E. Graham, Francis W. Graham, Mary E. Graham, Jesse E. Graham, Gracie M. Graham, Florence M. Graham, Laverna A. Painter, Ada R. Painter, Eva P. Painter, John W. Painter, Ray D. Painter, Roberta A. Painter, Roy V. Painter, Florence P. Bradshaw, Myrtle Bradshaw, Claude Bradshaw, Joe E. Graham, William C. Graham, John F. Graham, Edna M. Graham, Robert Lee Graham, Joe Willie Neal, James M. Graham, Marion Graham, Maggie Graham, Luther Graham, Floyd Graham,

(Group X) Ella Jackson, Flora Harmon, Lillie R. Harmon, Claud Harmon

Dwight Harmon, William D. Harmon, Tossie A. Jackson, Dannie Lenox, Dirtie E. Lenox, Myrtle Lenox,

(Group XII) Texanna Woolley, Irene W. Woolley, Wilburn E. Woolley, Witty Richardson, Edgar Flournoy, Walter Flournoy, Alice Flournoy, Laura Flournoy, Oscar Flournoy, Claude Flournoy, Edna Flournoy, Finis T. Richardson, Jasper C. Richardson, Delia F. Richardson, Etta Draper,

(Group XIII) Lula Pearl Weddle, Curtis Weddle, Morris O. Weddle, Roy Weddle, William D. Bontkitt, Laverna A. Fishback, William A. Fishback, Annie B. Fishback, Florence Morgan, Clide Morgan, Alice A. Morgan, John D. Fishback, Edna Mabry, Roby Mabry, and Charley Mabry,

should be enrolled as citizens by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress approved June 2nd, 1898 (30 Stats., 495), and that

(Group I) Katie Dawson, Andrew C. Atkins,

(Group II) Catherine Dawson, Sarah F. Dawson, August Dulawsky, Nannie Dawson,

(Group III) Sarah J. Dawson, nee Wood,

(Group IV) Nellie Pierce, John S. Bogle,

(Group V) Florence Dawson, Martha A. Dawson,

(Group VI) Charles T. Moore,

(Group VII) Ida Blasingame, Mary A. Blasingame,

(Group VIII) Martin L. Patterson, Alice Dawson, Sarah J. Dawson, nee Jones,

(Group IX) John W. Graham, Elizabeth Graham, Mathew A. Meister, Charles T. Bradshaw, Bessie Graham,

(Group X) James H. Harmon, William C. Lenox,

(Group XII) Willie T. Dawson, Henry T. Richardson, Melissa A. Dawson

(Group XIII) Hiram P. Weddle and Alonzo M. Fishback, should be

enrolled as citizens by intermarriage of the Cherokee Nation in accordance with the provisions of said Section twenty-one of the Act of Congress, and it is so ordered.

It is further the opinion of this Commission that, for the reasons heretofore stated, the applications for the enrollment of Arizona Allred and William C. Allred, (embraced in D 835); Francis M. Dawson, son of Elbert Dawson, (embraced in D 627); Osie Jackson, Lizzie Jackson, Jessie Jackson, Ray Jackson, and Clyde Jackson, the children of William and Lizzie Jackson, (embraced in D 830); James Lowe, May Lowe, Zelma Lowe, Roberta Lowe and Rosa Lowe, (embraced in D 839), as citizens by blood of the Cherokee Nation, and that the applications of Lizzie Jackson, widow of William Jackson, (embraced in D 830), and George A. Mabry (embraced in D 979), as citizens by intermarriage of the Cherokee Nation should be denied, in accordance with the provisions of the law heretofore quoted, and it is so ordered.

As hereinbefore stated William Pierce (D 409) and Cecil Dawson (D 358) and Green W. Jackson (D 395), died prior to September 1, 1902. It further appears from affidavits, made a part of this record that Liddie and Margaret Graham (D 1128) have died since the date of the application for their enrollment and prior to September 1, 1902.

It is, therefore, ordered that the applications for the enrollment of said William Pierce, Cecil Dawson, Green W. Jackson, Liddie Graham and Margaret Graham be, and the same are hereby dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

(Signed) TAMS BIXBY,
Acting Chairman.

(Signed) T. B. MCDLES,
Commissioner.

Dated at Muskogee, Ind. Ter., this Dec. 23, 1902.

(Signed) C. R. BROCKENBRIDGE,
Commissioner.

Nowata, Indian Territory, June 28th, 1901.

Elbert B. Dawson, Esq.,

Talala, Indian Territory.

Sir:—

The Commission is in receipt of your letter of the 24th instant. Your marriage license and certificate have been filed with the case of your wife.

You state in your letter that your correct name is Elbert B. Dawson and not Burton Dawson as shown in the certificate as to the birth of your child, Ralph Burton Dawson. The same is therefore returned to you for correct on. You are desired to have your name appear in the birth certificate as Elbert B. Dawson. When this has been done forward it to the Commission at Muskogee where it will receive further consideration.

Very respectfully,

Commissioner.

Enc. C. #2608.

COMMISSIONERS
HENRY L. DAWES
TAMS BIXBY
THOMAS B. NEEDLES
C. H. BRECKINRIDGE

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

COMMISSIONERS OF THE
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, February 1st 1902

Elbert B. Dawson,

Tahlequah, Indian Territory,

Sir:-

You are hereby notified that the application of yourself and son

for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the

17th day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Cherokee D-608.

Register.

Yours truly,

Acting Chairman.

COPY.

Cherokee D-524--

Muskogee, Indian Territory, January 24, 1903.

W. W. Hastings,

Attorney for the Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 23, 1902, granting the application for the enrollment of Francis M. Dawson, Lula Dawson, Ray Dawson, Jessie V. Dawson, Jacob L. Dawson, Hugh A. Dawson, Laura A. Dawson, John Dawson, William R. Dawson, Lizzie Atkins, Arthur Atkins, Edna E. Atkins, Edward C. Atkins, George J. F. Atkins, Francis M. Dawson, Jr., Samuel R. Dawson, August Dawson, Nate Dawson, Robert Dawson, Albert M. Dawson, Ralph H. Dawson, Alford Dawson, Josephine Bulawsky, Dora Bulawsky, Ida Bulawsky, Annie Bulawsky, Blanche Bulawsky, May Bulawsky, Oscar Bulawsky, John W. Dawson, Hattie Berman, John Dawson, Robert L. Dawson, Iola M. Dawson, Lemuel H. Dawson, Rosa B. Dawson, Charles B. Dawson, Hattie J. Dawson, Jennings B. Dawson, James U. Dawson, Vergal C. Dawson, Thomas P. Dawson, Marice J. Dawson, Orle H. Dawson, Burr R. Dawson, James W. Dawson, Robert Pierce, Myrtle Pierce, Arthur Pierce, Charles E. Pierce, Ona Gray, Cecil Gray, Velton Gray, Effie Akin, Nancy J. Beale, James R. Bogle, Edna M. Bogle, John H. Bogle, Marvin B. Bogle,

Claud Bogle, Nancy Edith Bogle, Joseph R. Dawson, Clarence R. Dawson, Council J. Dawson, Elmer A. Dawson, Cleo Dawson, Rufus T. Dawson, Wilborn Dawson, Edgar Dawson, James R. Dawson, Vinnie D. Dawson, Ermine C. Dawson, Edwin C. Dawson, Ancil F. Dawson, Mollie Moore, Nora Moore, Walter Moore, Clara Moore, Ora Moore, James W. Moore, Edna E. Moore, Henry A. Blasingame, Vinnie C. Blasingame, Elbert L. Blasingame, Ellis W. Blasingame, Earl D. Blasingame, Alexander Blasingame, Jr., Elmer H. Blasingame, James R. Blasingame, William A. Blasingame, George L. Blasingame, Grace D. Blasingame, Zona Patterson, Sarah A. Patterson, Martha A. Patterson, Claud A. Patterson, Edgar D. Patterson, Thomas M. Patterson, Vergil V. Patterson, William C. Dawson, Robert L. Dawson, Elbert E. Dawson, Ralph E. Dawson, Richard W. Dawson, Ina E. Dawson, Ella L. Spickerman, Hellen J. Spickerman, William Glenn Spickerman, Missouri Graham, Tempa V. Graham, Robert S. Graham, Gideon Graham, John W. Graham, Julius E. Graham, Francis W. Graham, Mary E. Graham, Jesse E. Graham, Gracie M. Graham, Florence M. Graham, Laverna A. Painter, Ada R. Painter, Eva P. Painter, John W. Painter, Ray D. Painter, Roberta A. Painter, Roy V. Painter, Florence P. Bradshaw, Myrtle Bradshaw, Claude Bradshaw, Joe E. Graham, William C. Graham, John F. Graham, Edna M. Graham, Robert Lee Graham, Joe Willie Neal, James M. Graham, Marion Graham, Maggie Graham, Luther Graham, Floyd Graham, Ella Jackson, Flora Harmon, Lillie R. Harmon, Claud Harmon, Dwight Harmon, William D. Harmon, Toshie A. Jackson, Fannie Lenox, Birtie E. Lenox, Myrtle Lenox, Texanna Woolley, Irene W. Woolley, Wilburn E. Woolley,

Mittie Richardson, Edgar Flournoy, Walter Flournoy, Alice Flournoy, Laura Flournoy, Oscar Flournoy, Claude Flournoy, Edna Flournoy, Finis T. Richardson, Jasper C. Richardson, Delia F. Richardson, Etta Brauer, Lula Pearl Weddle, Curtis Weddle, Morris O. Weddle, Roy Weddle, William D. Douthitt, Laverna A. Fishback, William A. Fishback, Annie B. Fishback, Florence Morgan, Clide Morgan, Alice A. Morgan, John E. Fishback, Edna Mabry, Roby Mabry and Charley Mabry as citizens by blood of the Cherokee Nation, and for the enrollment of Katie Dawson, Andrew C. Atkins, Catherine Dawson, Sarah F. Dawson, August Bulawsky, Fannie Dawson, Sarah J. Dawson, Nellie Pierce, John S. Bogle, Florence Dawson, Martha A. Dawson, Charles T. Moore, Ida Blasingame, Mary A. Blasingame, Martin L. Patterson, Alice Dawson, Sarah J. Dawson (nee Jones), John W. Graham, Elizabeth Graham, Mathew A. Painter, Charles T. Bradshaw, Bessie Graham, James H. Harmon, William C. Lenox, Millie T. Dawson, Henry T. Richardson, Melissa A. Dawson, Hiram F. Weddle, and Alonzo M. Fishback as citizens by intermarriage of the Cherokee Nation; rejecting the application for the enrollment of Arizona Allred, William C. Allred, Francis M. Dawson, Osie Jackson, Lizzie Jackson, Jessie Jackson, Ray Jackson, Clyde Jackson, James Lowe, May Lowe, Zelma Lowe, Roberta Lowe and Rosa Lowe as citizens by blood of the Cherokee Nation, and for the enrollment of Lizzie Jackson and George A. Mabry as citizens by intermarriage of the Cherokee Nation; and dismissing the application for the enrollment of William Pierce, Cecil Dawson, Green W. Jackson, Liddie Graham and Margaret Graham.

You are hereby advised that you will be allowed fifteen days from date hereof, in which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

(Signed) TAMS BIXBY,

Acting Chairman.

Enc. M-130.

COPY.

Cherokee D-326--

Muskogee, Indian Territory, February 10, 1903.

A. S. McKennon,

Attorney for Francis M. Dawson, et al,

Wewoka, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 23, 1902, granting the application for the enrollment of Francis M. Dawson, Lula Dawson, Ray Dawson, Jessie J. Dawson, Jacob L. Dawson, Hugh A. Dawson, Laura A. Dawson, John Dawson, William R. Dawson, Lizzie Atkins, Arthur Atkins, Edna E. Atkins, Edward C. Atkins, George J.F. Atkins, Francis M. Dawson, Jr., Samuel R. Dawson, August Dawson, Mate Dawson, Robert Dawson, Albert H. Dawson, Ralph H. Dawson, Alford Dawson, Josephine Bulawsky, Dora Bulawsky, Ida Bulawsky, Annie Bulawsky, Blanche Bulawsky, May Bulawsky, Oscar Bulawsky, John W. Dawson, Katie Berman, John Dawson, Robert B. Dawson, Iola M. Dawson, Lemuel H. Dawson, Rosa B. Dawson, Charles L. Dawson, Hattie J. Dawson, Jennings B. Dawson, James U. Dawson, Vergal C. Dawson, Thomas P. Dawson, Mariee J. Dawson, Orlo H. Dawson, Burr R. Dawson, James W. Dawson, Robert Pierce, Myrtle Pierce, Arthur Pierce, Charles E. Pierce, Oma Gray, Cecil Gray, Velton Gray, Effie Akin, Nancy J. Bogle, James E. Bogle, Edna M. Bogle, John H. Bogle, Marvin R. Bogle, Claud Bogle, Nancy Edith Bogle, Joseph R. Dawson, Clarence E.

Dawson, Council J. Dawson, Elmer A. Dawson, Cleo Dawson, Rufus T. Dawson, Wilborn Dawson, Edgar Dawson, James R. Dawson, Vinnie D. Dawson, Ermine C. Dawson, Edwin C. Dawson, Ancil F. Dawson, Mollie Moore, Nora Moore, Walter Moore, Clara Moore, Ora Moore, James W. Moore, Edna E. Moore, Henry A. Blasingame, Vinnie C. Blasingame, Elbert L. Blasingame, Ellis W. Blasingame, Earl D. Blasingame, Alexander Blasingame, Jr., Elmer H. Blasingame, James R. Blasingame, William A. Blasingame, George L. Blasingame, Grace D. Blasingame, Zona Patterson, Sarah A. Patterson, Martha A. Patterson, Claud A. Patterson, Edgar D. Patterson, Thomas M. Patterson, Vergil V. Patterson, William C. Dawson, Robert L. Dawson, Elbert D. Dawson, Ralph E. Dawson, Richard W. Dawson, Ina E. Dawson, Ella L. Spickerman, Hellen J. Spickerman, William Glenn Spickerman, Missouri Graham, Tempa V. Graham, Robert S. Graham, Gideon Graham, John W. Graham, Julius E. Graham, Francis W. Graham, Mary E. Graham, Jesse B. Graham, Gracie M. Graham, Florence M. Graham, Laverna A. Painter, Ada R. Painter, Eva P. Painter, John W. Painter, Ray D. Painter, Roberta A. Painter, Roy V. Painter, Florence P. Bradshaw, Myrtle Bradshaw, Claude Bradshaw, Joe E. Graham, William C. Graham, John F. Graham, Edna M. Graham, Robert Lee Graham, Joe Willie Neal, James M. Graham, Marion Graham, Maggie Graham, Luther Graham, Floyd Graham, Ella Jackson, Flora Harmon, Lillie R. Harmon, Claud Harmon, Dwight Harmon, William D. Harmon, Toshie A. Jackson, Fannie Lenox, Birtie E. Lenox, Myrtle Lenox, Texanna Woolley, Irene W. Woolley, Wilburn E. Woolley, Mittie Richardson, Edgar Flournoy, Walter Flournoy, Alice Flournoy, Laura

Fluornoy, Oscar Fluornoy, Claude Fluornoy, Edna Fluornoy, Finis T. Richardson, Jasper C. Richardson, Delia F. Richardson, Etta Brauer, Lula Pearl Weddle, Curtis Weddle, Morris O. Weddle, Roy Weddle, William D. Douthitt, Laverna A. Fishback, William A. Fishback, Annie B. Fishback, Florence Morgan, Clide Morgan, Alice A. Morgan, John B. Fishback, Edna Mabry, Roby Mabry and Charley Mabry as citizens by blood of the Cherokee Nation, and for the enrollment of Mattie Dawson, Andrew C. Atkins, Catherine Dawson, Sarah F. Dawson, August Bulawsky, Nannie Dawson, Sarah J. Dawson, Nellie Pierce, John S. Bogle, Florence Dawson, Martha A. Dawson, Charles T. Moore, Ida Blasingame, Mary A. Blasingame, Martin L. Patterson, Alice Dawson, Sarah J. Dawson (nee Jones), John W. Graham, Elizabeth Graham, Mathew A. Painter, Charles T. Bradshaw, Bessie Graham, James H. Harmon, William C. Lenox, Millie T. Dawson, Henry T. Richardson, Melissa A. Dawson, Hiram F. Weddle, and Alonzo M. Fishback as citizens by intermarriage of the Cherokee Nation; rejecting the application for the enrollment of Arizona Allred, William C. Allred, Francis M. Dawson, Osie Jackson, Lizzie Jackson, Jessie Jackson, Ray Jackson, Clyde Jackson, James Lowe, May Lowe, Zelma Lowe, Roberta Lowe and Rosa Lowe as citizens by blood of the Cherokee Nation, and for the enrollment of Lizzie Jackson and George A. Mabry as citizens by intermarriage of the Cherokee Nation; and dismissing the application for the enrollment of William Pierce, Cecil Dawson, Green W. Jackson, Liddie Graham and Margaret Graham.

You have heretofore been furnished with a copy of the record of proceedings had in this case.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest has been furnished both yourself and the principal applicant, by the attorney for the Nation.

The decision, together with the record of proceedings had in this case will be transmitted to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as the Commission is informed of same.

You are requested to forward to the Commission two copies of your printed brief in this case, in order that the same may be included in the record to be forwarded to the Secretary of the Interior

Respectfully,

(Signed) TAMS BIXBY,

Acting Chairman.

Enc. M-45.

Register.

COPY.

Cherokee D-324.

Muskogee, Indian Territory, February 25, 1903.

The Honorable

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings had in the consolidated case of Francis M. Dawson et al., applicants for enrollment as citizens of the Cherokee Nation, including the Commission's decision, dated December 23, 1903, granting said application as to Francis M. Dawson, Lula Dawson, Ray Dawson, Jessie J. Dawson, Jacob L. Dawson, Hugh A. Dawson, Laura A. Dawson, John Dawson, William R. Dawson, Lizzie Atkins, Arthur Atkins, Edna E. Atkins, Edward C. Atkins, George J. F. Atkins, Francis M. Dawson Jr., Samuel R. Dawson, August Dawson, Mate Dawson, Robert Dawson, Albert H. Dawson, Ralph H. Dawson, Alford Dawson, Josephine Bulawsky, Dora Bulawsky, Ida Bulawsky, Annie Bulawsky, Blanche Bulawsky, May Bulawsky, Oscar Bulawsky, John W. Dawson, Katie Newman, John Dawson, Robert B. Dawson, Iola M. Dawson, Samuel H. Dawson, Rosa B. Dawson, Charles B. Dawson, Hattie J. Dawson, Jennings B. Dawson, James U. Dawson, Vergal C. Dawson, Thomas P. Dawson, Mariee J. Dawson, Orle H. Dawson, Burr R. Dawson, James W. Dawson, Robert Pierce, Myrtle Pierce, Arthur Pierce, Charles E. Pierce, Oma Gray, Cecil Gray, Velton Gray, Effie Akin, Nancy J. Bogle, James E.Bogle, Edna B. Bogle, John H. Bogle, Marvin R.Bogle,

Claud Bogle, Nancy Edith Bogle, Joseph R. Dawson, Clarence R. Dawson, Council J. Dawson, Elmer A. Dawson, Cleo Dawson, Rufus T. Dawson, Wilborn Dawson, Edgar Dawson, James R. Dawson, Vinnie D. Dawson, Permine C. Dawson, Edwin C. Dawson, Ancil F. Dawson, Mollie Moore, Lora Moore, Walter Moore, Clara Moore, Ora Moore, James W. Moore, Edna F. Moore, Henry A. Blasingame, Vinnie C. Blasingame, Elbert L. Blasingame, Ellis W. Blasingame, Earl D. Blasingame, Alexander Blasingame Jr., Elmer H. Blasingame, James H. Blasingame, William A. Blasingame, George L. Blasingame, Grace D. Blasingame, Zona Patterson, Sarah A. Patterson, Martha A. Patterson, Claud A. Patterson, Edgar D. Patterson, Thomas M. Patterson, Virgil V. Patterson, William C. Dawson, Robert L. Dawson, Elbert B. Dawson, Ralph E. Dawson, Richard W. Dawson, Ina E. Dawson, Ella L. Spickerman, Hellen J. Spickerman, William Glenn Spickerman, Missouri Graham, Tempa V. Graham, Robert S. Graham, Gideon Graham, John W. Graham, Julius E. Graham, Francis W. Graham, Laverna A. Painter, Mary E. Graham, Jesse F. Graham, Gracie M. Graham, Florence M. Graham, Ada R. Painter, Eva P. Painter, John W. Painter, Ray D. Painter, Roberta A. Painter, Ray V. Painter, Florence P. Bradshaw, Myrtle Bradshaw, Claude Bradshaw, Joe E. Graham, Willie C. Graham, John F. Graham, Elmo M. Graham, Robert Lee Graham, Joe Willie Neal, James M. Graham, William Graham, Maggie Graham, Luther Graham, Floyd Graham, Ella Jackson, Flora Wampler, Lillie R. Harmon, Claud Harmon, Dwight Harmon, William D. Harmon, Tobbie A. Jackson, Bunnie Lenox, Birtie E. Lenox, Myrtle Lenox, Texanna Woolley, Irene W. Woolley, Wilburn E. Woolley,

Kittie Richardson, Edgar Flournoy, Walter Flournoy, Alice Flournoy, Laura Flournoy, Oscar Flournoy, Claude Flournoy, Edna Flournoy, Finis T. Richardson, Jasper C. Richardson, Delia F. Richardson, Etta Brauer, Lula Pearl Weddle, Curtis Weddle, Morris C. Weddle, Roy Weddle, William D. Douthitt, Laverna A. Fishback, William A. Fishback, Annie B. Fishback, Florence Morgan, Clide Morgan, Alice A. Morgan, John B. Fishback, Edna Mabry, Roby Mabry and Charley Mabry as citizens by blood of the Cherokee Nation, and Katie Dawson, Andrew C. Atkins, Catherine Dawson, Sarah F. Dawson, August Bulawsky, Nannie Dawson, Sarah J. Dawson, Nellie Pierce, John S. Bogle, Florence Dawson, Martha A. Dawson, Charles T. Moore, Ida Blasingame, Mary A. Blasingame, Martin L. Patterson, Alice Dawson, Sarah J. Dawson (nee Jones), John W. Graham, Elizabeth Graham, Mathew A. Painter, Charles T. Bradshaw, Bessie Graham, James H. Parmon, William C. Lenox, Millie T. Dawson, Henry T. Richardson, Melissa A. Dawson, Hiram F. Weddle, and Alonzo M. Fishback as citizens by intermarriage of the Cherokee Nation; rejecting the application for the enrollment of Arizona Allred, William C. Allred, Francis M. Dawson, Osie Jackson, Lizzie Jackson, Jessie Jackson, Ray Jackson , Clyde Jackson, James Lowe, May Lowe, Zelma Lowe, Roberta Lowe and Rosa Lowe as citizens by blood of the Cherokee Nation, and for the enrollment of Lizzie Jackson, and George A. Mabry as citizens by intermarriage of the Cherokee Nation; and dismissing the application for the enrollment of William Pierce, Cecil Dawson, Green W. Jackson, Liddie Graham and Margaret Graham.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest is enclosed.

Respectfully,

(Signed) TAMS BIXBY,

Chairman.

Enc. M-135.

Through the

Commissioner of Indian Affairs.

COPY.

Cherokee D-324.

Muskogee, Indian Territory, February 25, 1903.

W. W. Hastings,
Attorney for the Cherokee Nation,
Vinita, Indian Territory.

Dear Sir:

You are hereby advised that there had this day been transmitted to the Secretary of the Interior, for review, the record of proceedings had in the matter of the application of Francis M. Dawson, et al., for enrollment as citizens of the Cherokee Nation, together with the Commission's decision in said case, and the protest of the Cherokee Nation against said decision, dated February 6, 1903.

The action of the Secretary will be made known to you as soon as the Commission is informed of same.

Respectfully,

(Signed) TAMS BIXBY,
Chairman.

COPY.

Cherokee D-324.

Muskogee, Indian Territory, February 25, 1903.

A. S. McClennon,

Attorney for Francis M. Dawson, et al.,

Wewoka, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision in the matter of the application of Francis M. Dawson, et al., for enrollment as citizens of the Cherokee Nation, has this day been transmitted to the Secretary of the Interior for his review and decision.

The action of the Secretary will be made known to you as soon as the Commission is informed of same.

Respectfully,

(Signed) TAMS BIXBY,

Chairman.

Cherokee D-698.

Muskogee, Indian Territory, February 25, 1903.

Elbert B. Dawson,

Talala, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 23, 1902, in the consolidated case of Francis M. Dawson, et al., granting, among others, your application for the enrollment of yourself and your minor child, Ralph E. Dawson, as citizens by blood of the Cherokee Nation. There has heretofore been furnished your attorney, A. S. McKennon, Wewoka, Indian Territory, a copy of the record of proceedings, together with a copy of the Commission's decision.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest has been furnished both your attorney and the principal applicant by the attorney for the Nation.

The decision, with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Acting Chairman.

Enc. E-32.

Register.

(Copy)

Refer in reply
to the following:
Land
11666-1906.
Dawson-1906.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,
Washington, Oct. 16, 1906.

COPY

CHEROKEE ENROLLMENT.

Francis M. Dawson, et al.,

GROUP VIII.

The Honorable,

The Secretary of the Interior.

Sir:

Referring to office report of even date transmitting Group I of the consolidated case of Francis M. Dawson, et al., applicants for enrollment as citizens of the Cherokee Nation, there is enclosed herewith the record relative to the applicants parties to Group VIII.---

D.438, Group VIII, page 1.

Martin L. Patterson applies for the enrollment of himself as an intermarried citizen, and for the enrollment of his wife, Rena, and their minor children, Sarah A., Martha A., Glenda A., Edgar D., Thomas M. and Virgil V. Patterson, as citizens by blood. Virgil V. was born subsequent to the date of his original application and is identified by birth affidavit.

D.434, Group VIII, page 11.

William G. Dawson applies for the enrollment of himself as a citizen by blood, and for the enrollment of his wife, Alice Dawson, as an intermarried citizen.

D.435, Group VIII, page 12.

Robert L. Dawson applies for enrollment as a citizen by blood.

D.629, Group VIII, page 11.

Hibert E. Dawson applied for the enrollment of himself and his minor child, Ralph E. Dawson, as citizens by blood. The child was born subsequent to the date of his original application, and is identified by birth affidavit.

D.629, Group VIII, page 12.

Sarah J. Dawson applies for the enrollment of herself as an intermarried citizen.

D.630, Group VIII, page 13.

Richard V. Dawson applies for the enrollment of himself and his minor child, Ina E. Dawson, as citizens by blood, and for the enrollment of his wife, Lucille Dawson, as a citizen by intermarriage. The Commission states that Lucille Dawson is differently classed and is not embraced in its decision.

D.634, Group VIII, page 17.

Nila L. Spickerman applied for the enrollment of herself and her minor child, Helen J. Spickerman, as citizens by blood, and for the enrollment of her husband, John J. Spickerman, as a citizen by intermarriage. She also applies for the enrollment as a citizen by blood of her child, William A. Spickerman, who was born after her original application. This child is identified by a birth affidavit. The Commission states that John J. Spickerman has been differently classed and is not embraced in its decision.

D.637, Group VIII, page 18.

Francis M. Dawson applies for the enrollment of himself as a citizen by blood.

The record in this case shows that Martin L. Patterson, (Group VIII, page 1), was married July 13, 1898, to Rona Patterson nee Dawson, daughter of Hibert Dawson, who was admitted by the Dawes Court, January 11, 1903. The marriage was performed in accordance with the laws of the Cherokee Nation. Rona Patterson nee Dawson was a minor when her father was admitted. Rona Patterson's name appears on the 1896 census roll, as does the names of Martin L. Patterson, Sarah A., Martha and Claude (A.) Patterson. Edgar B., Thomas M. and Virgil V. Patterson are identified by birth affidavits.

William C. Dawson, (Group VIII, page 11), is a son of Hibert Dawson, who was admitted January 11, 1903. He was a minor when his father was admitted. He was married to Alice Dawson, November 16, 1896. He is identified by the 1896 and 1896 rolls of the Cherokee Nation. From the record it does not seem that the name of his wife is found on any of the rolls of the Cherokee Nation.

Robert L. Dawson, (Group VIII, page 15), is a son of Hibert Dawson who was admitted January 11, 1903. He was a minor when his father was admitted.

Hibert B. Dawson, (Group VIII, page 16), is the son of Hibert Dawson who was admitted January 11, 1903. He was a minor when his father was admitted. February 16, 1898, he was married to Cora Bright, a non-citizen. His name appears on the 1896 roll, but is not on the 1896 roll.

Sarah J. Dawson, (Group VIII, page 19), is the widow of Hibert Dawson, who was admitted January 11, 1903. The applicant's husband is identified by the 1896 pay-roll of the Cherokee Nation. It does not appear from the record that her name is on any roll of the Cherokee Nation.

Richard W. Dawson, (Group VIII, page 22), is the son of Hibert Dawson who was admitted January 11, 1883. He was a minor when his father was admitted to citizenship. He was married to Lucille Mason, a white woman, January 24, 1898.

Ella L. Spickermann, (Group VIII, page 27), is the daughter of Hibert Dawson, who was admitted in 1883. She was a minor when her father was admitted to citizenship. Sept. 7, 1897, she was married to John J. Spickermann, a white man. She is identified by the 1894 roll.

Francis M. Dawson, (Group VIII, page 21), is a son of Hibert Dawson, who was admitted January 11, 1883. He was of age when his father was admitted, and it does not appear that he was admitted to citizenship. From the evidence it does not seem that Francis M. Dawson's name is found on any roll of the Cherokee Nation. He claims to have lived in the Cherokee Nation since 1888. It appears that he and the members of his family were refused enrollment by the Cherokee tribal authorities in 1896.

It is shown that Emma Patterson, William C. Dawson and Richard W. Dawson, have resided in the Cherokee Nation since 1894. Robert L. Dawson, Hibert M. Dawson, Sarah J. Dawson and Ella L. Spickermann, have resided there since 1883. Alice Dawson has resided in the Nation since 1886 and Martin L. Patterson since 1894.

The Commission in its decision of December 23, 1902, held that all of the parties in this group, except Lucille Dawson and J. J. Spickermann, who are differently classed, and Francis M. Dawson (Group VIII, page 21), were entitled to enrollment as citizens of the Cherokee Nation--Martin L. Patterson, Alice Dawson and Sarah J. Dawson, as citizens by intermarriage and the others as citizens by blood.

For the reasons set forth in office report of even date, transmitting Group I of this consolidated case, the approval of the Commission's decision is recommended, except in so far as it relates to Martin L. Patterson, Alice Dawson and Sarah J. Dawson, who apply for enrollment as intermarried citizens. The question submitted to the Court of Claims not having been passed upon by the Court, their applications should not be considered at this time. The right of Francis M. Dawson to enrollment as a citizen by blood will be discussed herein.

August 31, 1905, Harry S. Kimball and W. W. White, attorneys of this city, filed a brief on behalf of applicant Francis M. Dawson, for enrollment as a citizen of the Cherokee Nation. In their letter it is said that a copy of this brief has been forwarded to the attorney for the Cherokee Nation, W. W. Hastings, Esq. Kimball & White in their brief state that Francis M. Dawson is the son of Elbert Dawson, who was admitted to citizenship in the Cherokee Nation, January 11, 1883, and that he was at that time about 22 years of age. They claim that his father applied for readmission February 24, 1892, and that Francis M. Dawson was at the date of this application less than 21 years of age that he has resided in the Cherokee Nation from the time of his father's admission, and they take the position that the only reason the Commission gives for refusing his enrollment is that he was more than 21 years of age at the time of his father's admission. The statement is made by them "his name appears upon every roll since his father's admission. He drew his share of the Strip money and has resided nowhere except in said Nation." They claim that under Section 5, of the Amendments to Article 3, of the Constitution, and the opinion of the Assistant Attorney General in the James W. Shirley case of June 11, 1904, Francis M. Dawson is entitled to enrollment as a citizen of the Cherokee Nation.

From the record it does not appear that the name of Francis M. Dawson is found on any rolls of the Cherokee Nation. The Commission, in what is understood to be its field decision or field note, says: "He is not identified on any roll since that time," meaning the date of his father's admission. In this decision or note it is also said: "The application for admission is shown by the document cited to be dated January 4, 1841, and giving the applicant the benefit of the opinion that the fact of admission would date from the application, he was a minor at that time."

In the brief of Kimball & White it is alleged that Elbert Dawson applied "for admission February 24, 1880." There seems to be considerable doubt as to the exact date Elbert Dawson made application for admission for citizenship in the Cherokee Nation, but from the records it appears the true date is September 24, 1841. By the supplemental testimony it is shown that the application of Elbert Dawson et al., for admission to citizenship was "filed September 24, 1841."

Francis M. Dawson, October 17, 1900, (Group VIII, page 31), testified among other things that he was 38 years of age "on the last day of December last," meaning December 31, 1899. If this be true, and if the correct date of the application of his father, Elbert Dawson, is September 24, 1841, Francis M. Dawson was 39 years 8 months and 28 days old at the date of his father's application. The office believes that the date of admission should be held to relate back to the date of the application. There is nothing in the record which shows that Elbert Dawson, or any of the other applicants of 1841, were asked in 1843 whether any of their children had arrived at the age of majority.

In view of the foregoing, it is respectfully recommended that

the decision of the Commission be to Francis M. Watson be not approved, and that the Commission be directed to enroll him as a citizen of the Cherokee nation by blood, unless there be some reason which does not appear in the record why the same should not be done. There seems to be no question but that he is of Cherokee blood.

Very respectfully,

W. A. Jones,
Commissioner.

C.A.W.-L.C.

(MFM)

(COPY)

I.T.D. 7442-1903
7484- "
7906- "

J.W.M.
J.P.
PMB

DEPARTMENT OF THE INTERIOR,

WASHINGTON.

LRS

March 31, 1904.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

February 25, 1904, you transmitted the record in the matter of the application of Francis M. Dawson et al., for enrollment as citizens of the Cherokee Nation.

In your decision of December 23, 1903, you disposed of the applications in the Dawson case by groups. Group VIII, as disposed of by you, includes the applications of those persons who claim enrollment by virtue of their descent from Elbert Dawson, who was admitted to Cherokee citizenship by decree of the Tahee Court dated January 11, 1843. These applications are designated by you as D.433, D.604, D.605, D.606, D.609, D.617, D.636, and D.647.

It appears that the principal applicants in this group, claiming enrollment by blood, viz: Zona Patterson, formerly Dawson, William C. Dawson, Robert L. Dawson, Elbert R. Dawson, Richard W. Dawson, Ella L. Spickerman, formerly Dawson, and Francis M. Dawson, are the children of the said Elbert Dawson. All of them except the said Francis M. Dawson were minors at the time of their father's admission to citizenship.

The application of Martin L. Patterson, D.433, was for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Zona Patterson, and his six minor children, Sarah A., Martha A., Claude A., Roger D., Thomas W., and Virgil V. Patterson, as citizens by blood of the Cherokee Nation. The said Martin L. Patterson was married July 13, 1890, in accordance with the laws of the Cherokee Nation, to the said Zona Patterson, nee Dawson. He has resided in the

nation since his marriage, and the six children named above are the issue of said marriage. His name, and the names of his three older children, are on the Cherokee census roll of 1896. The three younger children are identified by birth affidavits. Xona Patterson, nee Dawson, is also identified on said roll, and has resided in the Cherokee Nation since 1884.

William C. Dawson, D.604, applied for the enrollment of himself as a citizen by blood, and for the enrollment of his wife, Alice Dawson, as a citizen by intermarriage of the Cherokee Nation. He is identified upon the strip payment roll of 1894, and has resided in the nation since 1884. He was married November 15, 1896, to the said Alice Dawson, nee Alexander. She has resided with him since their marriage.

The application of Robert L. Dawson, D.605, was for the enrollment of himself as a citizen by blood of the Cherokee Nation. He is identified on the strip payment roll of 1894, and has resided in the nation since 1884.

The application of Elbert R. Dawson, D.606, was for the enrollment of himself and his minor child, Ralph R. Dawson, as Cherokees by blood. Said Elbert R. Dawson is identified upon the strip payment roll of 1894. His son is identified by a birth affidavit. The father has resided in the nation since 1884. On February 16, 1898, he married Cora Wright, a non-citizen, who is the mother of said child. It appears, however, that no application was made for her enrollment under this title.

The application of Sarah J. Dawson, D.609, was for the enrollment of herself as an intermarried citizen of the Cherokee Nation. In 1894 she married the said Elbert Dawson, and lived with him as his wife until his death in February, 1898. Since then she has not remarried. She has resided in the nation since 1884.

The application of Richard W. Dawson, D.617, was for the enrollment of himself and his minor child, Ina E. Dawson, as citizens by blood and for the enrollment of his wife, Luella Dawson, as a citizen of said nation by intermarriage. The latter is differently classified and is not embraced in this decision. Said Richard W. Dawson is identified upon the 1894 strip payment roll, and has resided in the nation since 1884. January 24, 1896, he married Luella Vason. Ina E. Dawson, who is identified by a birth affidavit, is the issue of that marriage.

The application of Ella L. Spiekerman, D.626, was for the enrollment of herself and her minor children, Helen J. and William G. Spiekerman, as citizens by blood, and for the enrollment of her husband John J. Spiekerman, as a citizen by intermarriage of the Cherokee Nation. His application is differently classified and will not be considered herein. The said Ella L. Spiekerman, nee Dawson, is identified on the strip payment roll of 1894, and has resided in the nation since 1880. Said children are identified by birth affidavits.

The application of Francis W. Dawson, D.627, was for the enrollment of himself as a citizen by blood of the Cherokee Nation. His case is distinguished from that of the other principal applicants who claim by blood, in that he was not a minor at the date of his father's admission to citizenship. It appears, however, that the petition for the enrollment of his father, Elbert Dawson et al., was filed when he was a minor. The exact date when said petition was filed is uncertain. The Indian Office finds that the date of the petition was September 24, 1881. You find that the petition bears a still earlier date. It is claimed by this applicant and by his attorneys that his name is borne upon various tribal rolls. It does not appear from the record, however, that such is the fact. He states that he has resided in the nation never since 1869, and that he drew strip money for himself &

In his report of October 16, 1903, relative to this group, the Commissioner of Indian Affairs calls attention to that portion of the evidence which shows that the applicant was a minor when the petition for the enrollment of his father was filed, and expresses the opinion that the admission of his father (construed as including his minor children living with him) should be considered as taking effect from the date the petition was filed.

In your decision of December 23, 1903, in which you refused to enroll this applicant, you make no reference to this aspect of the case. It is observed, however, from the field notes as they appear in connection with the record in this case, that the examiner was then of the opinion that the date of the father's petition might possibly affect the rights of the applicant.

The attorneys for this applicant and for the Nation have filed briefs. The attorneys for neither, however, have discussed the rights of the applicant from this standpoint.

It is considered that both parties should be furnished with a copy of the Commissioner's letter relating to this group, and be allowed to be heard in reference to the matter.

From a letter addressed to the Assistant Attorney General for this Department, from Kimball & White, attorneys for Francis M. Dawson, Jr., dated February 13, 1904, it appears that under date of January 13, 1904, you wrote said attorneys as follows:

> "You are advised that the 1894 pay roll does not contain the name of such a person as Francis M. Dawson. There does appear upon that roll, however, the name of one Marion Dawson, and it is possible this is the same person."

Although not addressed to the Department, it was considered that your letter should be received as authentic evidence of the matters stated therein. It is believed, in view of the statement contained in

said letter and from the testimony of Francis Marion Dawson, referred to above, that an adjudication of his case upon the record as it now stands would be untimely and inadvisable.

In your decision of December 23, 1903, you held that all of the applicants are entitled to enrollment except Francis M. Dawson. The Commissioner of Indian Affairs concurred in your recommendation respecting those applicants claiming by blood, except as to him, and also recommended his enrollment. As to those applicants claiming by intermarriage the Commissioner recommended that no action be taken at present.

The Department concurs in the recommendation of the Commissioner as to all of the applicants, except Francis M. Dawson. The record in his case is herewith returned for further investigation in accordance with the suggestions herein contained.

The attorney for the Cherokee Nation protests against the enrollment of these applicants, claiming that their enrollment was obtained through fraud. In this connection see opinion of the Assistant Attorney General of February 14, 1904, relating to the Dawson case, a copy of which was sent you February 24, 1904.

A copy of Indian Office letter of October 16, 1903, relating to this group, is also inclosed.

Respectfully,

(signed) Thos Ryan

Acting Secretary.

2 inclosures.

(HMM)

Cherokee D-608.

Muskogee, Indian Territory, April 12, 1904.

Kibert B. Dawson,

Talala, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated December 23, 1902, granting, among others, your application for the enrollment of yourself and your minor child, Ralph R. Dawson, as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on March 31, 1904.

Respectfully,

Commissioner in Charge.

Cherokee D 324, et al.

Muskogee, Indian Territory, April 12, 1904.

A. S. McKennon,

Attorney for Francis M. Dawson, et al.,

South McAlester, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision dated December 23, 1902, in the consolidated case of Francis M. Dawson, et al., granting the applications for the enrollment of Francis L., Lula, Ray, Jessie J., Jacob L., Hugh A., Laura A., John, William R. and Franics M. Dawson, Jr., Lizzie, Arthur, Edna E., Edward C., and George J. F. Atkins, John W., Albert H., Ralph H., Alford, Samuel R., August, Nate and Robert Dawson, Katie Newman, Josephine, Dora, Ida, Annie, Blanche, May and Oscar Bulawsky, John, Robert B., Iola M., Lemuel H., Rosa B., Charles B., Hattie J., Jennings B., James U., Vergal C., Thomas P., Mariee J., Orle H., Burr R. and James W. Dawson, Ella Jackson, Flora, Lillie R., Claud, Dwight and William D. Harmon, Tosdie A. Jackson, Fannie, Birtie E. and Myrtle Lenox, Missouri, Tempa V., Robert S., Gideon, John W., Julius E., Francis M., Mary E., Jesse E., Gracie A. and Florence M. Graham, Laverna A., Ada R., Eva P., John W., Ray D., Roberta A., and

Roy W. Painter, Florence P., Myrtle and Claude Bradshaw, Joe E., William C., John F., Emma M. and Robert Lee Graham, Joe Willie Neal, James L., Marion, Maggie, Luther and Floyd Graham, Mollie, Nora, Walter, Clara, Ora, James T., and Edna Edith Moore, Richard W. and Ina E. Dawson, Ella L., Mollen J. and William Glenn Spickerman, Gilbert B., Ralph E., Robert L., and William C. Dawson, Zema, Sarah A., Martha A., Claud A., Edgar D., Thomas M. and Virgil V. Patterson, Joseph R., Clarence E., Council J., Elmer A., Cleo, Rufus T., Edgar, Wilborn, James R., Minnie L., Ermine C., Edwin C. and Ancil F. Dawson, Etta Brauer, Hiney, Delia E., Minis T. and Jasper Cecil Richardson, Edgar, Walter, Alice, Laura, Oscar, Claude and Edna Flournoy, Texanna, Irene W. and Wilburn E. Woolley, Laverna A., William A. and Annie B. Fishback, Lula P., Curtis, Morris O. and Roy Weddle, Florence, Clide and Alice A. Morgan, John E. Fishback, Edna, Roby and Charley Mabry and William D. Douthitt, as citizens by blood of the Cherokee Nation, and dismissing the applications for the enrollment of Cecil Dawson, Liddie and Margaret Graham as citizens by blood of the Cherokee Nation, they having died prior to September 1, 1902, was affirmed by the Secretary of the Interior on March 31, 1904, and that the Commission's decision rejecting the applications for the enrollment of James, May, Zelma, Roberta, and Iona Lowe, Osie, Lizzie, Jessie, Ray, and Clyde Jackson as citizens

by blood of the Cherokee Nation, was reversed by the Secretary of the Interior on the same date.

Respectfully,

Signed T. B. Needles

Commissioner in Charge.

Cherokee D 324, et al.

Muskogee, Indian Territory, April 12, 1904.

W. W. Hastings,

Attorney for the Cherokee Nation,

Tahlequah, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision dated December 23, 1902, in the consolidated case of Francis M. Dawson, et al., granting the applications for the enrollment of Francis M., Bula, Ray, Jessie J., Jacob L., Hugh A., Laura A., John, William R. and Francis M. Dawson, Jr., Lizzie, Arthur, Edna E., Edward C., and George J. F. Atkins, John W., Albert M., Ralph M., Alford, Samuel R., August, Nate and Robert Dawson, Katie Newman, Josephine, Dora, Ida, Annie, Blanche, May and Oscar Bulawsky, John, Robert B., Iola M., Lemuel M., Rosa B., Charles B., Hattie J., Jennings B., James U., Vergal C., Thomas P., Mariee J., Orlo M., Burr R. and James W. Dawson, Ella Jackson, Flora, Lillie R., Claud, Dwight and William D. Harmon, Toshie A. Jackson, Fannie, Birtie E. and Myrtle Lenox, Missouri, Tempa V., Robert S., Gideon, John W., Julius E., Francis W., Mary E., Jesse E., Oracie M. and Florence M. Graham, Laverna A., Ada M., Eva P., John T., Ray D., Roberta A., and

Roy V. Painter, Florence J., Myrtle and Claude Bradshaw, Joe E., William C., John F., Edna M. and Robert Lee Graham, Joe Willie Neal, James L., Marion, Maggie, Luther and Floyd Graham, Mollie, Nora, Walter, Clara, Ora, James T., and Edna Edith Moore, Richard W. and Ina E. Dawson, Ella L., Helen J. and William Glenn Spickerman, Elbert E., Ralph E., Robert L., and William C. Dawson, Zona, Sarah A., Martha A., Claud A., Edgar D., Thomas M. and Virgil V. Patterson, Joseph R., Clarence E., Council J., Elmer A., Cleo, Rufus T., Edgar, Wilborn, James R., Vinnie B., Ermine C., Edwin C. and Ancil F. Dawson, Etta Brauer, Kitty, Delia F., Minnie T. and Jasper Cecil Richardson, Edgar, Walter, Alice, Laura, Oscar, Claude and Edna Flournoy, Texanna, Irene W. and Wilburn E. Woolley, Laverna A., William A. and Annie B. Fishback, Lula P., Curtis, Morris O. and Roy Weddle, Florence, Clide and Alice A. Morgan, John E. Fishback, Edna, Roby and Charley Mabry and William D. Douthitt, as citizens by blood of the Cherokee Nation, and dismissing the applications for the enrollment of Cecil Dawson, Liddie and Margaret Graham as citizens by blood of the Cherokee Nation, they having died prior to September 1, 1902, was affirmed by the Secretary of the Interior on March 31, 1904, and that the Commission's decision rejecting the applications for the enrollment of James, May, Zelma, Roberta, and Rosa Lore, Osie, Lizzie, Jessie, Ray, and Clyde Jackson as citizens

by Block of the Cherokee Nation, was reversed by the Secretary of the Interior on the same date.

Respectfully,

T. [illegible]

Commissioner in Charge.

Richard W. Dempsey

Trans. from D617

A2701 10724

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
OCT 17 1900

Rejected, as to wife, Luella.

Department of the Interior,
Commission to the Five Civilized Tribes,
Nowata, I.T., Octo er 17th, 1900.

In the matter of the application of Richard W. Dawson for the enrollment of himself, wife and child as Cherokee citizens; being sworn and examined by C mmissioner Breckinridge he testified as follows:

Q Give me your full name. A Richard W. Daws n.
Q How old are you? A I am 20 years old.
Q What is your post-office? A Talala.
Q Coowescoowee District? A Yes sir.
Q Do you apply just for your own enrol ment? A No sir, wife too.
Q And any children? A One.
Q Are you a Cher kee by blood? A Yes s r.
Q What is your wife? A She is a white woman.
Q How long have you lived in the Ch r kee Nation? A About 16 years.Q
Q Have you got a certificate of admission to Cherokee citizenship?
A Yes sir.
Q Give me the name of your father. A Albert Dawson.
Q Is he dead or alive? A He is dead.
Q Give me the name of your mother. A Sarah Jane Dawson.
Q Is she dead or alive. A She is alive.
Com'r: The applicant presents duly authenticated certificate of admission to Cherokee citizenship showing that on the 11th day of January 1883 certain persons were admitted to citizenship, and among them appears the name of Albert Dawson who he states was his father; this is recognized as official evidence of the father's admission at the time stated.
Q Did your father come t the Cherokee Nation at the time of his admission in 1883? A Come in 1884.
Q Did he live here from that time until his death? A Yes sir
Q When did he die? A A year ago last January.
Q How long have you lived in the Cher kee Nation? A 16 years.
Q Give me the name f your wife? A Luella Mason.
Q How old is she? A 2[illegible] years old.
Q When did you marry her? A 2 years ago 24th of last January
Q [illegible]
Q Give me the name of your child? A Ina Anna.
Q How old is that child? A She was a year old the 8th day of June.
Q Have you a certificate of marriage to your wife? A Yes sir
(Produces papers)
Com'r: The applicant presents certificate of marriage s owing that on the 24th of January 1898 he was united in marriage to Miss Ella Mason, by the Clerk of Coowescoowee District this is filed herewith.
The certificate of admission to citizenship is returned to the applicant.
1896 roll examined for applicant and name not found;
1894 roll page 176 #1314 as Dick W. Dawson Coowescoowee Dist

Com'r Breckinridge: The applicant applies for the enrollment of himself, his wife and one child; he shows by the certificate of admission cited in the testimony that his father was admitted to citizenship in 1883; he established his residence in a satisfactory manner in the Cherokee Nation; he is identified on the roll of 1894, but not upon the roll of 1896; it is shown in the application and testimony of other members of this family that the Cherokee authorities refused their enrollment in 1896 because of a contest over the circumstances of their admission; the Cherokee representatives present have protested against the enrollment of all the members of this family and this applicant with now be placed upon a right-

classed as Cherokee by blood; when he files certificate of the birth of the child named in the testimony, then the child also will be listed as Cherokee by blood, upon a certificate card. The marriage certificate filed herewith shows that the applicant married his wife, a white woman, some two years or more ago; this is too late under the Curtis Act of 1898 for her to possess the right of enrollment at this time, and the application for her enrollment is rejected.

M.D.Green, being first duly sworn states that as stenographer to the Commission to the Five Civilized Tribes he correctly reported the testimony and proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

M D Green

Subscribed and sworn to before me this 17th day of October 1900.

Tams Bixby

Commissioner.

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
RECEIVED
OCT 12 1906

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 17 1900 1900.

1 Name Richard W. Lawson Talala I.T.

District [illegible] Year 1894 Page 176 No. 1314

Citizen by blood yes admitted Mother's citizenship Albert Lawson — d

Intermarried citizen no Sarah J. " — d

Married under what law Date of marriage

License Certificate

2 Wife's name [illegible]

District Year Page No.

Citizen by blood no. Mother's citizenship

Intermarried citizen yes

Married under what law Date of marriage

License Certificate

Names of Children:

3 Ina E. Lawson Dist. Year Page No. Age 1

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

On 1896 Roll as Rick W. Lawson
2 affidavits to be supplied.

This is to certify that [illegible] of the Cherokee Nation [illegible] of [illegible] in the [illegible] of MATRIMONY Mr W D Dawson a citizen of the Cherokee Nation and Miss [illegible] citizen of the United States according to the laws of the [illegible] this the 26th day of January A [illegible]

[illegible]

Officiating Minister

OFFICERS:
T. M. BUFFINGTON, Circuit Judge, Vinita.
WATT STARR, District Judge, Claremore.
WILLIAM H. FRY, Clerk, Claremore.
J. C. WARD, Sheriff, Foyil.
JAMES L. TAYLOR, Solicitor, Claremore.

OFFICE OF
DISTRICT CLERK
COOWEESCOOWEE DIST., C. N.

TERMS OF COURT:
CIRCUIT COURT:
First Monday in June and Fourth Monday in September.
DISTRICT COURT:
First Monday in January and July.

This is to certify that I William H Fry Clerk of Cooweescoowee District Cherokee Nation I hereby certify that I on this day Joined in the Holy Bonds of MATRIMONY Mr W D Dawson a citizen of the Cherokee Nation and Miss Ella Mason a citizen of the United States according to the laws of the Cherokee Nation.

This the 26th day of January A D 1898

Clerk

Cooweescoowee District Cherokee Nation

Marriage

Cooweescoowee District C. N.

CD 617
107 T

20

IN RE

Application for Enrollment of

INFANT CHILD

Ina E. Dawson

as a citizen of

Cherokee Nation.

Approved Oct. 27 1900

Commissioner

BIRTH AFFIDAVIT. Copy

617

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Cherokee Nation,
of Ina E. Dawson (Here insert name of child.), born on the 8th day of June, 1899
Name of Father: Richard N. Dawson, a citizen of the Cherokee Nation.
Name of Mother Louella Dawson a citizen of the Cherokee Nation.
Postoffice Talala I.T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern DISTRICT.

I, Louella Dawson, on oath state that I am 24 years of age and a citizen, by marriage, of the Cherokee Nation; that I am the lawful wife of Richard N. Dawson, who is a citizen, by Blood, of the Cherokee Nation; that a Female (Male or Female.) child was born to me on the 8th day of June 1898; that said child has been named Ina E. Dawson, and is now living.

Louella Dawson

WITNESSES TO MARK:
(Must be Two Witnesses.) E.Z. Hiatt
Eunice Crawford

Subscribed and sworn to before me this 17 day of October 1900.
My Commission Expires Mar. 6
G.N. Cranor
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MID-WIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern DISTRICT.

I, E.Y. Bass, a Physician, on oath state that I attended on Mrs. Louella Dawson wife of Richard N. Dawson on the 8th day of June 1898 that there was born to her on said date a Female (Male or Female.) child; that said child is now living and is said to have been named Ina E. Dawson

E.Y. Bass M.D.

WITNESSES TO MARK:
(Must be Two Witnesses.) John E. Pendleton
Hiram Decker

Subscribed and sworn to before me this 17 day of October 1900.
My Com expires Mar. 6 1901
G.N. Cranor
Notary Public.

COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, I. T., July 21, 1902.

Received of the Commission to the Five Civilized Tribes one copy of the testimony in the matter of the application of Richard W. Lawson for enrollment as [redacted] of the Cherokee Nation.

Citizen

Attorney for Applicant.

No. 1711

AFFIDAVIT.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT.

In the matter of the application of Citizen
Richard H. Pearson for enrollment as a Cherokee Freedman
No. 4 D. 611

J. C. STARR, of lawful age, being duly sworn on oath states that on the 16th day of March, A. D. 1902 he registered to Richard H. Pearson who's postoffice is Tahlequah, Indian Territory, a notice, a true copy of which is attached to this affidavit, and he hereto attaches the receipt of the Postmaster at Muskogee, Indian Territory; and that on the 18th day of March, 1902 he received the return card which is hereto attached, signed by the said Richard H. Pearson, showing that he had received said notice.

J. C. Starr.

Subscribed and sworn to before me on this the 13 day of March A. D. 1902

J. C. Starr
Notary Public.

C D. 617

E D617

INDIAN TERRITORY,
CHEROKEE NATION.

I hereby certify that I served the within notice on .....

.....

by delivering a true copy thereof on the .....day of ..... A. D. 190...

Given under my hand this ..... day of ..... A. D. 190...

.....
Marshal for the Cherokee Nation.

I, the undersigned attorney for the within named applicant, hereby accept service of the within notice on this the ..... day of ....., 190...

.....
Attorney for applicant.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT. } S. S.

I do solemnly swear that I delivered a true copy of the within notice to .....

.....

on the..... day of ..... A. D. 190...

.....

Subscribed and sworn to before me this .....

.....
Notary Public.

NOTICE!

IN THE MATTER OF the application of [illegible] for enrollment as Cherokee citizens:

Case No. D [illegible]

To [illegible] Talala I.T.

You are hereby notified that the Cherokee Nation will present before the United States Commission to the Five Civilized Tribes testimony on behalf of the Cherokee Nation tending to disprove your right to be enrolled as a Cherokee citizen at the office of the United States Commission to the Five Civilized Tribes in the town of Muskogee, I. T. Indian Territory, on [illegible] or from day to day thereafter until the same can be heard by said Commission during the usual business hours of said Commission for the taking of testimony both for and against applicants for enrollment as Cherokee citizens.

In testimony whereof, the undersigned representatives of the Cherokee Nation have hereunto set our hands this [illegible]

W. W. Hastings

Attorneys for the Cherokee Nation.

Q How is he related to you? A Brother.
Q Did you know her mother? A Yes sir.
Q What was her name? A Jane, a white woman.
Q Is she living or dead? A She is living.
Q Do you know when she and Elbert Daws were married? A Before the war; I don't remember the time; they had two children at the time of the war.
Q Were you present at the marriage? A I wasn't present; they came to my fathers from their fathers. They were about three miles apart.
Q They were married at her fathers home and came directly to your father's house? A Yes Sir, the next day.
Q Did they continue to live together as husband and wife all the time until the time he died? A Yes sir, all the time.
Q They were recognized throughout the community as man and wife?
A Yes sir, they raised a large family of children.

I, the undersigned stenographer to the Commission to the Five Civilized Tribes, do hereby certify that I reported the proceedings in the above case and that the foregoing is a true and complete transcript

To be filed in C. D-617.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., April 8, 1903.

In the matter of the application of Martin L. Patterson for the enrollment of himself, wife and children as citizens of the Cherokee Nation.

Francis Marion Dawson, being sworn and examined by the Commission, testified as follows:

Q What is your name? A Francis Marion Dawson.
Q How old are you? A Soon will be sixty.
Q What is your postoffice address? A Afton now; it was Oowuma.
Q Are you acquainted with Rosa Patterson, the applicant in this case? A Yes sir.
Q Did you know her father? A Yes sir.
Q How is he related to you? A Brother.
Q Did you know her mother? A Yes sir.
Q What was her name? A Jane, a white woman.
Q Is she living or dead? A She is living.
Q Do you know when she and Elbert Dawson were married? A Before the war; I don't remember the time; they had two children at the time of the war.
Q Were you present at the marriage? A I wasn't present; they came to my fathers from their fathers. They were about three miles apart.
Q They were married at Her father's home and came directly to your father's house? A Yes sir, the next day.
Q Did they continue to live together as husband and wife all the time until the time he died? A Yes sir, all the time.
Q They were recognized throughout the community as man and wife?
A Yes sir, they raised a large family of children.

—o—

I, the undersigned stenographer to the Commission to the Five Civilized Tribes, do hereby certify that I recorded the proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

B. V. Rothenberger

part of the record in this case; said testimony being that of Francis M. Dawson.

—o—

I, the undersigned stenographer to the Commission to the Five Civilized Tribes, do hereby certify that I recorded the order above and that the same is a true and complete transcript of my stenographic notes thereof.

RECEIVED
OCT 1905
COMMISSION

C. Bray

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., April 6, 1906.

In the matter of the application of Richard W. Benson for the enrollment of himself and child as citizens of the Cherokee Nation.

Order.

It is directed that copies of the testimony had this day in the matter of the application of Martin L. Patterson be filed and made a part of the record in this case; said testimony being that of Francis M. Benson.

—o—

I, the undersigned stenographer to the Commission to the Five Civilized Tribes, do hereby certify that I recorded the order above and that the same is a true and complete transcript of my stenographic notes thereof.

E. Hutchings

To be filed with C. D. 617, Richard W. Dawson et al.

DEPARTMENT OF THE INTERIOR,
COURT [illegible] TO THE FIVE [illegible] TRIBES,
VINITA, I. T., SEPTEMBER [illegible], 1896.

IN THE MATTER OF THE APPLICATION OF Francis Marion Dawson, wife and children for enrollment as citizens of the Cherokee Nation, and he being sworn by Commissioner, C. B. Breckinridge, testified as follows:

Q What is your full name? A Francis Marion Dawson.
Q What is your age? A I am fifty eight years old.
Q What is your Postoffice? A Cocona.
Q What District do you live in? A Delaware.
Q Who is it you want to have enrolled? A Myself and family.
Q Your wife? A Yes, sir.
Q How many children? A Six.
Q Do you apply for enrollment as a Cherokee by blood? A Yes, sir.
Q Is your wife a Cherokee by blood? A No, sir; she is a white woman.
Q How long have you lived in the Cherokee Nation? A Since 1873.
Q Were you admitted by the Cherokee Commission? A Yes, sir.

The applicant presents a duly authenticated certificate of admission to citizenship, showing that on the 11th day of January, 1883, certain persons were admitted by the commission on citizenship, and among them appears the name of F. M. Dawson.

Q What is your name is it? A Yes, sir.

This is recognized as satisfactory evidence of the facts stated.

Q Have you lived in the Cherokee Nation ever since your admission?
A Yes, sir; in Delaware District ever since.
Q Give me the name of your wife? A Katie Dawson.
Q How old is she now? A Forty five.
Q Was she admitted with you? A No, sir.
Q Have you married her according to Cherokee law since your admission? A No, sir.
Q You have not remarried since your admission? A No, sir; it was not necessary.

The applicant presents a duly authenticated marriage license and certificate, showing that he was married to his wife, as stated by him, in 1880, by the Reverend H. W. Goudelock, in Carrol County, Arkansas, the license being issued by the Clerk of that County.

These papers are filed herewith.

Q Your wife was not admitted by the Cherokee Commission, when you were? A No, sir.
Q Or at any other time? A No, sir.
Q By act of the Commission or Council? A No, sir: she was placed on the rolls.
Q On the census rolls? A Yes, sir.
Q Give me the names of your children, please? A Lula.
Q How old? A Seventeen.
Q Next child? A Roy.
Q How old? A Fifteen.
Q Next child? A Jessie Jane.
Q How old? A Fourteen.
Q Next child? A Jacob Levy.
Q How old? A Ten.
Q Next child? A Hugh A.
Q How old? A He is eight I believe.

Q Next child? A Laura.
Q How old is that child? A She is four years old.
Q Is that all? A Yes, sir: six of them. I have others, but they are not at home.
Q Are they married? A No, sir.
Q Are they over age? A Yes, sir.

(1896 Roll, Page 461, #902, Francis Marion Dawson, Delaware.)
(1896 Roll, Page 509, #135, Katie Dawson, Delaware District.)
(1896 Roll, Page 461, #903, Lula Dawson, " ")
(1896 Roll, Page 461, #904, Ray Dawson, " ")
(1896 Roll, Page 461, #905, Jesse James Dawson, Delaware Dis't.)
(1896 Roll, Page 461, #906, Jacob Levy Dawson, " ")
(1896 Roll, Page 461, #907, Hugh A. Densmore Dawson," ")
(1896 Roll, Page 461, #908, Laura Albertie Dawson, " ")

Q Is this Lula or Luly? A Luly.
The applicant applies for the enrollment of himself, wife and six children:
Q Were these children all born since you were admitted into the Cherokee Nation? A Yes, sir.

The applicant is shown by the certificate of admission, cited in the testimony, to have been admitted to Cherokee citizenship, by the Commission on Citizenship, January 11th, 1883; he is identified on the roll of 1896, but the representative of the Cherokee Nation desires to make inquiry into the methods of that time, and for that reason, the application of the applicant will at present be placed on a "Doubtful Card." He has lived in the Cherokee Nation ever since his admission to citizenship. His wife was married to him under United States law, and was married prior to his admission: she has never been remarried according to Cherokee law: She has lived with him ever since his admission to citizenship, and she is identified on the roll of 1896. The application for her enrollment will be placed on a "Doubtful Card".
Their six children, as enumerated in the testimony are identified on the roll of 1896: They are living at this time, all having been born since his admission (Applicant's) , These children will be placed with him on a "Doubtful Card". The applicant's marriageto the mother of these children is established by the marriage license and certificate filed herewith. If any additionnal papers, adverse are developed in this case, he will be given timely notice thereof.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

(Signed) R. R. Cravens.

Subscribed and sworn to before me this 10th day of September, 1900.

(Signed) C. R. Brookinridge,
Commissioner.

BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the enrollment :
of F. M. Duncan and others as :
Cherokee citizens. :

Depositions of witnesses in behalf of the applicants for enrollment mentioned in the title, taken before me, Lewis T. Martin, a Notary Public in and for the Northern District of the Indian Territory, duly appointed, qualified and acting as such, at the office of C. E. Denison in the Gray-Halsell building in the town of Vinita, Indian Territory, on Thursday the fourth day of October 1900, between the hours of one and a half o'clock and six o'clock in the afternoon of said day, in accordance with the agreement to take testimony, entered into between the applicants and the Cherokee Nation, by their respective attorneys, which agreement is hereto attached.

T. F. Thompson, being produced by the applicants, being first duly sworn to testify to the truth, the whole truth and nothing but the truth, testified as follows:

DIRECT EXAMINATION BY C. E. DENISON:

Q State your name, age, residence and occupation?
A T. F. Thompson, 53 years old, I live near Vinita, Cherokee Nation, I. T. I am a farmer.
Q How long have resided in the Cherokee Nation? A All my life.
Q Are you a citizen of the Cherokee Nation as now constituted?
A Yes, sir.
Q Upon what is that citizenship based, blood or otherwise?
A Blood.
Q What, if any official position have you held in the Cherokee Nation, and at what time?
A I was elected to the Cherokee Council in 1870 some odd, I don't remember the exact year, I was also on the Commission Court.
Q Do you remember when that was? A Some time in 1880 or 1881, I think, it may have been earlier.
Q Did that Commission or Court have anything to do with admission to citizenship in the Cherokee Nation? A Yes, sir.
Q State, if you remember, how many members of that Commission or Court, there were, and who they were besides yourself?
A There were three, Tehee, Wolf and myself, Tehee was President of the Court.
Q Where were the sessions of that body held? A Tahlequah, Cherokee Nation.
Q Did you have a Clerk? A Yes, sir.
Q Do you remember who that was? A D. W. C. Duncan.
Q Do you know whether the members of that Commission beside yourself, are living or dead? A Yes, sir, they are both dead.
Q Can you recollect now what period of time that Commission lasted?
A About two years I think, two, sessions, and there was one session each year.
Q Were the sessions of that body held in Tahlequah, open to the public at all times when it was in session?
A Yes, sir.
Q Were the cases coming before that body heard in open session?
A Yes.
Q Witnesses examined orally? A Yes, sir.

Q Judgments of the Court or Commission pronounced in open session?
A In case of decisions I think they sometimes had secret sessions, yes, the judgments of the Commission were pronounced openly.
Q What you intended to convey by you answer to the former question was that after hearing the proof the Commission or Court deliberated in secret session upon the testimony taken before reaching a decision or announcing it? A After hearing all the testimony we went into secret session.
Q I will present you with a paper which the Notary will mark exhibit "A" and a copy of which he will attach to your deposition, and will ask you if with the exception of the certificate of record by H. L. Bragdon, Clerk, and John L. Adair Asst. Ex. Secretary, you recognize it as a paper you have ever seen before?
A I recognize the signature to it, but don't remember the instrument.
Q Which signature on that paper do you recognize? A My own.
Q That signature is in your own handwriting? A Yes, sir.
Q Do you know whether Thomas Tehee, president of the Commission could write in English or not? A No, I don't think he could.
Q How as to Alexander Wolfe, a member of the Commission?
A I don't think he could write either, I don't think either of them ever wrote except by touching the pen.
Q Were you, and are you familiar with the handwriting of D. W. C. Duncan, the Clerk of that Commission?
A Tolerably well, but it has been a long time since I saw any of it.
Q Will you look at the paper again and say whether you recognize his signature attached thereto?
A Yes, that is his signature to the best of my knowledge.
Q Do you preserve any personal recollection of the application before that Commission of F. H. Dawson and other members of the Dawson family, to be admitted as citizens of he Cherokee Nation by the Commission?
A I remember F. H. Dawson and his brother, that is about the only ones I remember.
Q The question was not as to the personal recollection of the individuals, but as to the claim being presented by the Dawsons for admission?
A Yes, there was such a claim before the Commission.
Q Can you state as to the citizenship of Thomas Tehee, whether he was a citizen of the Nation by blood or not?
A Yes, sir, he was always recognized as such, full blood besides.
Q What is your knowledge of Alexander Wolfe?
A About the same, he was also a full blood and recognized as a Cherokee.
Q Judge Thompson, if you possessed or had, or have now any knowledge of any corruption or bribery of the court or Commission, or any member of it by F. H. Dawson or any of the Dawson family or anybody connected with the presentation of their claim for citizenship, state it fully?
A None whatever as far as I was concerned, and I don't think there was by the balance of the Court.

CROSS-EXAMINATION BY W. T. HUTCHINGS:

Q Do you mean to say Mr. Thompson that your name attached to the certificate shown you is in your handwriting?
A Yes, sir.
Q Then Mr. Duncan certified that this is a transcript of the decision in the case, he is mistaken, that is the original?
A No, I don't know, that may be the original, if that is not the original I did not sign it, if it is the original I signed it.
Q You state that the witnesses were examined orally before the Court, don't you know that in almost every case you took ex parte

affidavits of witnesses when these witnesses were not present?
A I think we ruled exparte evidence out, as well as I remember.
Q Did you have any stenographer or anybody to copy the evidence?
Mr. Duncan did all of the copying.
Q Was the evidence copied and preserved?
A Yes, sir, I think it was.
Q What was done with that evidence, where was any of it ever put?
A I suppose it is at Tahlequah in the office of the Treasurer or Secretary.
Q When you went into secret session did you have Mr. Duncan read that evidence to you?
A Yes, sir, we went over the evidence thoroughly.
Q Did you allow the applicants or their attorneys admission to any of your secret sessions?
No, sir.
Q When you got ready to render your decisions did you then send for the applicants or their attorneys?
A No, sir.
Q And you rendered them in secret also, did you? A Yes, sir.
Q Have you any recollection who testified in the Dawson case, as to their claim? A No, sir, I have not.
Q Have you any recollection as to who they claimed their Cherokee ancestors were? A Yes, sir, they claimed the Rogers.
Q Did they claim relationship with any of the present families of Rogers residing in the Cherokee Nation?

The applicant objects to this question as tending to elicit testimony wholly incompetent and irrelevant to the issue, and not cross-examination of this witness.

A I don't know that they did, particularly.
Q How would your court determine when they claimed descent through some Rogers family, that that family was of Cherokee blood?

The applicant objects to the question upon the same grounds as their objection to the previous question.

A By the evidence they produced.
Q Didn't you make them prove that that family was well known at one time to be connected with the Cherokee Nation, and were citizens thereof? A Yes.
Q Who was the attorney for the Dawsons? A Old man Houston Benge.
Q Could either Tehee or Wolfe speak English? A They could understand, but they never spoke English, they had an interpretor.
Q Did you ever talk to either of them as to whether they got anything for deciding this case? A No, sir.
Q How long were you considering the case altogether?
A I could not say as to that, I think we were on it two or three weeks anyhow, I could not say positively now, they were a long time getting in testimony.
Q There were only two or three witnesses examined all told, were there not?
A I think so, three I think, they had quite a lot of affidavits, but we did not consider them.
Q Well the Court was a good while arriving at its conclusion after the evidence was closed?
A Yes, quite a good while, I don't remember the exact time.

RE-DIRECT EXAMINATION:

Q Do you remember who the interpretor the Commission had during the hearing of the Dawson case.
A His name was Reese, I forgot his given name.

Q Do you know whether he is living or dead?
A I don't know, he seemed to be in bad health at the time we had the case up, I think they are all dead but me and Mr. Duncan.
Q What was he, a Cherokee by blood?
A He was considered a Cherokee by blood.
Q Do you know where he lived at that time?
A No, sir, he lived in the South part of the Nation though, I think in Sequoyah.

(Signed) T. F. Thompson.

Copy of Ex. "A" to T. F. Thompson's testimony.

CERTIFICATE OF RECORD.

United States of America,
Indian Territory,
Northern District.

I, Marshall L. Bragdon, Clerk of the United States Court in the Indian Territory, hereby certify that the instrument hereto attached was filed for record in my office the 9 day of March, A. D. 1893, at 10-30 o'clock A. M. and duly recorded in book C. Micl Record Mortg. & Liens, page 339.

Witness my hand and seal of said court at Muscogee, in said Territory this 16 day of March, A. D. 1893.

(SEAL) M. L. Bragdon,

Clerk.

Transcript to which this is attached, endorsed on back as follows:

"No. 108, Robt. Dawson et al, VS the Cheroke Nation, Transcript of Judgment, Filed Mar. 9, 1893 10-30 A. M. Marshall L. Bragdon, Clerk.,

OFFICE OF COMMISSION ON CITIZENSHIP,
TAHLEQUAH, CHEROKEE NATION, JANUARY 11th, 1883.

No. 108 Robt. Dawson, F. M. Dawson, Elbert Dawson, Jasper Dawson, John Dawson, Josephine Dawson, Joseph Dawson, Jane Dawson, Molly Dawson, Wilbron Dawson, James Dawson, Rial Dawson,
VS,
The Cherokee Nation.

And now on this, the 11th day of January, A. D. 1883, this case coming on for final hearing and all the evidence produced in the case being carefully read and duly considered by the Commission, it was adjudged and determined by the Commission on Citizenship, that the claimants, Rob't Dawson, F. M. Dawson, Elbert Dawson, Jasper Dawson, John Dawson, Josephine Dawson, Joseph Dawson, Jane Dawson, Molly Dawson, Wilbron Dawson, James Dawson, and Rial Dawson, are Cherokees by blood; and that they are entitled to all the rights and priviliges of Cherokee citizenship within the Cherokee Nation, and that they should be, and they are hereby

admitted to the full and complete enjoyment of the same in all respects as native born Cherokees.

D. W. C. Duncan, Clerk of Commission.) Thomas Tehee, President of Com. Alex Wolf,) Commissioners. T. F. Thompson.)

I hereby certify that the above is a correct transcript of the decision of the Commission on Citizenship in the above entitled case as appears of the record in my office.

D. W. C. Duncan,
January 11th, 1883. Clerk of Commission.

Executive Department,
Tahlequah, Cherokee Nation,
January 11th, 1883,

I hereby certify that the within named Commission on Citizenship, composed of Thomas Tehee, President, Alex Wolf and T. F. Thompson, are now and were at the time the within named persons were admitted to Cherokee Citizenship, a duly authorized and Commissioned Commission on Citizenship, and that their actions as such are legal and binding.

Witness my hand the
Witness my hand and the seal of the Cherokee Nation, on the date above written.

John L. Adair,
Asst. Ex. Secretary.

United States of America,
Indian Territory,
Northern District,

I, Lewis T. Martin, a Notary Public in and for the Northern District of the Indian Territory, duly appointed, qualified and acting as such, do hereby certify that the above and foregoing two pages, consisting of this one and the preceding one which is attached hereto, is a true, complete, and perfect copy of the transcript of the judgment of the Commission on Citizenship as the same was presented to me during the examination of T. F. Thompson as a witness, and identified by me at the time by writing thereon "Exhibit A" to testimony of T. F. Thompson, L. T. M. - N. P. Oct. 6, 1900." The foregoing copy having been carefully compared by me with the said original.

Given under my hand and seal of office as such Notary Public, this 6th day of October, A. D. 1900.

(SEAL) (Signed) Lewis T. Martin.

Notary Public.

My commission expires Feb 3rd, 1902.,

D. F. C. Duncan being produced by the applicants after being sworn to testify to the truth, the whole truth and nothing but the truth testified as follows:

DIRECT EXAMINATION BY G. B. DENISON:

Q Please st to your name, age, residence and occupation?
A My name is D. F. C. Duncan, My age is 70 years, my residence is Vinita, Indian Territory, my occupation is a farmer.
Q How long has that been your place of residence? A Since 1874.
Q Are you a member of the Cherokee Nation as it is now constituted?
A Yes, sir.
Q Upon what is your citizenship based, a Cherokee by blood?
A Yes, a Cherokee by blood.
Q In January 1883, did you hold any official position in the Cherokee Nation, if so, what was it?
A About that time I held the position of Clark of the Citizenship Court or Commission.
Q If you remember the names of themembers of that Commission or Court, please give them?
A The President of the Commission was Tehee I believe, and a member by the name of Wolfe whose first name I do n t recollect, and Mr. Thompson here.
Q T. F. Thompson?
A Yes.
Q Do you know whether those three members of that Commission were recognized citizens of the Cherokee Nation, and whether their citizenship was based upon blood or not?
A They were supposed to be citizens of the Cherokee Nation and their citizenship was based upon their blood.
Q Will you please look at the paper now handed you which the Notary has marked exhibit "A" to the deposition of Mr. T. F. Thompson, and a copy of which he will att ch to Mr. Thompson's depositions, and state whether with the exception of the certificate of H. L. Bragdon, Clerk, and of John L. Adair Asst. Ex. Secretary, you recognize the paper as one you have ever se n before?
A Yes, I think I have se n this before.
Q When, and where, if you re mber, did you first see that p per?
A This is a paper I drew up at the time I was acting as clerk of the said Citizenship Court.
Q L oking at its date, was it drawn at you at the time it bears date?
A To the best of my recollection it was drawn at the date specified.
Q Do you recognize the signature to the certificate attached to that paper?
A Yes, that is my signature.
Q State if you know, in whose handwriting the body of the paper is?
A It is in my hand riting.
Q And at that time you were Clerk of t at Co is ion? A Yes.
Q Will you please look at the signatures of the members of the Co ission as they appear on that paper, and state if you can, by whom they were written?
A I think the first two is my handwriting, the last I recognize that as T. F. Thompson's.
Q Explain please, how you came to write the sign tures of Thomas Tehee and Alex Wolfe to that paper?
A Thomas Tehee and Alex Wolfe were full bloods and could not write, and in their presence, and at their request I wrote their signatures.

Q Was that the usual manner of certifying to the action of the Commission to applicants as to the decision of their application for citizenship, where admitted?
A In all instances where it was necessary for the Court to sign a paper of any kind it was adopted by that Court for the Clerk to sign Tehee's and Wolf's names and T. F. Thompson to sign his own name.
Q You didn't catch exactly my idea, but perhaps that answered it, that I intended to call you attention to, was whether when applicants had been admitted to citizenship a paper of this kind now shown you, signed by the judges as you have explained, and certified by you as a transcript of the proceedings was issued?
A My recollection is that a transcript of the judgment was issued to the applicant when they were admitted at their request, the judgment was entered upon the record when they were admitted and signed by the judges, and whenever the transcript was delivered to the applicants I think it was signed by the judges.
Q Is your mind any knowledge at the time the application of the Dawson family, F. M. and others whose names are mentioned in that paper, was pending before that Commission, or before or after, of any corruption or bribery, or attempted corruption or bribery of the court or any of its officers, by F. M. Dawson, or any person connected in any manner with the claim of the Dawsons to citizenship in the Choctaw Nation, state it fully?
A I never heard a thing of the kind, I know nothing of the kind, all that I have ever heard about a question of that kind is what has originated recently, since the enrollment business has been inaugurated

CROSS-EXAMINATION BY W. T. HUTCHINGS:

Q If as you certify, this paper was a transcript of the record, why did you have the judges sign it?
A I know no reason further than that was the practice at that time, the members of the Court being present I presume it was thought it would be as good or better than the signature of the Clerk.
Q Examine that signature of Mr. Thompson, examine the first T in his name and the T in Tehee's name and see if it is not all your own handwriting?
A No, I would not call that mine, there is a resemblance between the letters but I am satisfied it is a mere fortuity, accidant.
Q Have you the evidence taken in those cases?
A It was taken by the witness being present and detailing his knowledge of the case, I wrote it down sentence by sentence as it was delivered

Q Do you know whether that evidence is in existance or not?
A I do not, the last I saw of it was when I turned the records over to the Executive office at Tahlequah, and I have not seen it since
Q You say you never heard any talk about this being an improper case until very recently?
A Well, that would depend upon what you mean by recently, I don't think I ever heard of it prior to three years ago, I can safely say that and less.

Q Do you remember through what ancestor they claimed their right to citizenship here?

Objected to by applicants because the question tends to elicit testimony which is wholly incompetent and irrelevant, and because it is not proper cross-examination.

A They claimed their right of citizenship through a man by the name of Rogers, I don't recol ect his first name.
Q Do you know how many Rogers families there are who have citizenship in the Cherokee Nation?
A I do.

(Signed) D. W. C. Duncan.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT,

I, LEWIS T. MARTIN, a Notary Public in and for the Northern District of the Indian Territory, do certify that the foregoing depositions of T. F. Thompson and D. W. C. Duncan were taken before me at the time and place and in the action mentioned in the caption, and said T. F. Thompson and D. W. C. Duncan, having been first by me sworn that the evidence they should give in this matter should be the truth, the whole truth and nothing but the truth, and that their statements were reduced to writing by me on the typewriter in their presence: the claimants being present in person and by their attorney G. B. Denison, and the Cherokee Nation being represented by W. T. Hutchings Esquire its attorney,.

Given under my hand this 4th day of October, A. D. 1900.
(SEAL) (Signed) Lewis T. Martin.

Notary Public.
My commission expires 2/3/1902.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., April 8, 1902.

In the matter of the application of Francis Marion Dawson et al for enrollment as citizens of the Cherokee Nation,. He being sworn and examined by the Commission, testified as follows:

Q What is your name? A Francis Marion Dawson.
Q How old are you? A Soon will be sixth years old.
Q What is your postoffice address? A Afton now, it used to be Oseuma.
Q What was the name of your wife? A My first wife was Julia Ann Howard.
Q She was a white woman? A Yes, sir.
Q When were you married to her? A I think it was the 8th of January, 1894.
Q Where were you living at that time? A In Arkansas.
Q Who married you? A A man by the name of Dave Sturdy.
Q Was he a preacher? A Yes, sir.
Q A minister of the Gospel? A Yes, sir.
Q Did you and she live together as husband and wife up to the time of her death? A Yes, sir.
Q Did you have any children by her? A Yes, sir.
Q What are their names? A Willis R. Dawson.
Q The next one? A Francis Marion Dawson Jr.
Q The next one? A Johnnie.
Q The next child? A Elizabeth.
Q The next one? A Arizona Allred.
Q Those are all the children you had by your first wife? A Yes, sir.

Joseph R. Dawson, being sworn and examined by the Commission, testified as follows:
Q What is your name? A Joseph R. Dawson.
Q How old are you? A I will be 51 the 13th day of June.
Q Are you related to the applicant here in this case, Francis M. Dawson? A Yes, sir.
Q How are you related to him? A Brother.
Q Did you know his former wife, Julia? A Yes, sir.
Q Is she living or dead? A She is dead.
Q Was she a Cherokee or white woman? A I couldn't say what; She was married in the states.
Q Do you know when he was married to her? A Yes, sir.
Q When was it? A About the close of the war.
Q Who married them? A Parson Sturdy.
Q Were you present when they were married? A Yes, sir.
Q Did they continue to live together as man and wife up until the time she died? A Yes, sir.

John K. Stevens, being sworn and examined by the Commission, testified as follows:
Q What is your name? A John K. Stevens.
Q How old are you? A 56 years old.
Q What is your postoffice address? A Afton.
Q Are you related with the applicant here in this case, Francis M. Dawson, as we call him, Bud Dawson.
Q How long have you known him? A My first acquaintance with him was in [illegible].
Q Did you know his first wife, Julia? A Yes, sir.

Q Do you know whether or not they were married? A Yes, sir, they were married.
Q Were you present at the marriage? A No, I wasn't present at the marriage.
Q Did you see them soon after their marriage? A Yes, sir.
Q Did you continue to know them for any length of time afterwards? I knowed them as long as she lived.
Q During the time you knew them did they live together as husband and wife? A Yes, sir.
Q Were they recognized in the community as such? A Everybody recognized them.

This testimony will be filed with and made a part of the record in the following Cherokee cases:
Arizona Allred et al D-835, John Dawson, D-580, William R. Dawson D-581, Lizzie Dawson D-584 and Francis M. Dawson Jr. D-588.

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I, the undersigned stenographer to the Commission to the Five Civilized Tribes, do hereby certify that I recorded the proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

(Signed) E. G. Rothenberger.

Sal. -C. N. #724.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 17, 1902.

SUPPLEMENTAL TESTIMONY in the matter of the enrollment of FRANCIS M. DAWSON, ET AL., as citizens of the Cherokee Nation:

[illegible] having been set for final hearing March 17, 1902, the following proceedings were had:

APPEARANCES:
Mr. A. S. McKennon, of counsel for applicants;
Mr. W. T. Hutchings, of counsel for Cherokee Nation.

Mr. Hutchings: Comes now the Nation in the calling of this case and announces that it is ready for trial, provided that which is [illegible] before the Commission, a part of the [illegible] proposes to prove by the witness S. H. Benge, who has been regularly [illegible] this day and time [illegible] and who [illegible] this case and probably will be for some time to come. As evidence of a good faith of the Nation we hereby present an affidavit of the facts which ought to be proven by the said Benge. If the applicant's counsel are willing to concede that the witness if present would testify to the facts herein set forth, the Nation is ready to proceed to trial without reservation of any kind. If they are not it desires to reserve this privilege of hereafter, either therefore or otherwise, this case being set for to-day and tomorrow, of examining before the Commission, or its authorized officer, this witness as above set forth.

Mr. McKennon: Applicants object to the introduction of the paper presented and do not admit that the witness, Samuel H. Benge if present would testify to the facts therein stated. They consent [illegible] that the testimony of said Benge be taken before the Commission at its office in Muskogee but not elsewhere and protest against it being taken at any other place, with the understanding, however, that when taken we have opportunity to introduce any evidence [illegible] material.

[illegible] pay all the expenses of the opposing counsel, [illegible] Commission officers in taking the deposition at [illegible]

Assistant U. S. Attorney Breckinridge: The allegations of this witness are material in their character and are quite tangent. The Commission of the Department would acquire information of the character if it knew it to exist anywhere. While the functions of the Commission, as well known are in many respects judicial yet it is bodied with somewhat complex powers, such as congress creates from time to time to the business of certain character, and it is ordered to make a correct roll, which is a duty largely independent of hearing [illegible] that is brought before them. It must be the architect and [illegible] that roll and if evidence is not [illegible] before the Commission it must go out and get it, it is uniform on that [illegible] of the law. The Commission, as before, desires this information independent of any counsel on either side both with respect to the applicant and to the Nation, and if this witness is

is not able to come one of the Commissioners will go to Fort Gibson and to his bed-side, or send a Proper official, if necessary to take his testimony. The only matter to consider, therefore, is one of convenience with respect to getting this testimony. Now, I understand that this witness is an extreme sufferer from Bright's Disease he is an old man and he may never be able to get out of the house, and it may be an injustice to him to subject him to a trip here, and therefore it seems to me better that counsel for plaintiff submit to a form of taking a deposition or else accompany an official of this Commission over to Fort Gibson and let his testimony be taken there.

After consultation with the attorneys upon the two sides it is found to be agreeable that the parties start to Fort Gibson to-morrow morning at half past eight o'clock, and it is agreed then and directed with an official of the Commission with a stenographer leave from the office of the Commission for Fort Gibson at 8:30 to-morrow morning.

FRANCIS M. DAWSON, the applicant, re-called for additional cross-examination on part of the Cherokee Nation:

MR. HUTCHINGS:

Q What is your name? A Francis M. Dawson.
Q Where do you reside? A In Afton.
Q You have been examined in this case heretofore, have you?
A I don't know which case it is.
Q In your own case? A Yes, sir.
Q Are you the one that is commonly called Bud Dawson? A Yes, sir.
Q You made the original application in the Dawson family for admission to citizenship in the Cherokee Nation, didn't you? No, sir; my brother.
Q What was his name? A A. E. Dawson.
Q You and Robert Dawson and Elbert Dawson and others applied September 24, '81, about that time? A Yes, sir.
Q And you were admitted about the 11th of January '83? A Yes, sir.
Q There were other members of your family that applied and were admitted after that time? A Yes, sir.
Q Do you or not remember the evidence offered in theirs to substantiate their cases was the relationship between yourself and Robert and others and the evidence of your admission by the Tehlequah Court. In all the subsequent admissions I mean the only evidence offered was the fact that you and your brothers had been admitted before and that they were kin to you; what was the only evidence offered in any subsequent cases, wasn't it; so far as you know?
A That is afterwards?
Q Yes, afterwards? A I think there was some other evidence introduced.
Q Don't you know that there was never any evidence offered in any other case except evidence of Dr. Baker of Arkansas? A Yes, sir.
Q Who else? A Oliver Miller.
Q Who was Oliver Miller; the records in this case have been destroyed and mutilated? A Oliver Miller, Oliver Miller.
Q What was he, who was he? A He is an Indian, was an Indian.
Q Well, what station in life did he occupy; was he a farmer?
A Yes, sir, farmer.
Q Were you present when he testified? A Yes, sir.
Q Were you present when Dr. Baker testified? A Yes, sir.

Q Have you a fair recollection of the testimony of those two men?
A No, not at all.
Q You don't read do you, Mr. Dawson? A No, sir, I dont read nor write; I can barely write my name.
Q Do you think you would remember the testimony of Dr. Baker if your mind was refreshed on it? A Part of it I think.
Q Were you present when you were admitted? A I was not in the room.
Q You were in Tahlequah at the time? A I was in the town of Tahlequah at the time.
Q I will read this paer to you and desire for you ro say whether or not it was the testimony of Dr. Baker in your case:
(Affidavit of Dr. Arthur Baker read to witness, and asked to be copied in the record later.)
Q Is that the correct transcript of the testimony? A It has been so long ago, I could not say; a part of it is, I could not remember it all.
Q Does that state the facts as to the family history correctly so far as you know about it? A So far as I know.
Q Now, you were a son of what Dawson? A Robert Dawson.
Q How many children did Robert Dawson have, and give me their names?
A Elbert Dawson, the oldest; Lila, Jesper, Francis Marion-
Q That is yourself? A Yes, sir; Elizabeth Dawson, Josephine Dawson, John Dawson, Joseph Dawson, Jane Dawson, James Dawson, Edna Dawson, Mollie Dawson, Wilburn Dawson.
Q Thirteen? (No response.)
Q Now, Rober Dawson's father was whom? A Sam Dawson.
Q Who was Sam Dawson's wife, your grandmother? A I have been told.
Q By family history is all you know? A She was called Polly Dawson.
Q Who was Anna Pruitt? A I don't know.
Q Never heard of anybody in the family by the name of Anna Pruitt? A No, sir, that was away back in the old country; I have heard talk about it, old Dr. Baker talked about it.
Q Your grand-mother's name was Polly Dawson? A Yes, sir; I don't remember seeing her but once, she died when I was small, died in Texas.
Q Pollie Dawson? A Yes, sir.
Q And she was known to be Pollie Rogers, her maiden name? A Yes, sir.
Q Daughter of Captain John Rogers? A Yes, sir.
Q Now, she died in Texas what time? A I don't remember.
Q Can't you guess at it? A Oh, I could guess.
Q Give your best recollection? A About '58 or '59, or no, '48 or '49; I don't say positive, just guessing at it.
Q How old a boy were you then? A I was born in '42.
Q Have you any distinct recollection of her? A No, sir.
Q Have you any recollection of all the children of Sam and Pollie Dawson; that is, your father, uncles and Aunts? I didn't see all of them.
Q Do you know by family history the names of all of them? A Yes, sir.
Q Will you give them to me?
A Betsy Ann Dawson, I believe her name was.
Q Did she marry a Petty? A Yes, sir; the next is Robert Dawson.
Q Your father? A Yes, sir.
Q Next one? A I think the next was James Dawson, and I think the next one was a girl, Edna Dawson.
Q Did he have two daughters? A Yes, sir.
Q Well sir? A The next one was Joe Dawson; I never saw him; Riley Dawson.

Q That is Samuel R. Dawson, Riley Dawson? A Yes, sir.
Q Any other one? A That is all I know anything about.
Q Did he have any child by the name of John? A Yes, Jack.
Q Didn't you get Jack misplaced with Joe? A No, it was Joe; I have heard my father speak of him.
Q Then they have seven children? A I never saw them all.
Q How many of them did you ever see? A I saw Uncle Riley Dawson and James Dawson and Jack Dawson and Betsy Ann Penny; I don't think I saw but one of Pa's sisters and brother, they went to Mississippi I heard.
Q Do you know what your family history says that the mother of your grandfather, Pollie Rogers' name was? A We have no history.
Q Well, as it was brought down to you; did you ever hear anybody say what your great grandmother's name was? A No, I don't remember.
Q What is that other man, Oliver Millerthat testified in your case? A I testified in James Dawson's case; he never testified in my father's case.
Q Well, didn't anybody testify in your case but Dr. Baker? A Yes, sir, several other witnesses.
Q Who were they? A I don't remember; my mother got them witnesses around Tahlequah, old people.
Q Were you present? A No, sir.
Q You were only present when Dr. Baker testified? A Yes, sir.
Q Now, do you find any mistakes in Dr. Baker's statement there? A I could not say all of that was correct or not, part of it is correct.
Q What part is correct? A My about knowing the family over there.
Q Who is Buck Dawson? A My brother.
Q What is his name? A We always called him Buck, it is Elbert, E. Dawson.
Q Who went with you the first time you went up to make application for citizenship do you remember? A With my brother.
Q The first time? A I met my brother in Texas.
Q Which one? A E. Dawson.
Q That is Elbert or Buck? A Yes, sir.
Q You were living in Arkansas? A Yes, sir.
Q And he was living in Texas? A Yes, sir, and another one of little brothers, Dr. Dawson now:
Q Dr. Dawson now? A Yes, sir.
Q What is his name? A James.
Q And you three went there? A Yes, sir.

Mr. McKennon: Applicants by their counsel object to all the statement of this witness relating to the testimony introduced before the Cherokee Citizenship Commission, and the history of the family as detailed by him, because the same is incompetent and irrelevant, and cannot be used for the purpose of impeaching the integrity of the judgment of said Commission, or either of the Commissioners in admitting members of the Dawson family.

Commission: The objection of the Attorney for the applicants to the testimony above will be noted. The same will be filed and noted for what it is worth.

(Attorney for applicants waives examination.)

C. H. TAYLOR, being duly sworn, testified as follows on part of the Cherokee Nation:
MR. HUTCHINGS:

Q State your name? A O. H. Taylor.
Q Where do you reside, Mr. Taylor? A Near Collierville.
Q Were you an attorney before various citizenship Courts along in '21 to '23 in the Cherokee Nation at Tahlequah? A Yes, sir.
Q Were you attorney for F. M. Dawson commonly known as Bud Dawson? A Yes, sir.
Q Were you present at the taking of testimony in that case? A No, sir: I wasn't present.
Q Do you know who composed the court that decided the case at that time? A Yes, sir.
Q Who were they? A Tom Tehee and Alex Wolfe and Tommy Thompson.
Q Do you know whether or not they were all there when the case was decided? A No, sir, there were only two of them present.
Q Which two? A Tehee and Wolfe.
Q Who was the Clerk of the Court at that time? A Mr. Duncan, D. W. C. Duncan.
Q Do you know what witnesses were used in the case of Bud Dawson? A No, sir; now I was the attorney in the case and the evidence had already been filed before the Court.
Q When were you made attorney? A I was only called in as an attorney at the— Well, Mr. Bryant came down there, and Mr. Bryant had the case and several other attorneys had the case and he employed me.
Q Did you read the evidence in this case? A No, sir.
Q Did you deliver any money? A Now, I was the attorney in the case and I don't think it would be right for me to make any statement.
Q Now, you have claimed your privilege, I ask that you answer the question? Did Dawson ever send you any money with the direction to pay it to either member of the Court or the Clerk of the Court, D. W. C. Duncan, and if so state the amount? A I had a heap of trouble over this matter.—

Commission: Just answer the question, Mr. Taylor.

A Being the attorney I don't believe it is right for me to answer that question.

Commission: Do you refuse to answer? A Yes, sir.

Q Did the matter to which you object to testifying occur prior to the rendition of the decision admitting to citizenship or afterwards? (No response)

COMMISSIONER BRECKINRIDGE:

Q Do you desire to reply to the last question? A I don't think it is right; I was attorney in the case.
Q Mr. Taylor, do you object to answering that question? A Yes, sir.
Q You refuse to answer that question, do you? A I had rather not say or it.

Q Either answer it or say you won't answer it? A I had rather not answer it.
Q Mr. Taylor, you have answered a number of questions down to this point, but it is at this point that you prefer to plead your privileges, as an attorney, do you? A Yes, sir.

Com'r Breckinridge: The power in regard to these matters is lodged in the United States. The Court is clothed with special power with reference to matters which arise through this Commission. Of course the Commission desires and the Government needs for the making of a correct roll the fullest information possible, but it is subject to the limitation of law, and it is not for this Commission to decide of the law in a matter of this character with any authority as I understand it at this time, but to report the matter to the United States Court and let the Court pass upon.

Under Section 21 of the Curtis law as it is commonly called Act of June 28 1898, the members of the Commission shall in performing all duties required of them by law, have authority to administer oaths, examine witnesses and send for papers and persons, and the court is clothed with authority to enforce obedience. The law having enumerated certain powers goes on to say so far as all others are concerned to enable said Commission to make rolls as herein required, and to punish anyone who may in any manner or by any means obstruct said work. Now, the Commission will report the facts to the United States Court and let the Court decide whether or not you are within your lawful privilege. It seems that you refuse to answer questions, or at least one question, which tends to establish as to whether or not you are claiming what what is commonly considered a matter of privilege--according to an authority referred to by an attorney, but the enforcement of an answer seems clearly to be a matter for the Court to deal with.

Q Now, Mr. Taylor, in regard to the last question asked you by Mr. Hutchings, one of the Counsel for the Cherokee Nation, I direct that you make answer, and if you refuse I shall report the matter to the United States Court: do you refuse? A Yes, sir.
Q Now, you have read to you, Mr. Taylor, the first of the two questions propounded to you by Mr. Hutchings, and which you declined at the time to make answer; viz; as to whether Mr. Dawson sent you money to pay to the Court or to any officials of the Court, it seems to come to the question as to whether there was any collusion between you and Mr. Dawson and any member of the Court; now, I understand that you refuse to answer that question upon the grounds that you were Mr. Dawson's attorney? A Yes, sir.
Q Now, I require that you answer that question, do you refuse?
A Yes, sir.
Q I shall also report that refusal to the United States Court as it seems to come under the provision of law, relating to conspiracy between you and Mr. Dawson which apparently considered a privilege matter, and you base your refusal now, not upon the ground that you are incriminating yourself, but that you were counsel for Mr. Dawson. I will report the matter to the Court and you will be informed at the time of any proceedings in the matter I caution you not to talk with Mr. Dawson or may of the applicants in this case.

Mr. McKennon: Applicants do not object and have not objected to the witness answering on account of his privilege as an attorney or for any other cause whatever, they only want to object to the incompetence and irrelevancy of the testimony, with the privilege of cross-examining upon any testimony given by the witness.

COM'R BRECKINRIDGE:
Q You still refuse having the consent of the attorneys in the case to make answer? A I will just ask your Honor to let the matter go over until morning.

Commissioner Breckinridge: It will rest until in the morning at its present status: it is after business hours now.

As for the objection made by Captain McKennon, Counsel for the applicant, it will be taken into consideration, but will not be granted at the present.

(The Commission adjourns until 1:30 P. M. to-morrow afternoon, March 13, 1902.)

Supl.-C. D. #324.

Department of the Interior,
Commission to the Five Civilized Tribes,
Fort Gibson, I. T., March 18, 1903.

SUPPLEMENTAL TESTIMONY in the matter of the enrollment of FRANCIS M. DAWSON ET AL., as citizens of the Cherokee Nation:

Appearances:
Mr. A. S. McKennon, of Counsel for applicants.
Mr. W. T. Hutchings, of Counsel for Cherokee Nation.

SAMUEL H. BENGE, being duly sworn, testified as follows on part of the Cherokee Nation:
MR. HUTCHINGS:

Q State your name? A Samuel H. Benge.
Q Where do you reside? A Fort Gibson.
Q How old are you? A I am 70 years old, going in 71.
Q Are you a citizen of the Cherokee Nation? A Yes, sir; Cherokee by blood.
Q State what official position you have held in the Cherokee Nation and what your general connection with the Nation officially in the last 40 years? A Well, I held several; I have been Sheriff, Councilman, Senator, Delegate to Washington; had a hand in making the treaty of 1866, I am the only one living that signed that treaty; President of the National Council of different tribes of Indians.
Q Were you acquainted with F. M. Dawson, commonly called Fred. Dawson? A Yes, sir; I knew him.
Q State you connection with and what you know about his citizenship case before what is known as the Thomas Tehee Citizenship Court? A Mr. Dawson came down, I was living down below here, he come and employed me to send to his case and we went to Tahlequah, I believe if I ain't mistaken in 1881 and filed his case there; we went several times and continued his case on for the want of evidence, and finally while we was up there we run across one old darkey by the name of Tosh Rogers; we got his testimony and after we got that testimony we concluded that it was sufficient to go into the trial with. Tosh lived here at Fort Gibson, he was a horse trainer down here and stayed here; he claimed that he knew the Rogers and belonged to one of them and after what we thought we had sufficient evidence we submitted our case to the Court for trial, and the Court went to work and rendered a decision against Mr. Dawson.
I told Mr. Dawson right there that "our cake is dough", just made that remark, and he just made the remark "never mind", and next morning they taken up his case again and they rendered a decision in his favor. I filed no motion nor any evidence at all whatever; I give the case up right there and the decision was then given in his favor, and on our way back from Tahlequah, why we got to talking about the case and I told him: "it was a pretty hard blow when they rendered that decision against us." He said: "yes, but Duncan was the man to reach", but he reached him with five hundred dollars.
Q What position did Duncan occupy? A He was a Clerk of the Court.
Q Duncan an educated man or-? Yes, sir; he was an educated man.
Q Who were the members of the Court? A Tom Tehee, Alex Wolfe and Tom Thompson.
Q How many of those could speak English at all? A One.
Q Which one? A Thompson.
Q Who was the Attorney that represented the Nation in those cases? A Ned Sanders.

Q What was his given name? A Wilson Sanders; was it Wilson Sanders?
A Wilson Sanders.
Q Was he an educated man, or could speak English well? A No, sir.
Q Did Mr. Dawson say anything about the matters having cost him a good deal of money? A He said it had cost him a right smart.
Q Was any remark made on the way back about the opening up of the case, and if so, what? A He asked me if I thought the case was ever investigated eventially and I told him I didn't know.

MR. McKENNON:

Q Were you ever a witness in the Dawson case, Judg , in any of those investigations that have been made since that time? A I don't know that you might call it a witness; that young man came to me once at Tahlequah, and asked me to help him up there that the case was going against him, him and his mother and all was about knocked out and I interceded and done what I could there before the Committee. I was not a witness but that is at I don't for him.
Q That was Mr. Graham, wasn't it? A Yes, sir.
Q Have you had conversations with Mr. Graham since that time about it? A Now, I might, I don't recollect, I might have had conversations with him.
Q Well, after the Daves Commission began taking a census of the Cherokees and when they were about Sallisaw down here, did you have a conversation with him here in Fort Gibson about the matter?
A Now, I just can't tell you; I have seen him on several occasions, but the conversations we might have had I can't state.
Q To refresh your memory I will ask you if he did not tell you that they were making a fight on the Dawson family and he wanted to know of you whether that judgment in favor of Robert Dawson's family was fairly rendered, and did you not then tell him that it was all right, that it was fairly obtained? A Not as I recollect of; all he was; that is as I have stated he talked to me in regard to his mother, himself and probably his brothers and sisters, I don't recollect how many there were, but he told me they were rejected, that is just the words he used.
Q When? A It has been sometime ago.
Q Here in Fort Gibson? A Well, that is I saw him here in Fort Gibson, and then I saw him in Tahlequah.
Q Well, did he here in Fort Gibson ask you particularly about the Robert Dawson judgment, as to whether it was fairly obtained or not?
A No, sir; he was basing his claim on the Dawson case, that is the way he-
Q That is the principal Dawson family? A Yes.
Q When was this other written statement here made, when was this made by you? (referring to affidavit heretofore referred to.)
A Yesterday I reckon.
Q Who came to take this? A Mr. Starr.
Q Who else was present when this was taken? A No, sir.
Q Whom had you told about this matter, Judge? A No one as I know of.
Q Do you know how it was that they knew that you knew this?
A No, sir.
Q You never made any statement? A Never made any statement that I recollect of except I might have talked with Scales, he and him talked about these cases a good many times; if I ever made a statement it was to Joe Ab Scales.
Q How did Mr. Starr know? A I could not tell you how Mr. Starr knew.

Q He came alone here as a Notary Public? A He came alone here as a Notary Public. All he said when he come, he says "we understand that you know something in regard to these cases", I said " what case," and he went to work and named Shoemake case and Dawson case.
Q And thereupon you made this tatement? A He said he wanted to qualify me.
Q Are you certain Judge that after the rendition of tat judgment Mr. Dawson came back here to Fort Gibson with you?
A Yes, sir; we was together.
Q Let me ask you if it was not a very cold day when he came here and he went over ahead of you and you went over to Tahlequah the next day or two after he left? A My recollection was he and I went together.
Q And returned here together? A Yes, sir.
Q Did he not leave you there and go back direct to Arkansas?
A No, sir, we came here together. If my memory serves me right, I might be mistaken but then I don't believe I am, he came from Watts Mills up here to my house, that is according to his statement.
Q What amount of fee did they pay you? A I don't know as that is in connection with the case whatever the money they paid me.
Q How did they pay you? A Paid me the money.
Q Who paid it to you? A Dawson there and that fellow, young fellow with me some.
Q Mr. Graham? A Yes.
Q At the same time? A Oh, no, he wanted me to intercede for him at Tahlequah and paid me to do something for him which I did.
Q I will ask you if Mr. F. M. Dawson here did not obtain two copies of the judgment one of which you sent in a letter in which you wrote to his brother living in Texas and that brother in Texas, the one they called Buck, didn't send you $50 that they paid you? A No, I never got a letter of Buck whatever you might call him, I don't recollect it and if I ever got a nickel from him I don't recollect it. Old man paid me what money I got from it. I don't know nothing about his brothers; he told me he had an uncle living over i Arkansas, but not living down in Texas, I don't know about it.
Q Where did he pay you the money? A Paid it here at home.
Q Before you went out? A He paid me fifty dollars before we went up and when we went up yonder he paid me fifty dollars more; if you want to know what I got, I got one hundredn dollars.
Q You were acting as his attorney in the case? A Yes, sir.
Q How many judges were there present when the judgment was rendered? A In his case?
Q Yes, sir. A Well, according to my recollect there was all there, but if they were not all there, Tom Thompson was sick. Rehor and Wolfe.
Q Don't you remember that they were all present? A No, I think they were present though.
Q Who else was present at the time? A Oh, I could not tell you, there were several people in the house; could not tell you at all.
Q Were there several in the house the evening before the judgment was rendered against them as you say? A Yes, there were several in the room.
Q Were several in the house when the judgment was rendered the next day? A I don't know how many there was.
Q Do you remember the names of any of them? A Why not exactly, mostly full bloods.
Q How long didyou remain out at Tahlequah on that trip?
A I guess I was there about three days.

Q Tending to this case alone, or did you have other cases? A no, sir.
Q Do you know of your own knowledge that the judges received any money (this question asked at the instance of Mr. Graham present) A I don't know whether the judges received nay or not.

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I, J. O. Rosson, do hereby certify upon my official oath as stenographer to the Commission to the Five Civilized Tribes that I correctly recorded the testimony had this day in the above case, and that the foregoing is a true and complete transcript of my stenographic notes thereof.

(Signed) J. O. Rosson.

March 18, 1902. Commission convened pursuant to adjournment.

Appearances:
Mr. A. S. McKennon, of counsel for applicants.
Mr. W. T. Hutchings, of Counsel for Cherokee Nation.

C. H. TAYLOR takes the stand and continues his testimony.

BY MR. HUTCHINGS:

Q Mr. Taylor, you said you would consider the matter yesterday and let us know whether you would answer those questions today; have you decided what you would do about the matter? A Well, it is like this, of course I don't want to be held as in contempt of the Court.
Q You would be held in contempt and the other Court would make you answer? A That being he case of course I would make a statement.
Q Are you acquainted with D. W. C. Duncan, the Clerk of what is known as the Tehee Citizenship Commission Court? A Yes, sir.
Q Did you ever have any conversation with him about letting him know of the different character of cases that would come up before the Court that you knew of, whether they were good ones or bad ones? A No, the only thi g that ever come up in that respect; he asked me if whatever large cases that would come up before the Court to let him know.
Q Did you have any talk with him about the Dawson case during the progress of its trial or before and ever introduced Mr. F. M. Dawson to him, or carry him to him? A I spoke to him when Mr. Dawson came to Tahlequah to see about his case, and he said that he would take the papers over to his room, the Dawson papers.
Q Did you see him again that night? A Yes, sir; after supper I went down to his room.
Q Did he ask you about the Dawsons or Dawson case? A He asked me where Dawson was.
Q Which Dawson are you referring to now, F. M. Dawson, known as Bud Dawson? A Bud Dawson.
Q Well, what didyou reply to him? A I told him that I thought he had gone to church.
Q Did you find Dawson after church? A Yes, sir, he told me to come and bring Dawson down and I did so; Dawson was in church.
Q You carried Dawson to him? A Yes, sir.

Q Did you remain during the conversation? A Only a minute.
Q What was said if anything while you were present? A Mr. Duncan spoke to Mr. Dawson and says "there is a hitch in your evidence."
Q Go ahead and state what else he said? A He said "if that was straightened out it would be all right," and I turned and went away, I says, "gentlemen, I will go home."
Q Did you know of their having any other conversation or communication after that? A No, sir.
Q You left them there together yourself? A Yes, sir.
Q Did Mr. Dawson give you any directions the next morning about submitting the case? A Yes, sir, he asked me to call it up the case.
Q The next morning? A Yes, sir.
Q Had there been any additional evidence offered? A No, sir; there was not additional testimony offered.
Q He told you the next morning to call up the case? A Yes, sir.
Q Was it called up and submitted the next morning? A Yes, sir.
Q Now, how many of the members of the Court were there present that morning? A There were only two, two full-blood Indians.
Q Could they speak english at all? A Tehee could talk a little, talk some.
Q Did that Court have open sessions all the time or what is called executive sessions sometimes? A Well, I don't remember about that; it was generally when the case was submitted the attorneys would go out. The parties would go out and they would determine the case.
Q Well, did they go out into that sort of executive session the next morning on the Dawson case? A Well, we went out when the case was submitted.
Q And was the decision rendered that morning in their favor?
A Yes, sir.
Q Who notified you of the decision of the Court? A Why, Mr. Dawson.
Q Do you remember whether he went out with you or was in there during the consideration of the case? A I think he went out with me.
Q Did you at any time thereafter receive any money, checks or other evidence money from Mr. Dawson with direction to turn it in part over to D. W. C. Duncan, the Clerk of that Court? A Mr. Dawson gave me 20 dollars and said he would send the balance in a short time, said he would send some more money in a short time.
Q Well, did he send any money afterwards? A Yes, sir, in the course of ten days or two weeks he send a hundred dollar check, draft.
Q What did he direct you to do with it? A He directed me to give D. W. C. Duncan half of it.
Q Did you give him half of it? A Yes, sir.
Q Did he send you any at any other time after that? A Well, in the course of a couple of weeks he sent me a hundred dollars more.
Q Did he direct you to turn any of that and if so how much, to L. W. C. Duncan? A He told me to give him half of it,
Q Did you give him half of it? A I did, sir.
Q Do you remember whether on Dr. Arthur Baker was the principal witness in behalf of the Dawson case? A No, sir, I don't because I never had any connection with the case, but I heard that he was a witness in the case.
Q No argument was made when you submitted the case? A No, sir.
Q Just submitted it on the testimony? A Yes, sir.

MR. McKINNON:

Q Are you a citizen of the Cherokee Nation? A Yes, sir.
Q Were you born and reared in the Cherokee Nation? A No, sir; I was born in the old Nation.

Q When did you come to the Cherokee Nation? A Came here in 1898.
Q How long have you been practicing law in the Cherokee Nation?
A I think since '08.
Q You have done a great deal of citizenship business haven't you?
A Yes, sir.
Q You were in the United States Court at Fort Smith on charges in regard to the citizenship business? A Yes, sir.
Q Were you convicted there? A Yes, sir; I was convicted there on this very case.
Q And served a term of what length? A I was sent to the jail hospital for sixty days and I stayed in about 38 or 39 days, and I was released.
Q When was that? A I don't remember how long ago it has been.
Q You say it was in regard to this case? A Yes, sir; this case was the bone of contention; Clem Rogers and the Chief, they are the ones that had me arrested, carried to Fort Smith.
Q Well, now, were you charged with an offense against the law in this case, or was it in regard to some other case? A Well, it was in regard to using the mail for fraudulent purposes.
Q Sending out propositions and obtaining case for citizenship for people [illegible] Cherokee Nation? A No, sir, it was for answering correspon[illegible].
Q Not relating to this case at all? A Well, this was the main charge, Clem Rogers went before the Court there and stated that I had got in at least three hundred Dawsons, that they were white people and not entitled to citizenship and that was the main trouble.
Q Well, now, was the charge based upon that or was it based upon your letters you sent out to other people? A That was the charge for using the mail for fraudulent purposes.
Q The use of the mails for fraudulent purposes not in connection of this case was it? A Not particular of this case.
Q Then the trouble you had was the prejudice of Clem Rogers and others caused by your connection with the Dawson case; that is what you mean to say? A Yes, sir.
Q Why did you say because you were charged with an offense based upon this case? A Well, the prejudice grew out of this case.
Q Now, then, you had full conversation with the representatives of the Cherokee Nation as to your testimony in this case, did you not before you came on the stand? A Yes, sir.
Q You had told them of these particulars before you came on the witness stand did you not? A Yes, sir.
Q Yet when you came on the stand you assumed to have conscientious scruples as to answering as to matters which occured between you and your client, Bud Dawson, in relation to this matter and declined to answer claiming your privilege as an attorney did you not? A Yes, sir; I didn't want to make a statement at all in the matter.
Q You had voluntarily made a statement to the representatives of the Cherokee Nation? A Yes, sir; I had stated to Mr. Hastings; he summoned me and I came down here and I didn't want to make a statement to him but he insisted.
Q He had no power to compel you to make a statement? A No, sir.
Q You could then make it very freely and your conscience did not hurt you, but when you came on the stand you were very conscientious about it? A I didn't want to make a statement at all unless I would be put in jail here if I didn't.
Q But you had armed them with information by which they could ask you those questions when you came on the stand? A I had told Mr. Hastings.

Q You knew when you gave him that information that you would be brought on the stand as a witness, did you not, by reason of that? A No, I didn't know that I would be compelled to make a statement in the matter, a sworn statement.
Q You thought you would not be compelled to answer?
A I didn't think the law would compel me to make a statement.
Q Why then did you make a statement to him about it? A Oh, he was asking me about it, and I told him that I didn't want to make a statement, and I didn't for quite a while after I came down here.
Q When the enrollment division of the Dawes Commission was in Tahlequah, in the winter of 1900, did you not there meet P. M. Dawson and did you not then and there say to him "I told Shoemake I would be for him if he would employ me in his case and if he didn't I would be against him, and the same to you?" A No, sir; I said to him this; I says that if there is not something done that I will likely be summoned against you and Mr. Shoemake both.
Q What did you mean by that? A Well, I just meant this, I just left the matter with him to say what he wanted to do in the matter; I only spoke a word or two about it. I was going out of town just as he came in.
Q When you told him if something was not done you would be summoned as a witness against him; what did you mean by that? A Well, I just meant that the chances were that the Nation would summon me against him.
Q What did you mean by the expression "if there was not something done" that you would be summoned as a witness?
A Well, I meant this, if I was re-employed in the matter if he was to have a case and I was re-employed I would not be required.

Q You could be required to make a statement as to declarations made to you by your client to you on one instance, but if a little more money was put up you could not be required to make a statement; is that what you mean? A I didn't think I could be forced to make a statement at all in the matter.
Q Why did you make that expression to him "if something wasn't done you might be summoned as a witness" if you believed you could not be made to make a statement? A I meant if I was employed in the case.
Q If he would put up you would not testify? A That they could not force me to testify.
Q About the month of February, 1901, in the town of Wagoner, Indian Territory, did you not send your son to get Graham to come to the hotel at night, and did you not then and there say to Gid Graham; "you people are on the doubtful list and if you will give me $500. I will make it all right and say that you are enrolled and if you don't I will so that you don't get on"? A No, sir; I got a letter from Gid Graham in which he asked me to certify that the case was all right and after I met him I told him that I could not do it, that the case was crooked. He then said to me, he says, "I will give you a hundred dollars", he says "will you take a hundred dollars," I said "no, sir." I didn't make any bid, that is I didn't set no price with him.
Q You did not say to him that you were embarrassed in that question there? A No, sir.
Q You did have a conversation with him about that time and at that place, did you not? A Yes, sir.
Q You say you didn't make any bid or set any price? A No, sir; he offered me a hundred dollars.
Q Why did you send for him to come to the hotel? A In answer to his letter.

A Did you not on yesterday morning on the street in Muskogee, Indian Territory, in a conversation with W. M. Shoemake say to him: "You have made a great mistake in not keeping in your employment and so have the Dawsons and it will go hard with you and you will see it"? No, sir; I says to Mr. Shoemake, I says: "Who have you employed in your case," and he says "Judge Thomas and Mr. Green." I said "It might have been a advantage to you if you had retained me in your matter;" Well, he says "there was nothing wrong in my case" and I says "no, there is nothing wrong on earth in your case that I know of." He said all he wanted was justice and I said "I don't know a thing on earth against you," and I says "there is not a thing on earth wrong in your case as I know it came up fairly and squarely and decided in your favor."

Q You said nothing to him about the Dawson case? A Yes, I said to him "it might have been well if the Dawsons had retained me in their case." I said "I am summoned on the part of the Nation and I don't want to make a statement and I want if I can possible avoid it."

Q Was that before or after you talked with Mr. Hastings, the representative of the Nation? A It was afterwards.

Q You meant by that if you had refused to answer you would have gone to jail? A No, sir; if they had employed me before I mean I mean not now.

Q You mean that if they had employed you before hand you would not have given this information to Mr. Hastings? A I would not be required, being the attorney.

Q Were you required to give him the information; did you know that you had to give him any information? A Who do you mean.

Q Mr. Hastings. A I did refuse him and he insisted.

Q Well, he no authority to compel you to do it? A No, sir; I don't know whether he did or not.

Q As a lawyer you knew that he did not have authority to compel you to make a statement to him? A I told him that I was an attorney in the case and I didn't want to make any statement at all.

Q Why did you do it? A Well, he intimated to me it would go any further. He said to me "I will not make this matter — I will not use it;" that is, what I stated to him was part in confidence.

Q And he pledged you his word that it would not be used? A Well, told him I could make a statement in confidence, and that I didn't want to make a statement before the Court.

Q Well, what did he reply, as you said just now? A Oh, he says make the statement and then I told him—I regretted very much to do it, and I regret very much to make a statement here. I tried to avoid it yesterday.

Q You stated just now that he said it would not be used; did he say it or not? A Well, something to that amount; oh, he says it won't make any difference or something to that effect.

Q Now, don't you know that Mr. Hastings did not intimate to you that the statement he was asking you to make would not be used? A Well, I didn't think that I would be forced to make a qualified statement before the Court here, because I thought my license would protect me in that matter.

Q Yet it did not protect you or prevent you from making a statement to the attorneys for the Nation? A No, sir.

Q You, in this conversation with Shoemake to which I before referred did you not ask him to again employ you and tell him if it would you would make it all right for him? A No, sir; I didn't say that; no, I said if we had employed me in the matter "maybe it would have been better for you." Now, he offered me when I was down here last week, he offered me five dollars to go down and talk to the lawyers on the matter, I didn't go I was busy.

Q That was not your price? A No, no, I had nothing to say in his case that would be to his advantage; I knew nothing against him.
Q Now, then, you say that your were present on the morning that the judgment was rendered in favor of the Dawsons? A I was not in the Court house.
Q You were present in Tahlequah? A Yes, sir.
Q How long had you been at Tahlequah? A I was living there at that time.
Q When were you first employed by them? A By Dawsons?
Q Yes, sir. A The evening before the case was tried.
Q You say that after he judgment was rendered Dawson handed you $20? A Yes, sir.
Q And told you to hand to Duncan? A No, sir.
Q What was your statement? A That he paid me $20 and says "I will send you some more in a short time, week or so.
Q And then he sent you $100? A Yes, sir.
Q And wrote you to give D. W. C. Duncan $50 of it? A Yes, sir.
Q And then sent you another $100 and told you to give him half of it? A Yes, sir.
Q How much did they pay you? A Well, that was the agreement, was that he would pay me $50 a family.
Q How much did he pay you? A I think there was $250; now I am not sure about the $50, but it appears to me like there was a $50 sent, and Mr. Duncan asked me, as well as I remember, says "have you got a letter from Dawson," I told him "yes, sir." It was either that or the $100, and he says "I would like to have some money", and I went to Stapler's and got it changed-- I won't be sure about it being $50 or $100--I went to Stapler's and got him to cash the check and give him his part of it.
Q How much did they pay you for your services? A That is all I got.
Q How much? A I think it was $100, $120.
Q What did you do for them? A Didn't do a thing; only called up the case and submitted it; never read the evidence.
Q Submitted it without remarks? A Yes, sir.
Q And for that you say they paid you $120? A Yes, sir; $120.
Q Was Houston Benge present when that was done? A No, sir; I don't think he was.
Q Did you see him then at that time in Tahlequah? A I don't remember.
Q Were you associated with him in any manner in connection with the case? A No, sir.
Q You had a great deal of business of that character, have you before the Courts? A Yes, sir.
Q Were you paid like fees in other cases for like services? A Yes, sir.
Q In many of them? A Yes, sir, good many.
Q All like cases? A Oh, citizenship cases.
Q When was it you were in jail at Fort Smith? A I don't remember: Mr. LaFlette can remember, he was there, he was my attorney.
Q Was it about 1893? A It was somewhere along there, along in 1890 somewhere.
Q That has been your principal business as a lawyer, has it not? A Yes, sir.
Q You have never practiced much in any other way have you? A Very little.
Q Were you in the habit of working your cases through in the same manner in which you state you worked this through? A No, sir.

Q This was an exception was it? A I never worked this case through. I simply called the case up by request of Mr. Dawson. I read the evidence; don't know what proof there was in it; he just asked me to call the case up.
Q And he agreed to pay you $50 a family for doing that? A Yes, sir.
Q Was that what you required of him? A That is what he agreed to pay. I says "What will you give?" He says "I will give you $50 a family.

MR. MCKENNON:

Q At the same time that the attorney for the Nation was talking to you about the Dawson case he also made inquiries about the Shoemake case didn't he? A Yes, sir.
Q And you told him at that time before you knew anything about whether you would be made or compelled to testify that so far as you knew there was nothing you knew detrimental to the Shoemake case? A Yes, sir; that is what I said.
Q You told him at the same time that you not only expected to claim you privilege as an attorney in the case, but that you told him, Mr. Hastings, with the full belief that the Court would sustain your position? A Yes, sir.

Mr. McKennon: That is very leading.

Q Now, did you think that the re-employment, being the attorney in the pending case would strenthen your position or weaken it, when you spoke to Mr. Dawson? A What I thought in the matter was before ever I would be summoned in the matter, a long time ago, that if I had been employed in the matter of course my position would have been such that I would not have been required or could not have been forced.
Q Did you think under those circumstances that Mr. Hastings would approach you about the subject? A No, sir; I don't think I would be forced to, having license to practice law.
Q Did Mr. Hastings tell you at the time that he was going to put you on the stand? A Yes, sir.
Q And let the Court decide? A Yes, sir.

MR. MCKENNON:

Q Now, have you a license to practice in the United States Courts?
A Yes, sir.
Q In the Territory? A Yes, sir.
Q And also in the Indian Courts? A Yes, sir; do you want to see them?

JAMES T. LEWIS, being duly sworn, testified as follows on part of the Cherokee Nation:

MR. HUTCHINGS:

Q State your anem please? A J. W. Lewis.
Q James W. Lewis? A Yes, sir.
Q Where is your postoffice, Mr. Lewis? A Afton.
Q How old are you? A 73 years old.
Q What is your business ? A I work at the tin business and gun work.
Q Do you know one James Dawson, the brother of S. M. Dawson and the other Dawsons? A I know old man James Dawson.
Q That is the one I mean, old man James Dawson? A Yes, sir; I know him.
Q How long have you known him? A Well, some four or five years, I guess.
Q How long? A Four or five years I think.

Q When did you come to the country? A I have been in the country 70 odd years.
Q Well, when did he come to the country, do you know? A About somewhere in eighty if I recollect right, might have been later than that.
Q How did you happen to be acquainted with? A He lived right close by me and I built a house for him.
Q Did you have any conversation with him at the time you built that house? A Yes, several different times.
Q About how he became a citizen of the Cherokee Nation, about the circumstances? A Yes, sir.
Q Did he make any statement to you about the use of money in getting his citizenship, and if so, state what he said?
A Well, he told me that it cost him $700 to get his rights.
Q Didn't tell you to whom he paid it? A No, he didn't and I didn't ask any questions.

MR. McKENNON:

Q How old was he at that time, do you know? A I do not know exactly, must have been somewheres near about 70 years old, he might have been older than that, I don't know.
Q He was a very old and feeble man? A Yes, he was old and feeble.
Q He seldom ever got out away from his house? A No, sir, only short distance.
Q When you first knew him he was that kind of man? A Yes, sir.

J. L. CLINKENBEARD, being duly sworn, testified as follows on part of the Cherokee Nation:

MR. HUTCHINGS:

Q State your name? A J. L. Clinkenbeard.
Q What is your post office address? A Vinita.
Q How old are you? A 56.
Q Were you ever an applicant for citizenship before the Tehee Citizenship Court in Tahlequah? A Yes, sir.
Q About what time was that? A September '81, I think.
Q Did you meet there about that time, one Elbert or Buck Dawson?
A Yes, sir.
Q How did you happen to meet him? A He and I stopped at the same place, man's by the name of Sharbow.
Q You and he stopped there, did you, board there? A Yes, sir.
Q Well, did you have any talk about citizenship cases, yours and his? A
Yes, sir.
Q Where did he state that he was from? A Texas.
Q Well, state what you can remember of the conversation between you from time to time about citizenship in the Cherokee Nation?
A Well, we were there on the same business and we talked about it at different times, all in talking about the evidence we had there I, of course, told him how many witness I had and what I could prove and so on, and he said that he didn't have but one witness, Dr. Baker from Arkansas, a man that was 85 or 90 years old, he said, and he hadn't come and said he was to have let him there, but he hadn't come.
Q Well, what did he say about the doctor's knowing anything?
A Well, he said he was 85 or 90 years old and didn't know straight up.
Q Well, did he say anything about giving him whisky?
A Well, he said he could give him four drinks of Arkansas whiskey and he would swear that black was white.

Q Mr. ... say anything about ... money would be in Texas or Indian Territory? A Well, in talking about the evidence, he said that ... that rode ... here go down in Texas and he said "I come to get the fat of the land" and he says "I found out it goes here," or words to that effect.
Q Did he say what he was to spend on the question? A Well, he said that he could stand a thousand dollars on it and not be hurt very much; finally he said he could stand more than that.
Q What did he tell you what he thought about the necessity of witnesses anyhow? A Well, I don't know as he said as to that, but I understood from what he said that he thought money would beat witnesses.
Q Well, where did he go from there? A He and I left there together; he came to Muskogee by way of Fort Gibson and there we parted.
Q Did you ever see him after that? A I saw him about two years or something like that afterwards.
Q Where? A Vinita.
Q Did you refer to the citizenship matter? A I asked him how he come out and he said all right.
Q Was he deformed in any way this man? A He had a crippled hand or stiff finger; I don't remember just what it was now.

J.R. McKENNON:

Q Your first conversation with him was in '01 was it? A Yes, sir.
Q What time in '01? A September.
Q You were then an applicant for citizenship? A Yes, sir.
Q Have you ... it? A No, sir.
Q You are still an applicant? A No, sir.
Q You are still working to get in as a citizen of the Cherokee ...? A No, sir; haven't quit it entirely.
Q What business are you in now? A I am running a dairy in Vinita.
Q When did you make these statements now to the representative of the Cherokee Nation? A Well, sir, I haven't; I saw Mr. Hastings I believe here last Saturday the first time.
Q How did they ever know that you had had these conversations with Mr. Dawson? A I don't know.
Q You don't know how they found that out? A No, sir.
Q You say you saw Mr. Hastings here last Saturday? A Yes, sir.
Q Now, did you approach him or did he approach you? A He approached me.
Q You know why? A No, sir; I suppose somebody I have told something at some time about this, I don't know when or who. I don't remember of having talked to anyone about it. I have known Mr. Hastings for years.
Q Now, you say—how was that expression about his giving Dr. Baker three or four drinks of liquor? A He said the old man; he said that Mr. Baker, he was expecting him there and he didn't come, and he said he didn't care where he did or not; he said he was 85 or 90 years old; he said he didn't know straight up; said he could give him three or four drinks of Arkansas whiskey and he would not know black or white.
Q Now, he said that did he? A Yes, sir.
Q You are just as positive of that as you are of any other statement he made are you? A Yes, sir.
Q You say you next saw Dawson at Vinita? A Yes, sir.
Q How long afterwards was that? A About two years, I think something near that.
Q Did he move to the Territory? A Yes, sir he lived at Vinita at one time.

Q [illegible] dairy business there at Vinita, to what extent? A [illegible] about four cows now, I sent the others to the [illegible]
Q Do you run a dairy [illegible] there? A No, sir.
Q You serve on the [illegible] deal? A I have been serving on the Petit jury [illegible]
Q [illegible] No, sir.
Q Are you [illegible] regular panel jurors? A No, sir; I was on the regular panel and served.

[illegible] duly sworn, testified as follows on

[illegible] last January.
[illegible] Fairland.
[illegible] the neighborhood of Fairland?
[illegible] or F. M. Dawson as his name is?
[illegible] about 18 years.
[illegible] Half a mile of him.
[illegible] I think he does.
[illegible] citizenship along about '21 or '2 at Tahlequah [illegible]
[illegible] have a conversation with Bud Dawson about his and your [illegible]? A Yes, sir.
Q State [illegible] you of citizenship cases in general and [illegible] particular, you can state the time that you had [illegible] as you can? A Well, I think it was in '[illegible] ever got in I would have to put up; he owed it [illegible] in, he said he paid one witness three hundred dollars.
Q Did he state [illegible] that witness? A No, he did not.
Q Who did he [illegible] arrangements with? A He said he made arrangements with [illegible], that is, heads of families to get them in at the [illegible] dollars apiece.
Q Do you know what time of the year tht was, whether it was in the [illegible] or [illegible] it was in June.
Q [illegible] statements to you at any other time?
A [illegible] was in regards to that matter.
Q You [illegible] neighbors with him? A Yes, sir.

[illegible] of '23? A I think it was in June, [illegible] or it was June or not.
[illegible] you admitted? A No, sir.
[illegible] No, sir.
[illegible] A Yes, sir.
[illegible] A Yes, sir.
[illegible] had? A Had at Bud Dawson's house.
[illegible] that is, in his residence?
[illegible]
Q [illegible] wasn't anybody present, he just built the [illegible] anybody there.
Q [illegible] room? A I won't be positive but I [illegible] one room, log house.
Q [illegible]

Q And in that room he made this statement to you? A Yes, sir.
Q He and you are enemies are you not? A No, I don't think we are enemies.
Q You are not friendly at all? A Friendly part of the time, and part of the time we ain't.
Q Haven't you had considerable trouble about the lands between your farms? A No, sir; we ain't had any trouble.
Q Didn't you have his little boy arrested recently for a difficulty?
A Yes, sir.
Q And you say that you are not on bad terms with him?
A Why we speak, have conversation, have right right along all the time.
Q Is it not a fact now that you and he have been all the while at ouds? A No, sir.
Q You don't have any unkind feeling towards him? A No, sir.
Q What were your other remarks? A I said no, sir, I didn't have any unkind feeling towards him.

(It being 5 o'clock, the Commission adjourns until 8:30 o'clock to-morrow morning.)

March 19, 1902.
Commission convened pursuant to adjournment.

Appearances:
Mr. A. S. McKennon, of Counsel for Applicants.
Mr. W. T. Hutchings, of Counsel for Cherokee Nation.

C. C. BRAUGH, re-called, further testified:

MR. McKENNON:

Q Mr. Braught, you were a claimant under the Watts family are you not? A Yes, sir.
(witness excused.)

CHARLES D. KENNEY, being duly sworn, testified as follows on part of the Cherokee Nation:
MR. HUTCHINGS:

Q State your name? A Charles D. Kenney.
Q What is your post office? A Dawson now.
Q Are you a citizen of the Cherokee Nation? A Yes, sir; supposed to be.
Q Recognized as such are you? A Yes, sir.
Q How old are you? A There is no family record, my parents died when I was young, I just guess at my age, I am somewheres between 44 and 45 years old.
Q Were you personally acquainted with one Elbert or Buck Dawson?
A I knew Buck Dawson when I saw him.
Q Did you know him in the state of Texas, if so state what time?
A I knew Buck Dawson, knew him and saw him at different dates in Texas.
Q Well, in the year '81 in Clay County, Texas, did you ever see him?
A It was in '81 or 82, I think I know him in both years.
Q Did you ever have any conversation with him in the presence of Bill Smith, Jiles Flippin and Joe Pleston about his application for citizenship in the Cherokee Nation? A Mr. Dawson and Flippin were talking in regard to grass down there befo e we got [illegible]

it was mentioned, I was going up on the strip and Buck Dawson says "he an Indian" and Jiles said "yes, he is an Indian", and "by God," I believe is the way he spoke, "if I was an Indian I would not be punching cattle, I would have stock eating my grass."
Q What did he say about making application? A He said he was going to the Chickasaw Nation and prove up and get him some grass.
Q Who was that? A Buck Dawson.
Q Well, did anybody suggest about his going to the Cherokee Nation? A Yes, sir, I told him, I says "why don't you go to the Cherokee Nation, why don't you go up home" I believe is the way I spoke it, "up amongst God's people;" and he says "are they all white like you?" and Jiles spoke up and says "majority of them."
Q Well, what did he say to Jiles then? A He says "let's go up Jiles", just in a whole crowd of cow punchers, and Mr. Flippin says "Hell, I am going; brother John is getting ready to go now."
Q Well, then what did he say to you? A He says "Who are your best lawyers up there, Kenney," and I told him "Hooley Bell was counted the brainiest man in our country."
Q Well, do you know whether he claimed to have any Indian blood or what he was claiming in that country, whether white man or Indian? A No, sir, I could not say what he was; he was generally known down there as Buck Dawson, a citizen of the State of Texas, that is all I know of him.

Mr. McKennon: The applicants object to all of the testimony of this witness because it is wholly incompetent and irrelevant.

Mr. McKennon:
Q Were you born and reared in the Cherokee Nation? A I can't tell you where I was born; I was raised here part of the time and in Russ County, Texas. B. W. Alberty was my guardian.
Q Were you admitted to citizenship by the Council or Court? A I think both of them passed on me; I can't tell you the date.
Q About what time? A It was sometime in '80 though.
Q What tribunal first? A I don't know; I don't know either when I was admitted, I was re-instated at Council.
Q When? A I think it was in '87 or '88.
Q Haven't you been arrested for crime and charged with crime? A Well, I didn't know that I was on trial; I have been arrested a hundred times I guess from here to the Rio Grande.
Q For what offense? A For gambling, stealing; if I am on trial I have had lots of them, I have been on the road.
MR. HASTINGS, of Counsel for Cherokee Nation;
Q Were you ever convicted? A No, sir.
Mr. McKennon: Applicant makes further objection to the testimony of this witness on account of his criminal character stated by him.

THOMAS B. BABBART, being duly sworn, testified as follows on part of the Cherokee Nation:
MR. HUTCHINGS:

Q State your name, please? A Thomas B. Babbart.
Q What is your post office? A Melvin.
Q What is your age? A 49.
Q Are you a Cherokee by blood? A Yes, sir.

Q Did you know one James Dawson? A Well, yes; I did; I have seen him time or two.
Q Were you in Tahlequah about the time he had an application before the Spears or Snake Puppy Citizenship Court? A Yes, sir; I was there about the time the case was settled.
Q Did you know Aaron Butler? A Yes, sir.
Q Who was he? A He was a Cherokee Interpreter for the Court.
Q Do you know James Smith? A Yes, sir.
Q Who was he? A He was the Nation's attorney before the Court.
Q Well, did you about that time have a conversation with either Aaron Butler of Jim Smith in company with Mr. James Dawson? A Yes.
Q State the full particulars of it? A About that time this man Dawson and Butler come to me while they were all together, all three of them, and Butler come and called me off to one side, that was down at a colored church, it was after dark, and they called me off there and this man Dawson borrowed some money from me, he said he had to have it that night, his case was going to be submitted the next morning.
Q Well, did he say anything about whether he could get his case submitted if he had more money? A Well, from the language to me and Butler, he wanted this money; Smith had agreed to submit the case without further evidence in the matter.
Q Well, did you let him have the ten dollars? A Yes, sir.
Q Where did they go then? A They walked off up towards town.
Q Did they go together, those three? A Yes, sir.

MR. McKENNON:

Q Was that James Dawson, the leading applicant in that case?
A Yes, best of my recollection that was.
Q How old a man was he? A I don't know; I could not tell you; he looked, I don't know, he might have been--could not tell you just about how old he was.
Q Well, about how old was he, 25, 30 or 40? A Yes, he was older than that, from my judgment I guess he must have been 45 or 50 years old.
Q Is he living or dead? A I don't know.
Q Where have you been living? A I have been living down here near Tahlequah.
Q What was the man's name, Dawson's name? A Jim Dawson I think.
Q You are certain of that? A Yes, sir; I am pretty certain.
Q They came to you with Smith, the Prosecuting Attorney, and Butler, the Interpreter? A Yes, sir.
Q Dawson took you off to one side? A Butler took me to where Dawson was and introduced me to Dawson and vouched for Dawson being all right for the money.
Q When did you first make a statement of this matter to anybody?
A I guess--I don't remember when.
Q How long have you been in Muskogee this time?
A I have been here since, I was summoned here last Friday.
Q Did you ever make any statement to anybody about this before that time? A Yes, I talked to Butler about it.
Q When? A Oh, about, first I remember it has been about two years ago, and Butler was talking to me about it; it was at my house.
Q Were you born a citizen? A Yes, sir.
Q You weren't admitted to citizenship by the Courts or Council?
A No, sir.
Q You have been living in the Cherokee Nation all your life?
A Well, I was born and raised here; ; I haven't been here all the time; I have been out and in.

Q You have never seen that man Dawson since? A If I have I have never known it, but I seen him the next day.
Q You saw him and took a good look at him, and know about what kind of man he was? I saw him around there about several times.
Q You think he was about 36 or 40 years old? A That would be my guess at it, my recollection.

Mr. McKennon: Applicants object to the testimony of this witness, all of it, because it is wholly incompetent and irrelevant.

DELIA A. BREWER, being duly sworn, testified as follows on part of the Cherokee Nation:
MR. HUTCHINGS:

Q State your full name? A My husband's name was D. P. Brewer, but generally I sign my name Mrs. D. A. Brewer.
Q What was your full maiden name? A Delia A. Vann; well it was really Delilah but I never was called by that name, it was Do altogether in my young days.
Q What was your father's name? A His name was Joseph Vann.
Q Was he called by any nicknames and if so how many, and what?
A None but the Cherokees, the full-bloods called him Joe Aney.
Q What does that name mean when you talk English? A Rich Joe.
Q Did any of them call him Big Joe Vann? A I don't know; he was a large man; larger than the other Joe Vann.
Q There was another Joe Vann? A Yes, sir.
Q Did your father have any sisters and brothers? A He had quite a number of sisters.
Q Did he have a half sister? A Had two half brothers.
Q Did he have a half sister? A Had several half sisters.
Q Who did they marry? A Different persons; I knew the names of all of them but I have a bad memory, but I know that there was one, a Mrs. Ibbie Wolfe, and Mrs. Lamer, she was first a Mrs. Nicholson and she became a Mrs. Lamer and lived in Alabama and never come to this country, but she has grandchildren in this country.
Q Well, did any of your father's sisters or half sisters ever marry a Rogers? A No, sir.
Q Never had any Rogers kin-folks? A No, sir, I certainly would have heard of them through my family, there was a great many of the kin-folks I never saw, but I heard of them.
Q The Dawson case was talked of here for many years, they claiming kin?
A I never knew until I understood they claimed to be kin to the Vanns, and I flatter myself that my family was prominent enough that they never claimed kin.
Q They never claimed kin at all? A No, sir.
Q Did your father ever had a sister or half sister by the name of Annie, Anna or Alsey? A No, sir.

Mr. McKennon: Applicants object to all the testimony of this witness because it is incompetent ad irrelevant.

SAMUEL TOLLIVER DAWSON, being duly sworn, testified as follows on part of the Cherokee Nation:
MR. HUTCHINGS:

Q State your name? A Samuel Tolliver Dawson.

Q What relationare you to the Dawsons? A Well, I am not acquainted with none of these Dawsons, I guess I am cousin, that is what he told me.
Q Who was your father? A Samuel Riley Dawson.
Q What did you say your father's name was? A Lile Dawson.
Q Do you know what his full name was? A Samuel Riley Dawson.
Q What children had your father? A Why, he has got, you mean his first children or his whole family?
Q I want all of his children? A I don't know, I will have to count a while on them, there was nine or ten of them.
Q Just one or two of them I care for; is Mrs. Lewis your sister?
A Yes, sir.
Q Your full sister? A Yes, sir.
Q Was she a daughter of S. R. Dawson, Jr.? A Yes, sir.
Q How who were the parents of your father, , Samuel Dawson?
A Why Sam Dawson was his father.
Q Sam Dawson was his father? A Yes, sir.
Q What was Sam Dawson's wife, if you know their family history, what your father said or what your grandfather said? A I have heard that she was a Pruitt, my father said; of course I don't know.
Q What was her given name? A Annie.
Q Did you ever see your grandfather, Samuel Dawson? A Yes, sir.
Q Saw him? A Yes, sir.
Q Do you know about how old he was when he died? A He was somewhere up about 90.
Q About how old were you when your grandfather died? A I don't remember exactly how old I was, I must have been somewhere near 12 years old when my grandfather died.
Q Was your father his youngest child? A Yes, sir.
Q D you know about when your father was born? A Well, no, I don't, he died in '90 and he was 67 years old.
Q He died in about '90 and was about 67 years old when he died?
A Yes, sir.
Q And he was the youngest child? A Yes, sir.
Q Now, do you know how many children your grandfather had , that is brothers and sisters of your father? A I heard him say seven.
Q Well, did you ever hear your father or grandfather speak of whether or not your grandmother was a white woman or an Indian?
A Well, I heard my father speak about it, I don't know that I ever heard my grandmother say anything about it.
Q Well, what did he say about it? A I have heard him say his mother was not an Indian.
Q Did you fathercome here and apply once for citizenship?
A Yes, sir.
Q Was he admitted? A I think not.
Q Did you hear him make any statements about he ground he expected to get in? A He said his brothers had proved their rights here and if his brothers had any rights he did, but I don't know.
Q Well, in that connection didhe say whether his mother was an Indian or white woman? A Never heard him say that his mother was a white woman in speaking about that, I don't know whether he said anything about that or not; I have heard him say his mother wasn't no Indian.

Mr. McKennon: Applicants object to the testimony of this witness because it is wholly irrelevant and incompetent.

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(Taking of testimony continued by Stenographer M. D. Green)

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I, J. O. Rosson, do hereby certify upon my official oath as stenographer to the Commission to the Five Civilized Tribes that I correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

(Signed) J. O. Rosson.

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(Continued from testimony taken by Steno. J. O. Rosson.)

March 19th, 1908, at Muskogee, I. T.

Appearances:
Mr. A. S. McKennon and Mr. Mellette, attorneys for the applicants.
Mr. W. T. Hutchings, and Mr. W. W. Hastings, attorneys for the Cherokee Nation.

EMMA BRASHIERS, being first duly sworn, and being examined testified as follows:
BY MR. HUTCHINGS:

Q State your name? A Emma Brashiers.
Q What was your maiden name? A Emma Dawson.
Q What was your father's name? A Samuel Riley Dawson.
Q What was his father's name? A Samuel.
Q What was your grandmother's name? So far as you know from family history? A Her maiden name was Annie Pruett.
Q Then your father, if I understand you, was the son of Samuel Dawson and Annie Dawson, nee Pruett? A Yes, sir.
Q Did your father have a brother named Robert, and a brother named James? A Yes, sir; that is what I was told.
Q And had a sister named Mrs. Petty? A Yes, sir.
Q And another one named Mrs. McGee? A Yes, sir.
Q And another brother named John? A Yes, sir.
Q What relation are you to Mrs. A. S. Lewis? A Sister.
Q Did you ever see your grandfather, Samuel Dawson? A Yes, sir.
Q You have a distinct recollection of him? A I, yes, I can remember him, but I was small.
Q About how old were you you suppose when your grandfather died? A About 6.
Q Was your father's birth recorded in the family Bible? A Yes, sir.
Q You know whether your grandfather's record of marriages and deaths were recorded in any Bible or not? A I was, but we haven't it.
Q What became of it? A Got burned.
Q Well, about what year do you remember that your father, Samuel Dawson was born? A I believe it was '23.
Q In 1823? A Yes, sir.
Q And how old was he when he died, if you recollect? A He was between 64 and '7.
Q Did you ever hear your father speak of his relations, his father and mother, as to whether they were white people or Indians? A Yes, sir, they were white people.

Q. You know whether in the family you grandmother was spoken of by the name of Annie, always? A Yes, sir.

BY MR. McKENNON: Applicants object to the testimony of this witness because it is wholly irrelevant and incompetent.

ALEX S. LEWIS, being first duly sworn and being examined, testified as follows:

BY MR. HUTCHINGS:

Q State your name? A Alex S. Lewis.
Q What is your post-office? A Dawson, Indian Territory.
Q How old are? A 59 years.
Q What was your wife's maiden name? A Elizabeth Pamalee Dawson.
Q Who was your wife's father and mother? A Her father was Samuel R. Dawson and her mother was the wife of Samuel R. Dawson, did you want her maiden name?
Q Well, if you know the maiden name of your wife's mother, state how you know it? A Well she was called Margarett, Margarett Queen was her maiden name.
Q The maiden name now of your wife's father's mother? A Why the maiden name of my wife's father's mother?
Q Yes, sir? A From what her husband and my father-in-law told me it was Annie Pruett.
Q What was the name of your wife's father's father? A My wife's grandfather on her father's side, Samuel Dawson.
Q And his wife's maiden name was Annie Pruett? A Yes, sir.
Q Did you know the old gentleman, Samuel Dawson, you wife's grandfather? A Yes, sir.
Q Personally? A Yes, sir.
Q What opportunities had you to get acquainted with him? A He lived with his youngest son, my father-in-law, and visited me, my wife and I, after we were married, stayed with us quite a while; I lived near my father-in-law and he visited very often.
Q When did he die? A '74.
Q Have you any particular method of recalling that date? A Well, I was away from the house when he was taken sick, and they sent for my wife and myself, and so when I got home my wife had gone to her father's to see her grandfather, he was sick, and I remember my first wife was a baby at that time.
Q And when was your first child born? A He was born December, '73.
Q You know how old you wife's father was when he died? A Why he was up in 60, but I don't remember his age.
Q Did the old original Samuel Dawson ever tell you his age? A Yes, sir, several times.
Q How old was he at the time of his death? A He was passed 94.
Q Did he ever tell you whether or not his wife Annie Pruett had any sister or brother? A Told me she only had one brother named Bob Pruett.
Q Have any of the members of the family named their children after him? A Make it a little plain, it is a little long: my wife's oldest brother was a particular favorite of his grandfather, and he always took this boy with him everywhere, and he has named one of his,- oldest child for this brother-in-law who was a particular favorite of his grandfather; named it for him I understood.
Q Now, what is his name? A Of course I don't know why he named it, but he gave him the name of Robert Pruett, and I understood it was on account of his grandfather thinking so much of Robert Pruett.
Q Did you ever hear the old Samuel Dawson speak of his brother-in-law? A Yes, sir; I have heard him say that he wished he knew what had become of Bob Pruett, he never had heard of him for a long

time; didn't know where he was, or whether he was alive or not.
Q Now, I want the children of Samuel Dawson a d Annie Pruett, how many of them did you know, first? A How many did I know personally?
Q Yes, sir? AJohn James, and Samuel R. Those were the only ones of his children that I remember personally.
Q Well, remember what you know of the family, what other children did he have? A Well he had two girls, as I understand the family history, he had two girls, first, and John Dawson was the third child, and the oldest boy was John Dawson.
Q Was John Dawson the oldest boy? A Yes, sir.
Q Which was the oldest girl? What is she known by now? A I think it was Mrs. Petty, nee Bettie Dawson.
Q And John Dawson was the oldest boy? A Yes, sir.
Q And Samuel R. Dawson was the youngest boy? A Yes, sir.
Q You know anything about the time John Dawson was born, have you any way of coming at it, the oldest boy? A Yes, sir, I know what the oldest son and his wife told me.
Q What was that? A They said he was born in 1811.
Q Who was his oldest son? A Toliver H. Dawson; told me his father was born in 1811.
Q Do you remember now whether the old man had occasion to say whether his wife, Annie Pruett was an Indian or white woman, or ever said anything about it? A I know what the old man said that she was, I don't know that I ever heard the question approached in that way, I have heard him speak as to her blood, but it was in a different way that he reached it.
Q What blood did he say she was? A Well he said that she was the daughter of Mrs. Pruett, a white woman; and that her father was Captain John Rogers, a white man who lived with the Cherokee Indians, and traded with them.
Q Did he say who Captain John Rogers afterwards married? A Said he had a wife in the Cherokee Nation.
Q But that Annie Pruett was not her child? A No, sir, she was the child of Mrs. Pruett.
Q A white woman? A Yes, sir, that was the half sister of Bob Pruett.

BY MR. McKENNON:

Applicants object to all of the testimony of this witness, because it is wholly incompetent and irrelevant.

Q Did ever you apply for citizenship here? A Yes, sir; for my wife.
Q When? A My father-in-law made the application, I don't know exactly when it was, I think probably about '86, I couldn't say as to the date.
Q Before the Cherokee authorities? A Yes, sir.
Q Did he file an application before the Dawes Commission in 1896 also? A Him.
Q Yes, sir? A I don't think he did, no sir.
Q Did you? A I did.
Q On account of your wife? A Yes, sir.
Q Did you make affidavit to that application? A No, sir.
Q Who did? A I don't know, don't remember now.
Q You applied for your wife as an Indian by blood didyou not?
A Yes, sir.
Q Are you still an applicant? A No, sir.
Q Is she? A No, sir.
Q She was denied was she? A Yes, sir.
Q Was there an appeal taken from that? A Application was filed if I remember, before the Dawes Commission, and they rejected the case, and then I appealed it to the District Court, and it was rejected there and then I stopped.

Q Have you ever been arrested for any crime? A Yes, sir.
Q What? A Charge of murder.
Q Anything else? A No, sir.
Q Committed on the train? A Yes, sir.
Q In a train robbery? A Yes, sir, in a train robbery.
Q How long did you remain in jail? A Appealed the case to the Supreme Court, and it was reversed and sent back, and I was acquitted on that charge.
Q That all the crime you were ever charged with? A Yes, sir.
Q Haven't you been having some trouble with the Dawson family? A Well me personally I have no trouble with any of them, there is one of my boys and one of W. A. Dawson's sons-in-law had some trouble.
Q You are not friendly with the Dawson family? A That son-in-law Mr. Wooley, and myself, don't speak, and I don't think his wife speaks to me either.
Q Well you are claiming some sort of lease on the Wooley farm, aren't you? A No, sir, I don't claim any lease on the Wooley farm.

B. W. ALBERTY, being first duly sworn, and being examined, testified as follows:
BY MR. HUTCHINGS:
Q State your name? A B. W. Alberty.
Q What is your post-office? A Tahlequah.
Q What is your present official position in the Cherokee Nation? A Assistant Executive Secretary of the Cherokee Nation.
Q As such have you charge of the citizenship records and books etc. of the Nation? A Yes, sir.
Q Have you made search recently for the original records in the various cases of the Dawson family before citizenship courts in Council? A Yes, sir.
Q Have you got what records you found with you? A I find what's supposed to be the original papers in the case, all that I could find. (Produces papers and hands to Nation's attorney.)
Q Where did you find these papers? A I found them in the desk in which papers of that character are filed away in the Executive Office at Tahlequah. (Applicant's attorneys examine papers produced by witness.)
BY MR. HUTCHINGS: The Nation here introduces in evidence an envelope marked No. 108, the names on the back of it are Robert, Elbert, Jasper, John, Frances, Marion, Josephine, Joseph, Jane, Mollie, Wilburn, James, Rial Dawson, versus the Cherokee Nation; the envelope and its contents.

BY MR. McKENNON: To the introduction of all of which the applicants object, because it is wholly incompetent and irrelevant.

The envelope above introduced by the Cherokee Nation is indorsed as follows:
"No.108, Rob. Dawson, Elbert Dawson, Jasper Dawson, John Dawson, Francis Marion, Josephine Dawson, Joseph Dawson, Jane Dawson, Molly Dawson, Wilburn Dawson, James Dawson, Real Dawson, vs Cherokee Nation, Petition for Citizenship, filed Sept. 24, 1881. Admitted Jan 11th, 1883, D. W. C. Duncan, Clerk."
In pencil: "Robt Dawson."

The said envelope contains a document as follows:

"Office of Commission on Citizenship,
Cherokee Nation, Tahlequah, January 19th, 1883.

No. 108 Robert Dawson, "et al."
vs.
Cherokee Nation.

Testimony for Claimants.

Witness:

Dr. Baker sworn testified as follows. My name is Arthur Baker I reside at Berrivill, Arkansas, Carroll County, my age is 73 years, I am not a Cherokee, I lived in the Cherokee Nation about three years when I first came to Arkansas I have been acquainted with him since he became a citizen of Carroll County some thirty five years (line drawn through the last three words.) 35 years at my mother's house near Calhoun I became acquainted with the clairants Robt Dawsons grandmother on mother's side, she was frequently at my mother's house; though she Anna Pruit lived in the Nation side. She claimed to be a half sister to Sir Joe Vann, also claimed to be half Cherokee; the first time she brought the clairant's mother to my mother's house she the clairant's mother was about grown, when I was a lit le boy she called her daughter Polly Rogers said Capt. John Rogers who ran a boat up the river was the father of the child; I saw the girl frequently there at my mother's and there at Louis Rogers Store I saw her occasionally until I was 15 or 16 years old and I think then Old Capt John Rogers took her off to school. I saw her no more from the time Old Capt. John Rogers took her off till I saw her here in Arkansas the wife of Old Samuel Dawson. I stayed all night there and she and I had a talk over our old matters, and I asked her when she became acquainted with Dawson and she said at the time she was going to school. And she said after she left school that Dawson followed her home to the Nation and they were there married. I have told that precisely in the words she used.

Capt John Rogers claimed to be one fourth Cherokee, the clairant is the son of Polly Rogers and I know Polly Rogers to be the daughter of Anna Pruet, and I know the claimant to be the son of Polly Dawson Capt Rogers then resided in the Cherokee Country about twelve miles from Calhoun on the Hiawassa River.

Anna Pruet resided in the Cherokee Nation as long as I stayed there the Dawsons when I got acquainted wih them Arkansas were recognized where they were as Cherokees, Robt Dawsons children is Buck, John, Marion, and two girls; the children named in the petition I recognize as being the clairants.

Question by Solicitor:

Ques. 1 How many children did Polly Rogers have?
Ans. 1 Five, I think that's all.
Ques. 2 Did you say something about someone being married twice?
Ans. 2 The claimant was married twice.
Ques. 3 Could Anna Pruet speak Cherokee?
Ans. 3 Yes she could speak it well
Ques. 4 Did Polly Rogers speak Cherokee?
Ans. 4 She could when she was young.
Ques. 5 How far did you live from Anna Pruet?
Ans. 5 Just acros the river about 3/4 of a rile.
Ques. 6 Was Calhoun in the Cherokee Nation?
Ans.6 It was on both sides of the river, part in the Nation and part out in the State.

Ques. 7 Which Marriage was it went to Texas?
Ans. 7 George went first then John went they were the sons of old man Harnage that lived up here near the line.
Ques. 8 Did the claimant go to Texas?
Ans.8 No the claimant didn't go to Texas.
Ques. 9 What connection was claimant and Polly Rogers?
Ans. 9 The claimant is the son of Polly Rogers Marion here is the grandson of Polly Rogers.
Ques. 10 Where does claimant now live?
Ans. 10 He lives in Carroll County, Arkansas.
Ques. 11 Do you know what relation old Captain John Rogers was to Charlotte Rogers here in Cooweescoowee?
Ans. 11 They claimed kin but what kin I dont know there were two Capt. John Rogers' in the Nation I am speaking of the time when I first came to this 1830 Country about the year 1830.
Ques. 12 What was Peggy the maiden name of Claimant's grandmother
Ans. 12 Yes that was her maiden name the Indians called her Sinee.

his
(signed) Arthur. A. x Baker.
mark

Witness' hand paralyzed is the reason he signs by a mark thus "X".

The above document is indorsed on back as follows:

"Certified copy of Affidavit, Arthur A. Baker in Dawson case, Robt," Decided by the Tenee Court in 1883. A. Riley Dawsons Step daughter a white woman married a white man, named August Bulaska."

BY MR. HUTCHINGS: We further introduce envelope No. 101, of E. Dawson for his grand-children, versus the Cherokee Nation, and its contents, to-wit: The Petition and affidavit of F. M. Dawson, and the testimony of Joseph Dawson.
(Manis papers referred to to applicant's attorneys.)

BY MR. McKINNON: To the introduction of all of which the applicants object, because it is wholly incompetent and irrelevant.

The envelope above introduced is endorsed as follows:
"No. 101. F. M. Dawson vs the Cherokee Nation. For his grand children. Petition for citizenship. Filed Sept. 14th, 1883, D. W. [illegible], Clerk of Com. Decided Sept.13, to be Cherokees.

The contents of said envelope are as follows:

[illegible] of Joe Dawson on Citizenship.
[illegible], Cherokee Nation, Sept. 14, 1883.

[illegible],
No.101. vs For his grand children,-
Lulu Leathett,
Dallas Leathett,
F. M. Dawson for Claimant introduced sworn and in open Court testified as follows:
My name is F. M. Dawson. Am Cherokee by blood reside in the Cherokee Nation am 30 (40 written over it) years old.

I saw the Claimants, Lulu Dauthet and Dallas Dauthet in Vinita, and know them to be the grandchildren of my brother E. Dawson who is a recognized Cherokee by blood. L. M. Dauthet, the father of the Claimants, Lulu and Dallas is a white man Dauthet's wife the mother of Lulu and Dallas was a Cherokee, the daughter of my brother E. Dawson, who is now dead. The oldest of these applicants is about 9 years old. I have known them about 8 years. These children is now living with their father. One is a girl and the other is a boy. I had been acquainted with her mother all her life. If she had been now living she would have been about 25 years old -- She has been dead about 4 years as well as I can recollect, She was about 17 ye rs old when she was married.

his
(signed) F. M. x Dawson,
Mark

Office of Commission on Citizenship,
Tahlequah, Cherokee Nation, Sept. 14, 1903.
No.181 E. Dawson
for his grand children
Lulu Dauthett
Dallas Dauthett

Joseph Dawson introduced for Claimants, sworn in open Court testified as follows:

Jos. Dawson, am a Cherokee live in the Cherokee Nation, am 31 years old.

Lulu Dauthett and Dallas Dauthett, the Claimants are Cherokees. Fannie Dawson was their mother. Fannie Dawson was a Cherokee, that is what I was always told. Her father was E. Dawson. E. Dawson was my brother. Mrs. Dauthett is not living now: the last time I saw Lula, and Dallas Dauthett, they were in Texas. But I have heard since that they are in the Cherokee Nation. E. Dawson recognizes them as his grandchildren and I have known them ever since they were born.

By Solicitor:

Lula is about 10 years old. The Dallas is about 5 or 6 years old. I heard that their father is now at Vinita Cherokee Nation, E. Dawson is Elbert Dawson. The applicants' mother has been dead about three or four years. She died at Hillsboro, Texas.

I was not present when their mother and E. Dawson had eight children to the best of my recollection, or 9. Fannie, Francis, Cartenas, Zanie, Bob, Smith, Norah, Bert, Ella. All living but two, Fannie and Smith. They are all living in Texas when I left there. I am a brother to F. M. Dawson, we are full brothers. My father has been admitted to Cherokee Citizenship by this Court.

his
(signed) Joseph x Dawson,
Mark

To the Commission o Citizenship,
Tahlequah, C. N. Sept. 12, 1903.
E. Dawson for grandchildren,
Lulu Dauthett,
Dallas Dauthett,
vs
Cherokee Nation.

Now comes E. Dawson petitioning for the Dawes rights of his grandchildren, Julu Dauthett & Dallas Dauthett, by virtue of their Cherokee blood, which was derived from the

Dawson family, who is acknowledged Cherokees by admission of your Hon. Court, at its last session in January, 1883, in view of the facts ask your Hon for a speedy and favorable consideration of our calims.

(signed) E. Dawson for grand children,
By C. H. Taylor."

This last document is indorsed on back as follows: "No. 181, Petition of Lula, Dauthett & Dallas Douthitt, for Citizenship Filed Sept 14, 1883, D. W. C. Duncan, ClerK."

BY MR. HUTCHINGS: Now we desire to introduce the judgment in the case of S. R. Dawson, and others, of the Commission on Citizenship, found on page 20, of Record Book B, of the Citizenship cases in the Cherokee Nation, said book having been turned over to and now in the custody of the Commission; the judgment being dated April 26th, 1889.

BY MR. McKENNON: To the introduction of which the applicants object, because it is wholly incompetent, irrelevant and irrelevant.

Record above introduced is as follows:

"Office of Commission on Citizenship,
Tahlequah, C. N. August 11th, 1887.

Docket No.		Names,	Age	Sex	Post Office,	Attorney
	1	S. R. Dawson,	66		Catoosa,	
	2	Parlee Dawson,	44	female		
307	3	American J. Dawson,	35	"		
	4	Katharine J. Dawson,	33	"		
	5	J. G. Dawson,	31	male		Bell &
	6	Elias F. Dawson,	29	"	Applicant for	Bryant.
	7	Toliver Dawson,	27	"	Cherokee Nation.	
	8	Emma Dawson,	20	female		
	9	Fanny Dawson,	18	"		
	10	John Riley Dawson,	11	male	R.	
	11	Robert E. Dawson,	9	"		
	12	Claud Dawson,	7		Ancestor	
	12	Cleveland Dawson,	3		John Rogers	
	--	filed August 11th, 1887."				

In red ink written along Age column is the following: "Rejected April 26, 1889."

"Now this day comes the above case for final hearing, Samuel R. Dawson, bases his application for readmission to citizenship in the Cherokee Nation upon the ground that he is the son of Samuel Dawson a white man, Polly Rogers the alleged daughter of Captain John Rogers and Chilsey Pruitt, said to be a half sister of Joseph Vann, commonly known as Rich and who were of Cherokee blood. It is admitted that John Rogers and Chilsey Pruitt died before the roll upon which their names would appear if living at the time and specified in the 7th section of the Act of December 8th, 1866, creating the Commission on Citizenship, were made but in support of the application it is urged that certain members of the Dawson family and full brothers of the applicant were re-admitted to citizenship by the Commission on Citizenship commonly known as

"Two Tehee Court", and the "Spears Court", and are now residing as citizens in the Cherokee Nation. In the opinion of this Commission the sufficiency of the considerations which determined the decision of those Commissions of the testimony now introduced to authorize the admission of the present applicant is not relivent to the issue now pending. The 7th section of the Act of December 8th, 1886, before named provides, that "The Commission shall give a hearing to any paerson applying for citizenship in the Cherokee Nation upon the ground of Cherokee blood or descent, but such applicant must be a person, or the lineal descendant of a person whose name appears upon the census rolls of Cherokees taken by the United States," As are hereafter enumerated. Neither the name of the applicant nor that of the person of whom he claims to be a lineal descendant appearing upon eitherof said rolls the Commission adjudge and decree that Samuel R. Dawson and family are not entitled to re-admission to citizenship in the Cherokee Nation as Cherokees by blood. This opinion includes the cases of Andrew J. Dawson, James K. P. Dawson, Jounnah Barber nee Jounnah Dawson and Jane Queen, nee Jane Dawson, and their families, as enumerated in their respecti e applic tions.

(signed) Will P. Ross,
Chairman.

This April 26th, 1889.
(signed) D. L. Williams,
Cl'k Com'n.

(signed) R. Bunch, Commissioner,
John E. Gunter, Com'nr.

BY MR. HUTCHINGS: The Nation now introduces the envelope in the case of James K. P. Dawson, and the contents, being the original testimony in the case of E. Dawson; also the judgment in said case, found on page 116, in book C., containing the records of the Citizenship Commission of the Cherokee Nation, the date of said Judgment being April 26th, 1889; this book being also in the custody of this Commission.

BY MR. McKENNON: To the introduction of all of which the applicants object, because it is wholly incompetent, immaterial and irrelevant.

The envelope above introduced is indorsed on back as follows:

"Name, James K. P. Dawson, APPLICANT FOR CHEROKEE CITIZENSHIP. Address, - - - Age, - - Years, - - Roll of 1835, Ancestor, Riley Dawson, filed the 5 day of Oct. 1887, Docket 989, Book C Page 116, Testimony on Journal - - Page - - - Decision of Commission Rejected 26 day of April 1889
Rejected."

The contents of said envelope are as ollows:

"A. J. Dawson, et al.,) Office Com. On Citizenship,
(vs) (
Cherokee Nation.) Tahlequah, I. T. Sept. 27th, 1888.

E. Dawson, who being duly sworn, upon his oath, deposes and says as follows, to wit:

I am a citizen of the Cherokee Na ion and reside in Coowescoowee Dist. and am 53 years old. I am acquainted with the applicant, Andrew J. Dawson, he claims to be a relation of mine. I have known him personally about three (3) years. He said his father was Joe Dawson. I know the party, the applicant, from circumstances, and have no doubt but that he is a realtion of mine.

Joe Dawson, the father of the applicant was my father's brother. Joe Dawson was considered to be a Cherokee, I think he died on the Hiwassee river in Tenn. I think he had four (4) children. I never saw any of them but Andrew J. Dawson, and Jim Dawson.

-Cross Ex.-

Joe Dawson has been dead about 35 years he lived west of the Mississippi River, I understand. My father had four brothers. I don't know how long Jou Dawson had been living in Tenn. before he died. All that I know of the applicant being the son of my Uncle Jou Dawson, is from what he himself has told me, - My grandfather, Sam Dawson was a white man. The applicant could be of the Dawson name and not be related to me- My grandfather being a Dawson and a white man.

Attest

Connell Rogers,
Clk. Com. on Citizenship."

This document is indorsed on back as follows:
"Testimony of E. Dawson in case A. J. Dawson."

The judgment above introduced, and found on page 116 of Book C of the Dockets of Cherokee Citizenship Commission, is as follows:

"James K. P. Dawson,
OFFICE COMMISSION ON CITIZENSHIP.

Tahlequah, Ind, Ter., Oct. 5, 1887.

Docket No.	Names	Age	Sex	Post Office	Attorney
1	James K. P. Dawson,		male		
2	William A. Dawson,				
3	Richard A. Dawson,				
989					C. H. Taylor.

Applicant for
Cherokee Citizenship,
Census Rolls 1835
Ancestor,
Riley Dawson.

vs.

Cherokee Nation. "

In red ink along age column are the words: "Rejected April 26, 1889."

- - - - - - - - - - - - - - -

"Adverse to Claimant.
See decision in this case in that of S. R. Dawson in Book (B) Page 20.
This April 26, 1889.

D. S. William,
Clk Com.

Will P. Ross,
Chairman.
J. E. Gunter, Com."

BY MR. HUTCHINGS: The Nation desires to introduce the original envelope and its contents in the case 196, of Rebecca Dawson, being the application and judgment in the case, also the judgment as copied into the record, Book C, on page 144, the date of said judgment being August 28th, 1889.

BY MR. McKENNON: To all of which the applicants object, because it is wholly incompetent, immaterial and irrelevant.

The envelope just introduced is indorsed on the back as follows:

"196, 1. Name Rebecca Dawson, APPLICANT FOR CHEROKEE CITIZENSHIP. Address Emmet, I. T., Age 48 years, 1835, to 1852, Roll of 18-- Ancestor Moton, Filed the 5 day of Oct 1887, Docket 1017 Book C Page 144, Testimony on Journal- Page - - Decision of Commission, Rejected 28 day of August 1889. Submitted by Mr. Rasmus, Aug. 28, 1889." R"

The contents of said envelope was as follows:

"APPLICATION FOR CITIZENSHIP.

To the Honorable Commission on Citizenship:
Gentlemen:- The undersigned, your petitioner, this day makes this her application for re-admission to citizenship in the Cherokee Nation, in accordance with the Consittution, and with an act of the National Council approved December 8th, 1886, creating your Commission, And respectfully makes the following statement of the grounds for this, her application, to-wit:

That Rebecca Dawson is the Grand Daughter of one Moton, who the undersigned firmly believes was enrolled upon the Census Rolls of Cherokees by blood, citizens of the Cherokee Nation, taken and made in the years 1835,-48 - 51 - 52.

The undersigned hereby presents the above facts as the lawful grounds for this application for Cherokee citizenship by blood, and respectfully awaits the time when Applic tion shall be truly heard and tried in accordance with he aforesaid law.

Age, 48 years: Postoffice, Emmett, Chic. Na. family with their relationship attached is as follows:

No	Name	Sex	Age	Relationship.

In witness o which application I hereto set my Hand on this the 4-- day of October 1887.

(signed) Rebecca Dawson,

Boudinot & Rasmus,
Attorneys."

- - - -

Rasmus withour evidence the Commission decide tht Rebecca Dawson, Age 48 yrs is not a Cherokee by blood a d are not entitled to citizenship in the CherokeeNation Post Office Emmet Texas - - I. T.

(signed) WILL P. ROSS,
Chairman,
J. E. Gunter, Com."

The judgment foura in Book C, Records of Commission on Citizenship, Cherokee Nation, Page 144, is as follows:

"Rebecca Dawson.
OFFICE COMMISSION ON CITIZE SHIP.
Tahlequah, Ind. Ter., Oct. 5th, 1887.

Docket No	Names	Age	Sex	Post Office	Attorney.
1	Rebecca Dawson	48	female	Emmett, I. T.	

1017

Boudinot & R.
Applicant for
Cherokee Citizenship.

Census Rolls, 1835,
to 1852.
Ancestor,
Moton.

V. S.
Cherokee Nation.

Office Commission Citizenship,
Cherokee Nation, Ind. Ter.,
Tahlequah, Aug. 28th, 1889.

The above case was called and submitted by Attorney Rasmus without evidence. The Commission decide t at Rebecca Dawson, aged 48 years is not a Cherokee by blood and not entitled to Citizenship in the Cherokee Nation.

Attest:
E. G. Ross,
Clerk Commission.

Will P. Ross,
Chairman.
J. E. Gunter, Com."

BY MR. HUTCHINGS: The Nat on next introduces t e iriginal envelope and contents in the case 198, of Mary Dawson, the contents being the application for citizenship, and the judgmeny as written up by the Court; also the judgment of the Court as copied in Book C, page 145,- said judgment being rendered August 28th, 1889.

BY MR. McKENNON: To all of which the applicants object, because the same is immaterial, irrelevant and incompetent.

The envelope just introduced is indorsed on back as follows:

"198, 2, Name, Mary Dawson, APPLICANT FOR CHEROKEE CITIZENSHIP. Address, Bowie, Texas, Aged 54, years, 1835 to 1852 Roll of 18- Ancestor, Moton, Filed the — day of 9 18— Docket 1018, Book C Page 145. Testimony on Journal— Page— Decision of Commission Rejected 28th day of August 1889. Submitted by Mr. Rasmus, Aug, 28. 1889."

"Application FOR CITIZENSHIP".

To the Honorable Commission on Citizenship:

Gentlemen:- The undersigned, your petitioner, this day makes this his application for re-admission to citizenship in the Cherokee Nation in accordance with the Constitution, and with an Act of the National Council, approved December 8th, 1886, creating your Commission. And respectfully submits the following statement of the grounds of this his application, to-wit:

That I am a man in the Grand Daughter of one Eaton who the undersigned firmly believes was duly enrolled upon the Census Rolls of Cherokees by blood, citizens of the Cherokee Nation, taken and made in the years 1835,-48 - 51, - 52.

The undersigned hereby presents the above facts as the lawful grounds of this her application for Cherokee Citizenship by blood, and respectfully submits the time when her Application should be truly heard and tried in accordance with the aforesaid law.

Age, 54, years; Post Office, Bowie, Texas, family with their relationship attached is as follows;

No.	Name	Sex	Age	Relationship.
1	Walter Dawson	M	18	Son.

In witness of which application I hereunto set my hand on this the 4 day of October 1887.

Mary Dawson,

Boudinot & Rogers,
Attorneys."

- - - - - - -

COMMISSION CITIZENSHIP,
Cherokee Nation, Ind. Ter.,
Tahlequah, August 20th, 1889,

Mary Dawson,
vs } Application for Cherokee
The Cherokee Nation } Citizenship.

The above named case having been submitted by W. P. Rogers, Attorney for plaintiff, without evidence, the Commission decide that Mary Dawson age 54 yrs, and her son Walter Dawson, age 18 yrs, are not of Cherokee blood, P. O. Bowie, Texas.

Will P. Ross,
Chairman,
J. B. Carter, Com."

- - - - - - -

Said envelope also contains the following:

APPLICATION FOR CITIZENSHIP

TO THE HONORABLE COMMISSION ON CITIZENSHIP: Gentlemen:- The undersigned, your petitioner, this day makes this his application for re-admission to citizenship in the Cherokee Nation, in accordance with the Constitution and with an act of the National Council, approved December 8th, 1886, creating your Commission. And, respectfully submits the following statement of the grounds of this his application, to-wit: That John F. P. Dawson is the son of one Lilly Eaton who the undersigned firmly believes was duly enrolled upon the - - - Rolls of Cherokees by blood, citizens of the Cherokee Nation, taken and made in the year 1835, the undersigned hereby presents the above facts as the lawful grounds for this his application for Cherokee Citizenship by blood, and respectfully submits the time when his application should be truly heard and tried

in accordance with the aforesaid law.
Age - - years; Post-office - - -; family with their relationship attached is as follows:

Names,	Sex	Age	Relationship.
Willia A. Dawson	Male		Son.
Richard A. Dawson,	"		"

In witness of which application I hereto set my hand on this the 4th day of Oct 1867.

(signed) James K. P. Dawson,
C. H. Taylor, Attorney."

- - - - -

The judgment as recorded i Book , page 145, of the records of the Cherokee Commission on Citizenship, is as follows:

"Mary Dawson,

Office of Commission Citizenship.

Tahlequah, Ind. Ter., Oct. 5th, 1867.

Docket No.	Names	Age	Sex	Post Office	Attorney
1	Mary Dawson,	54	Female	Bowie, Texas.	
2	Walter Dawson,	18	Male		

Boudinot & R.
Applicant for
Cherokee Citizenship.

Census Rolls 1835 to 1852
Ancestor
- - - - - -

vs.
Cherokee Nation.

- - - - - -

Office Commission on Citizenship,
Cherokee Nation, Ind. Ter.,
Tahlequah, Aug 26th, 1839.

The above case having been submitted by W. F. Rapmus, attorney for claimant, without evidence, the Commission decide that Mary Dawson aged 54 years, and her son Walter Dawson aged 18 years are not of Cherokee blood. Post office Bowie Texas.
Attest:

E. G. Ross,
Clerk Commission.

Will F. Ross,
Chairman.
J. B. Spears, Com."

- - - - -

BY MR. HUTCHINGS: The Nation now introduces the original envelope in the case of Andrew J. Dawson, which said envelope contains his original application; also the judgment in that case recorded on Page 32, of Book A, of the records of the Citizenship Commission of the Cherokee Nation, which said records are now in the custody of the Commission; the judgment is dated April 26th, 1889.

BY MR. McKENNON: To all of which the applicants object, because the same is immaterial, irrelevant and incompetent.

The envelope just introduced above, is endorsed as follows:

"Name, Andrew J. Dawson, APPLICANT FOR CHEROKEE CITIZENSHIP. Address, Nevada, Mo. Age 44 years, - - 1835, Roll of 1835, Ancestor, - - Filed the 11 day of February 1887, Docket 37 Book A, Page 38 Testimony on Journal - - Page, Decision of Commission, REjected, 26 day of April, 1889. Rejected."

The contents of said envelope are as follows:

"To the Commission on Citizenship.

Tahlequah, I. T.,
January 27, 1887.

	Age		
Andrew J. Dawson,	44	years	Male
E. E. Dawson,	16	"	"
Olive M. Dawson,	14	"	female
William H. Dawson,	11	"	male
Jessy K. Dawson,	9	"	"
Clennie D. Dawson,	8	"	female.

V.S.
Cherokee Nation.

Know comes Andrew J. Dawson, and five children claiming his right to Cherokee Citizenship by virtue of his Cherokee blood, he being a cousin of E. Dawson ad others of the same name admitted to Citizenship by the Tom Tehee Court on Citizenship, which is a matter of record, we submit that as proof of the Justness of his claim, his ancestors will be found on the roll of 1835.

Respectfully,

Post-office, (signed) A. J. Dawson &
Nevada, Mo. five children,
by C. H. Taylor,
Attorney."

" " " "

The judgment just introduced and found on page 38 of Book A, Records of Cherokee Commission on Citizenship, is as follows:

"Andrew J. Dawson,
Office Commission Citizenship,
Tahlequah, C. N., Feby 11, 1887.

Docket No Family	Name	Age	Sex	
1	Andrew J. Dawson,	44	Male	Nevada, Mo.
2	E. E. Dawson,	16	"	
3	Olive M. Dawson,	14	female	
4	William H. Dawson,	11	Male	Applicants for
5	Jessie K. Dawson,	9	"	Cherokee citizenship,
6	Clennie D. Dawson,	8	female	C. H. Taylor.

Rolls 1835,

Rejected April 26, 1889, (red ink.)

V.S.
Cherokee Nation.

Ancestors,

Filed Feby 11, 1897.

Adverse.

See decision in this case in that of L. R. Dawson, Book P.20.
rendered April 26- 1899.
D. S. Williams,
Clk Com."

BY MR. HUTCHINGS: We next desire to introduce the records in the case of this same Andrew J. Dawson, before the Commission to the Five Civilized Tribes, filed September 7th, 1896, and the judgment of the Commission thereon. Number of said case being 4,094. And the judgment of said case on Page 394, Book B., Dawes Commission Record, 1896. Judgment was rendered November 17th, 1896, denying the application.

BY MR. McKENNON: To all of which the applicants object, because the same is immaterial, irrelevant and incompetent.

The records just introduced, being those filed before Dawes Commission, 1896, in Andrew J. Dawson, et al., are as follows:

Registry Receipt,
Post Office at Vinita, Sep. 7, 1896, Cherokee Nation, Ind Ter., Registered Letter, No. 409, Rec'd, of A. J. Dawson, addressed to S. H. Mayes, Tahlequah, I. T., (signed) D. A. Frayser, L.-P. M.

"Commission to the Five Civilized Tribes,
Vinita, Ind. Ter., Sept. 7, 1896.

See that you swear to your petition.

Evidence of service of copies of Chief or Governor may be secured as follows: If convenient get his receipt to file with your papers. If you cannot do this, register to him, and have some interested person to make affidavit in form about as follows:

I, S. M. Davidson, do solemnly swear that on the 7th day of September, 1896, I saw a package registered at the Post office at Vinita, Indian Territory, addressed to Hon. S. H. Mayes, Chief of the Cherokee Nation, Tahlequah, Ind. Ter., that registry receipt no.409, received from postmaster, hereto attached, is a receipt to said package, which contained true copies of the application of Andrew J. Dawson, and of the affidavits of E. Dawson and F. M. Dawson in support of same.

(signed) S. M. Davidson.

Subscribed and sworn to before me, on this 7th day of September, 1896.

(seal) (signed) W. H. Kornegay,

Notary Public, First Judicial Division, of the Indian Territory.

Attach receipt to this affidavit and send with papers to the Commission at Vinita, Indian Territory. This takes the place of the former instructions, as we understand that packages are not promptly receipted for by the Chiefs and Governors.

xyx _____
For the Commission."

APPLICATION FOR ENROLLMENT.

To the Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss and Alexander B. Montgomery, United States Commissioners, authorized by an Act of Congress of June 4th, 1896, to hear and determine claims for citizenship in the Cherokee Nation:

Gentlemen: -

The undersigned, your petitioner, Andrew J. Dawson, ~~William H. T. Dawson Jesse K. B.~~ (Line in ink drawn through these names) for and on behalf of Minnie E. E. Dawson, Olive Maud Dawson, William H. T. Dawson, Jesse K. Dawson, Glen Dale Dawson, James K. P. Dawson, William A. Dawson, Maggie E. Dawson, Rhichard A. Dawson and Mary E. Dawson and heirs, this day make their application to you for the purpose being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of the funds and allotments of lands in the Cherokee Nation by virtue of their Cherokee blood, and petitioners state that they are Cherokee Indians by blood, deriving the same from Captain John Rogers, Polly Rogers, Daughter of Captain John Rogers, married Samuel Dawson; whose name will be found on the authenticated rolls of the Cherokees by blood, taken in the years 1817, 1818, 1819 and 1835 & 1838 the same to be submitted to your Honorable Commission for a full and complete investigation, and if found correct as stated, to be granted all the rights, privileges and immunities of other Cherokee citizens, and petitioner herewith files his proof in support of said claim, and respectfully awaits the time when his application shall be heard and tried.

Respectfully submitted,
Andrew J. Dawson,

Enrollment of family, with relationship attached, as follows:

Names.	Ages.	Relationship.
Minnie E. E. Dawson,	25	Daughter,
Olive Maud Dawson,	23	daughter
William H. T. Dawson,	20	son,
Jesse K. Dawson,	18	son.
Glen Dale Dawson,	16	daughter.
James K. P. Dawson,	17	brother.
William A. Dawson,	18	Nephew.
Maggie E. Dawson,	8	Neice.
Richard A. Dawson,	17	Nephew.
Mary E. Dawson,	5	Neice.

IN WITNESS WHEREOF, I hereunto set my hand this Third day September 1896.

(signed) Andrew J. Dawson."

Jurat on back as follows:

United States of America,
Indian Territory,
Northern District.

Andrew J. Dawson, of lawful age, being duly sworn states that he knows the facts set forth in the above and foregoing application and that the same are true as he verily believes.

(signed) Andrew J. Dawson,

Subscribed and sworn to before me on this the 3rd day of September 1896.

(signed) J. A. Tillotson,
Notary Public.

(Seal)
My Commission expires June 8" 1899.

- - - - - -

Indian Territory,
Northern Judicial Dis- (ss.
trict.

J. Dawson, of lawful age, being by me first duly sworn on oath says that he is 58 years old that his post office address is Afton, I. T. Affidavit further says that he is a citizen of the Cherokee Nation and a Cherokee Indian by blood deriving his Indian blood from Polly Rogers daughter of Captain John Rogers, that Polly Rogers, a daughter of Captain John Rogers married Samuel Dawson near Calhoun, Tenn. on the Hiawassee river while emigrating to the west.

Affidavit further says that Samuel Dawson and Polly Rogers are his Grandfather and Grandmother and that Captain John Rogers was recognized by the National Council of the Cherokee Nation as a Cherokee citizen in the laws of the Cherokee Nation of 1868 as follows: An act of the Council of 1842 page 60, an act of Nov. 17" 1843, page 96. also an act of Nov. 16 1843 page 144.

Affidavit further says that he is a blood relation of E. Dawson, F. M. Dawson, Joseph Dawson, and John Dawson who were admitted to citizenship by the Cherokee Nation and whose names appear upon the authenticated rolls of 1893.

(signed) Andrew J. Dawson.

Subscribed and sworn to before me this 3" day of September A. D. 1896.

(signed) J. A. Tillotson,
Notary Public.

(Seal)
My Commission expires June 8" 1899."

"Indian Territory,
Judicial Dist.) S.S.

F. M. Dawson, of lawful age, being by me first duly sworn on oath says that he is 54 years old; that his post office address is Afton, Indian Territory, Affidavit further says I have known Andrew J. Dawson for the past 10 years and have known him and recognized him as a Cherokee Indian and a cousin of mine, he claims to have originated from the family of Joe Dawson and he was a brother of Robert Dawson my father, and he being an offspring of Sam Dawson, who married Polly Rogers, a daughter of Captain John Rogers, who was a recognized Cherokee Indian.

his
(signed) F. M. x Dawson
Mark

Subscribed and sworn to before me this the 4th day of Sept 1896."

(signed) Frank L. Sharp
Notary Public. (Seal)"

- - - - - - -

"Ind Ter
Northern Dist

This affidavit made this 4th day of Sept 1896 by E. Dawson of this Dist in the Cherokee Nation I have known A. J. Dawson 16 years and have known him and recognized him as a Cherokee Ind and a cousin of mine, he claims to originate from the family of Joe Dawson and he was a brother of Robert Dawson and being an offspring of Sam Dawson who was (line in ink drawn through word was) married Mollie Rogers a daughter of Captain John Rogers who was a recognized Cherokee Indian.

(signed) E. Dawson.

Subscribed and sworn to before me this 4th day of Sept 1896.

(signed) J. Bartlett,
Notary Public,

My commission expires June 8, 1898.
(Seal)"

Indorsed on back: "No. 1509, A. J. Dawson vs Cherokee Nation Filed Sept 7-1896 A. S. McKennon, Com'r."

- - - - - - -

Before the Honorable Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, A. B. Montgomery, Commissioners.
In the matter of the application of
Andrew J. Dawson, Nation's No.....
Commission's No.....
for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy.

2nd. That the application does not state facts sufficient if true, to show that the applicant . . . entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that John Rogers through whom the petitioner claims to derive right to citizenship in the Cherokee Nation, is not now, - . - and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory, as at present located and defined; that his name does not appear on any of the authenticated rolls of said nation; that neither nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

See case Nation's No. 1573.

Having fully answered, your respondent asks to be hence dismissed.

S. H. Mayes, Principal Chief Cherokee Nation.

B. Hutchings, Hastings & Boudinot, Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answers are true, to the best of his knowledge and belief.

(signed) John L. Adair,

Subscribed and sworn to before me this the 5 day of Oct 1896.

(signed) D. J. Ball,
Notary Public.

(Seal)"

Indorsed as follows: "Nation's No. 4678.
Commission's No. 4694, In re application of Andrew J. Dawson, DEMURRER AND ANSWER. Filed Oct 31 H. M. Jacoway, Sec."

The foregoing documents, comprising the 1896 papers as above set forth, are inclosed in envelope indorsed:

"No. 4694, Petition of Andrew J. Dawson, and heirs, Cherokee. 9-7-96. Rejected."

Which envelope is inclosed in jacket, marked "No.4694."

- - - - - - -

BY MR. HUTCHINGS: Now we desire to introduce the records in the case of Joanna Barber, et als., No. 1864, the United States Court number being 90, and the Nation desires to call especial attention to the testimony of W. C. Rogers and Sarah Carter as set forth in this case.

BY MR. McKENNON: To all of which applicants object, because it is wholly irrelevant, immaterial and incompetent.

Records in said case are as follows:

blood is shown by proof herewith filed.

APPLICATION FOR ENROLLMENT.

To the Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss and Alexander B. Montgomery, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine claims for Citizenship in the Cherokee Nation:

Gentlemen:- The undersigned, your petitioner, Joanah Barber, for and on behalf of himself and heirs, this day presents this their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to

share in the distribution of funds and allotments of land in Cherokee Nation, by virtue of their Cherokee blood, and I herewith submit the affidavits of E. Dawson, S. R. Dowdal, T. A. Dawson & F. M. Dawson in support of said clair, and respectfully await the time when our application shall be heard and tried.

Respectfully submitted,
(signed) Joanah Barber.

Enrollment of family, with relationship attached, as follows:

Names		Age	Relationship.
Joanah Barber,		60	Daughter of Elizabeth or Betsy
Isaac J.	" Husbd	26	Petty, ne Dawson, who was a
Otis E.	"	26	daughter of Polly Dawson, nee
W. R.	"	24	Rogers who was a daughter of
James E.	"	18	Capt Jno Rogers and Alley Rogers
Johny	"	[illegible]	nee Vann a Cherokee Indian by
Joel A. Barber		20	blood as is shown by proof here-
			with filed.

In witness of which I have set my hand on this 7 day of August 1896.

(signed) Joanah Barber."

Indorsed as follows: "Pet 2,50 No.... Petition of Joanah Barber for self and behalf of herself and heirs."

TO THE HONORABLE HENRY L. DAWES AND OTHERS COMPOSING THE COMMISSION TO THE FIVE CIVILIZED TRIBES:

Your petitioner, Joanah Barber, would state and show from the proof submitted to the Commission that he is a Cherokee by descent and by blood having been born in Carroll County, State of Ark. on the 5 day of Dec 1835. My fathers name was John Petty. My mothers name was Elizabeth Petty, nee Dawson. That I now reside in the Cherokee Nation, and have resided there for 10 years. And she avers these facts can be established by proof to the satisfaction of the Commission under such rules and regulations as it may prescribe. And she further avers that these facts being proved she is entitled to be adjudged under the laws of such Nation and the laws of the Congress of the United States and the treaties of such Nation with the United States, a citizen of such Nation, with all the rights, privileges and protection of Citizenship in such Nation. Wherefore she herewith respectfully submit to the consideration of the Honorable Commission such proof and on the hearing she be adjudged entitled to such citizenship and her name be placed upon the proper roll as a citizen of such Nation.

(signature Joanah Barber.

INDIAN TERRITORY,)
(SS
FIRST JUDICIAL DIVIS)

Now on this 7 day of Aug personally appeared before me F. J. Watts a Notary Public in & for the said Territory, Joanah Barber, who being duly sworn upon his oath states that the facts set forth in the foregoing petition are correct and true.

Subscribed and sworn to before me this 6 day of August 1896.

(signed) W. J. Watts,
Notary Public.
(Seal)"

\- - -

"(COPY)
In the matter of the claim of Joanah Barber nee Joanah Petty to Cherokee Indian Citizenship in the Cherokee Nation , Indian ter itory.
Affidavit of S. R. Dawson.

Delaware District,)
Ch rokee Nation,)
Firt Judicial Division,)
U.S. Court, Indian Ter itory. (ss
)
)
)

S. R. Dawson, to me well known to be r liable and respectable, after being duly sworn according to law states on oath, that he is a bona-fide citizen of the Cherokee Nation by blood- that he is a resident of s id Nation- that his post-office address is Afton, I. T.; that he is fifty-one years of age- that he is well acquainted with the claimant Joanah Barber and has as long as he h s known any person- that she is of Cherokee Indian descent- that her maiden name was Joanah Petty- that she was the daughter of one Elizabeth Petty, a person of Cherokee Indian descent- that Elizabeth Petty's maiden name was Elizabeth Dawson- that said Elizabeth Dawson was the daughter of Polly Rogers, a person of Cherokee Indian descent, who intermarried with Samuel Dawson, a white man- that he said Polly Rogers was the daughter of Captain John Rogers and Ailsey Vann both well known Cherokee Indians.

Affiant is not directly nor indirectly interested in the result of this application.

(Impress of National Seal) (sign d) S. R. Dawson.

Subscribed & Sworn to before Jany 6 1892
(signed) W. P. Hubbard,
Notary Public."

"United States of America,
Indian Te itory, (ss
First Judicial Division.

I, William F. Rasmus, a Notary Public within and for the Judicial Division aforenamed, do hereby certify that the next above in the within one page of an affidavit is a true and literal copy of the original as presented to me at Tahlequah, Ind. Terry, this the Third day of July A.D. 1893.

(signed) William F. Rasmus,
Notary Public, First Judicial Division, Indian Territory.
(Seal) My Commission expires Feby 3, 1897."

(A copy)

In the matter of the claim of Joanah Barber (nee Joanah Pet y)

to Cherokee Indian Citizenship in the Cherokee Nation, Ind Ter.

Affidavit of E. Dawson,

Coowescoowee District,)
Cherokee Nation,)
First Judicial Division,) ss
U. S. Court, Ind. Ter.)

E. Dawson, to me well known to be reliable and responsible after being duly sworn according to law states on oath that he is a Bonified citizen of the Cherokee Nation by blood- that he is a resident in said Nation that his post office address is Tahlequah, Ind Ter.-that he is 38 years of age- that he is well acquainted with the claimant Joanah Barber and has been so as long as he has known any person- that she is a woman of Cherokee Indian descent the her maiden name was Joanah Petty- that she was the daughter of one Elizabeth Petty, a person of Cherokee Indian descent- that Elizabeth Petty's maiden name was Elizabeth Dawson- that said Elizabeth Dawson was the daughter of one Polly Rogers a person of Cherokee descent, who intermarried with Samuel Rogers, a white man, that the said Polly Rogers was the daughter of Captain John Rogers a well known Cherokee Indian.

Affiant is not directly nor indirectly interested in the result of this application.

(signed) E. Dawson.

Subscribed and sworn to before me this the 28th day of Febry 1903

(signed) A. F. Williams,
Notary Public.

(Impress of
National seal
here.)
Com. Expo. Sept. 26/06.

United States of America,
Indian Territory, ss
First Judicial Division.

I, William F. Rasmus, a Notary Public within and for the First Judicial Division, Indian Territory, do hereby certify that the next above and the within one page of an affidavit is a true and literal copy of the original presented to me at Tahlequah, Ind Ter. this the third day of July A.D.1903.

(signed) Wm. F. Rasmus.

(Seal) Notary Public, First Judicial Division; Indian Territory, My Commission expires Febry 3, 1907.)

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United States of America,
Western District of Arkansas. ss.

In the case of one Joanah Barber claimant for citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before Cherokee Indian authority at Tahlequah, Cherokee Nation, Indian Territory.

Personally came and now appears before me William F. Rasmus, a Commissioner U. S. Court within and for the District aforesaid duly authorized to administer oaths W. A. Dawson, to me personally well known to be reputable and entitled to credit, and who being by me first duly sworn according to law, deposes and

and says: My name is W. A. Dawson, my age is 52; years; my post-office address Tulsa, Ind. Terry, I am a farmer by occupation, I am a citizen of the Cherokee Nation, I. T. by virtue of Cherokee Indian blood.

And affiant declares in relation to the above named case as follows, to-wit: That he is personally well acquainted with the claimant, Joanah Barber- Whose Mother's name was Elizabeth (commonly called Betty) Petty, Dec'd nee Elizabeth Dawson, - a Cherokee Indian by blood, and who was the sister of his father; James Dawson, Dec'd, a recognised and acknowledged Cherokee Indian by blood- she was also a sister of Robert Dawson Dec'd a recognized and acknowledged Cherokee Indian by blood- said Robert Dawson having been a full brother to said James Dawson- that therefore the said claimant, Joanah Barber is his (affiant's) first cousin by Cherokee Indian blood and that he so recognized and acknowledged her.

(signed) W. A. Dawson.

Subscribed and sworn to before me at Tahlequah, Ind. Terry this third day of December A.D.1894.

(signed) W. J. Rasmus,

(seal) United States Commissioner."

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"UNITED STATES OF AMERICA.)
Western District of Arkansas.)ss

In the case of Joanah Barber claimant for citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before Cherokee Indian authority at Tahlequah, Cherokee Nation, Indian Territory.

Personally came this day before me William F. Rasmus, a Commissioner of the U. S. Dist. Court within and for the District afo enamed duly authorized to administer oaths Francis M. Dawson, to me made personally well known to be reputable and entitled to - - and who - - duly sworn according to law deposes and says: My name is Francis M. Dawson my age is about 57 years, my post-office address is Afton, Ind. Terry, I am a farmer by occupation, I am a citizen of the Cherokee Nation, by virtue of Cherokee Indian blood.

And affiant declares in relation to the above named case as follows, to-wit: I am personally well acquainted with the claimant Joanah Barber, whose Mother's name was Elizabeth (commonly called "Betty") Petty, nee Elizabeth Dawson, a Cherokee Indian by blood, said Elizabeth Petty was a full sister of my father Robert Dawson Dec'd, a Cherokee Indian by blood- and I acknowledge the relationship by Cherokee Indian blood of Joanah Barber to me as first cousin- and I know that the said Joanah Barber therefore is of Cherokee Indian blood.

(signed) F. M. Dawson,

Subscribed and sworn to before me at Tahlequah, Ind. Terry- this 17th day of November A.D.1893.

(signed) W. J. Rasmus,

(seal) United States Commissioner.

Indorsed on back as follows: "No. 1 filed Feb 24 1897, Jas. A. Winston, Clerk."

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"Page 21, Docket "B"
Joannah Barber.
Office Commission on Citizenship,
Tahlequah, C. N. August, 1887.

Docket. No.	Names	Age.	Sex.	Post Office.	Atty.
1	Joannah Barber	51	female	Vinita, I. T.	
2	Ailey J. Barber	34	female		
3	Irena Barber	24	female		
4	Erma Barber	22	female		
5	Atia Barber	20	female		
6	Mary Barber	13	female	applicant for	
7	Onice Barber	17	female	Cherokee Citizenship	
8	Joel Barber	31	male	Rolls 1835	
9	Calaway Barber	27	male		
10	Toliver Barber	20	male	Ancestor	
11	Riley Barber	15	male		
12	Edgar Barber	9	male		
				John Rogers &	
	Filed Aug. 13, 1887.			Alcy Pruett	

See decision this case in that of L. R. Dawson, adverse to claimant in this book page 20.
This April 26th, 1889.
D. S. Williams, Clerk Com.
Will. P. Ross, Chairman,
J. E. Gunter, Com."

"S. R. Dawson.
Office Commission on Citizenship,
Tahlequah, C. N. Aug. 11th, 1887.

Docket. No.	Names.	Age.	Sex.	Post Office	Atty.
1	S. R. Dawson,	60		Catoosa, I. T.	
2	Parlee Dawson,	44	female		
3	America J. Dawson,	35	female		
4	Katherine J. "	35	female		
5	J. C. Dawson,	31	male		
6	Eliza F. Dawson,	28	male		
7	Toliver Dawson,	27	male	Applicant for	
8	Erma Dawson,	20	female	Cherokee	
9	Fanny Dawson,	16	female	Nation	
10	John Riley Dawson	11	male		
11	Robt. E. Dawson,	9	male	R	
12	Clara Dawson,	7	female		
13	Cleveland Dawson	3		Ancestor	
	Filed Aug. 11, 1887.			John Rogers	
	Rejected April 26, 1889.				

Now this day comes the above case for final hearing, Samuel R. Dawson bases his application for re-admission to Citizenship in the Cherokee Nation upon the ground that he is the son of Samuel Dawson, a White man, Polly Rogers, the alleged daughter of Captain John Rogers, and Chilsey Pruett said to be half sister of Joseph Vann, commonly known as Rich and Who were of Cherokee blood. It is admitted that John Rogers and

Kelsey Truett died before the roll was made upon which their names would appear if living at the time, and specified in the 7th Section of the Act of December 17, 1896, creating the Commission on Citizenship were made, but in support of the application it is urged that certain members of the Dawson family the full brothers of the applicant are admitted to citizenship by the Commission on Citizenship commonly known as the "Tehee Court" and "Spears Court" and are now residing as citizens in the Cherokee Nation. In the opinion of this Commission the sufficiency of the consideration which determined the decisions of those Commissions or the testimony now introduced to authorize the admission of the present applicant is not relevant in the issue now pending. The 7th Section of the Act of December 6th, 1898, before mentioned provides that the Commission hearing to any person applying for citizenship in the Cherokee Nation upon the grounds of Cherokee blood or descent, but such applicant must be a person, or the lineal descendant of a person whose name appears upon the census roll of Cherokees taken by the United States, or hereafter authorized, neither the name of the applicant nor that of the person of whom he claims to be a lineal descendant appearing upon either of said rolls, the Commission adjudge and decree that Samuel R. Dawson and family are not entitled to re-admission of citizenship in the Cherokee Nation as Cherokees by blood. This opinion includes the case of Andrew J. Dawson, James L. P. Dawson, Joannah Barber, nee Joannah Dawson, and Jane Queen, nee Jane Dawson and their families as enumerated in their respective applications.

Will. P. Ross, Chairman,
T. Bench, Commissioner,
John E. Hunter, Commissioner.

This April 26th, 1899,
D. S. Williams, Clerk Com."

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United States of America,)
Indian Territory, (ss.
Fort Smith District.)

W. C. Rogers being duly sworn on oath deposes and says: that he is a citizen and resident of the Cherokee Nation, Indian Territory. That his Post-office address is Skin-atook, Ind. Ter. that he was born and raised in the above said Nation and Territory, and he is 46 years of age:

Affiant further states that he is slightly acquainted with Irena J. House, an applicant for admission to citizenship in the Cherokee Nation as shown by copy of her application.

Affiant further states that his father's name was Charlie Rogers- who was a son of Captain John Rogers and the said Capt. John Rogers was the only man of that name that ever lived in the Cherokee Nation that this affiant ever heard of; that the said Capt. John Rogers this affiants grandfather lived at Creed Salith, I. T. and died in Washington, D. C.

This affiant states that his father Charlie Rogers had one sister and five brothers viz. Synthia Rogers, Lewis Rogers, George Rogers, Nelson Rogers, Granvil Rogers and Randolph Rogers; that he (this affiant) was well and personally acquainted with the above said parties- except Granvil and Randolph Rogers, who were killed when this affiant was quite young.

This affiant states that he was 34 years of age, when his father, Charlie Rogers died, that his father never had any other family (like in ink drawn through) other children or sisters than the ones above mentioned; that one Polly Rogers named in the application for citizenship of Irene J. House, was not a sister of his fathers; that his father never had but one sister viz. Cynthia Rogers that this affiant ever heard of; that this affiant was well acquainted with his aunt Cynthia Crump-"

Just here the following is inserted on separate paper:

"EXECUTIVE DEPARTMENT OF
CHEROKEE NATION. I, John L. Adair, Executive Secretary of the Cherokee Nation, do hereby certify that I have compared the foregoing with the original record in this Department, and that the same is correct copies and transcripts therefrom.

In witness whereof I have hereunto set my hand and affixed the Great Seal of said Cherokee Nation, at Tahlequah, this, the 5th day of Feb. 1896.

(signed) John L. Adair,
Executive Secretary."

(Seal)

Then the above affidavit continues:

"(nee) Rogers that she lived with this affiant's father for a number of years prior to here death.

Affiant states that he has often talked with his father, Charlie Rogers and his aunt Cynthia Crump (nee Rogers) about his relatives; that they ever spoke of any other sister in their family; that this affiant was about 20 years of age when his aunt, Cynthia Crump died; that they told him there never was (words "never was" marked over with ink) father never had any other daughter or daughter other than Cynthia Rogers

Affiant states that his father told him a number of times, that this affiants grandfather Capt John Rogers never had any other family other than the one above mentioned; that this affiant never heard his father Charlie Rogers or any of his relatives speak of his grandfather Capt John Rogers owning or running a boat up any river.

Affiant states his father Charlie Rogers was born on Big Mulberry, South-east of Van Buren, Arkansas, in the year of 1817.

Further affiant saith not.

W. . Rogers.

Subscribed and sworn to before me on this the first day of October, 1896.

(signed) William H. Hall,
Notary Public,

(seal) My Commission expires January 16th, 1900."

"United States of America,)
Indian Territory, (SS
Northern District.)

Mrs. Sarah Carter being first duly sworn states; that she is a citizen and resident of the Cherokee Nation, Ind. Ter. and her post office address is Vinita, I. T., that she is 65 years of age.

Affiant states that she is a daughter of Charlie Logsdon that her grandfather on her father's side was Capt. John Logsdon. Affiant further states that W. C. Parris is her brother, and that she has read the foregoing affidavit of W. C. Parris, and knows the contents thereof; that the facts therein set forth are true as she verily believes.

(s) Sarah Parker.

Subscribed and sworn to before me this the first day of October, 1900.

William M. Hall,
Notary Public,

My Commission expires January 1st 1900."
(seal)

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"Before the Honorable Henry L. Dawes, Frank C. Armstrong, A. S. Hickman, T. B. - (illegible) A. B. Montgomery, Commissioners.

In the matter of the application of Nation's No.1877
Jonah Parker Commission's No...
et al-
for citizenship in the Cherokee Nation.

Your respondent, S. H. Hayes, Principal Chief of the Cherokee Nation, comes now and returns this said application, and for ground thereof says:

1st. That the Commission has no jurisdiction over the question or subject matter of this controversy, and not legal right, by order, to hear and determine the same.

2nd. That the application does not state facts sufficient, in law, to show that the applicants are entitled to citizenship.

Respondent now waiving the aforesaid demurrer, but insisting upon the same and all of said application, says that Jonah Rogers, through whom the petitioners claim to derive their right of citizenship in the Cherokee Nation, is not now, and never has been a citizen of the Cherokee Nation, save the privilege of said Nation, when he to the Indian Territory as it previously located and defined; that his name does not appear upon any of the authentic tribal rolls of said Nation; that neither the said Jonah Rogers or any of his ancestors ever resided in the Cherokee Nation as Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence discharged.

S. H. Hayes, Principal Chief Cherokee Nation.

(illegible), Hastings & Wisdom, Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, on oath states that the matters contained in the foregoing answer are true, to the best of his knowledge and belief.

(s) John L. Adair,

Subscribed and sworn to before me this the 5 day of Oct. 1900.

(s) W. J. Dale.
Notary Public."
(seal)

Indorsed on back as follows: " 1874 SC Natick's No. 157", Commission's No..... In the application of No 8 Joanna Barber Demurrer and Answer Filed Mar 13 1897 Jas. A. Pinston, Clerk/ Filed Oct 7 1896 M. M. Jacoway, Secy."

"BRIEF.

BEFORE THE HONORABLE COMMISSION OF THE UNITED STATES OF AMERICA,

duly appointed and empowered to Act, under & by virtue of the Act of Congress of June 4th 1896, to hear and determine all claims for citizenship in the Five Civilized Tribes of Indians, to-wit:
Cherokee, Creek, Choctaw, Chickasaw and Seminole Indians.

In the matter of the application for citizenship in the Cherokee Nation, of Joanna Barber and her children, to-wit:

Enid P. Barber, William P. Barber, James E. Barber, Johnnie Barber and Joel A. Barber.

In the matter of the application for citizenship in the Cherokee Nation of Joel A. Barber and his children, to-wit: Mattie Barber, Oliver Barber, George A. Barber, Freddie C. Barber, Jesse Barber and Ethel Barber.

In the matter of the application for Citizenship in the Cherokee Nation of Mary A. Baker and her child, to-wit: Inez Baker.

In the matter of the application for citizenship in the Cherokee Nation of Ezra L. Murphy and her child, to-wit: Claude M. Murphy.

In the matter of the application for Citizenship in the Cherokee Nation of Ezra Moore and her children, to-wit: Anna J. Moore, Jackson D. Moore, Rhenby Moore and Gladys Moore.

In the matter of the application for Citizenship in the Cherokee Nation of Attie L. Hunt and her child, to-wit: Dorman Hunt.

In the matter of the application for Citizenship in the Cherokee Nation of Alcey J. Smart and her children, to-wit: Georgia A. Smart and Ezzy K. Smart.

In the matter of the application for Citizenship in the Cherokee Nation of Josiah J. Garlinghouse and her children, to-wit: Myrtle C. Garlinghouse, Cora L. Garlinghouse and Martha M. Garlinghouse.

In order that the Honorable Commission may clearly and fully understand the proof and merits of the Claim of the aforesaid Claimants, we deem it necessary to present to the Honorable Commission, the genealogy of each of said claimants, to-wit:

Joanna Barber, whose maiden name was Joanna Petty, is a daughter of Elizabeth Petty, nee Dawson and a granddaughter of Polly Dawson, nee Rogers and a great granddaughter of Certain John Rogers, who was a Cherokee Indian by blood as shown by the proof herein submitted.

Joel A. Barber is a son of Joanna Barber, nee Petty and grand son of Elizabeth Petty, nee Dawson and a great grand son of Polly Dawson nee Rogers and a great great grand son of Captain John Rogers, who was a Cherokee Indian by blood as shown by the proof herein submitted. Mary A. Boner, whose maiden name was Mary A. Barber, is a daughter of Joanna Barber and grand daughter of Elizabeth Petty, nee Dawson and great grand daughter of Polly Dawson, nee Rogers and a great great grand daughter of Captain John Rogers, who was a Cherokee Indian by blood as shown by the proof herein submitted.

Erra Murphy, whose maiden name was Erra Barber, is a daughter of Joanna Barber, nee Petty and a great grand daughter of Elizabethe Petty, nee Dawson and a great great grand daughter of Polly Dawson nee Rogers and a great great grand daughter of Captain John Rogers, who was a Cherokee Indian by blood, as shown by the submitted proof.

Erra Moore, whose maiden name was Erra Barber, is a daughter of Joanna Barber, nee Petty and a grand daughter of Elizabeth Petty nee Dawson and a great grand daughter of Polly Dawson, nee Rogers and a great great grand daughter of Captain John Rogers, who was a Cherokee Indian by blood as shown by the submitted proof.

Attie L. Hunt, whose maiden name was Attie L. Barber, isa daughter of Joanna Barber, nee Petty and a grand daughter of Elizabeth Petty, nee Dawson and a great grand daughter of Polly Dawson, nee Rogers and a great great grand daughter of Captain John Rogers, who was a Cherokee Indian by blood, as shown by the submitted proof.

Alcey J. Smart, whose maiden name was Alcey J. Barber, is a daughter of Joanna Barber, nee Petty and a grand daughter of Elizabeth Petty, nee Dawson, and a great grand daughter of Polly Dawson, nee Rogers, and a great great grand daughter of Captain John Rogers, who was a Cherokee Indian by blood as shown by the proof herein submitted.

Joanna J. Garlinghouse, whose maiden name was Joanna J. Smart, is a daughter of Alcey J. Smart, nee Barber, and a grand daughter of Joanna Barber, nee Petty and a great grand daughter of Elizabeth Petty, nee Dawson and a great great grand daughter of Polly Dawson, nee Rogers, and a great great great grand daughter of Captain John Rogers, who was a Cherokee Indian by blood as shown by the proof herein submitted.

Therefore, the Claimants pray the Honorable Commission, that after a careful examination of their application and an impartial investigation of the proof herein submitted, you will adjudge each of said Claimants, together with their aforementioned Children, entitled to citizenship in the Cherokee Nation, and that you place the name of each Claimant, together with the names of their aforementioned Children, upon the Cherokee roll, and that you grant to them all the rights, privileges and immunities of citizens of the said Cherokee Nation.

(signed) Hubbard, Cartland & Watts,
Council for Petitioners.

Indorsed on back as follows: "No 3 Filed Feb 24 1897, Jas. A. Pinston, Clerk."

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Commissioners,
Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cunningss, Alexander B. Montgomery--H. M. Jacoway, Secretary.

DEPARTMENT OF THE INTERIOR,

Commission to the Five Civilized Tribes,
Vinita, Indian Territory, Oct 3., 1896.

Joanna Barber, Filed Sept. 8, Answer filed,
vs. Application denied.
Cherokee Nation.

I, H. M. Jacoway, Jr., Secretary, do hereby certify that the above and foregoing is a true and correct copy of Cherokee Record A. page 397 of the Commission to the Five Civilized Tribes.

Given under my hand and official signature this the 12 day of Feb. 1897.

H. M. Jacoway, Jr.,
Secretary."

Indorsed as follows: "1864 No. 4 Filed Feb 24 1897 Jas. A. Pinston, Clerk."

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"BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Joanna Barber et al,
vs.
Cherokee Nation. No.1864.

AFFIDAVIT FOR APPEAL.

Now come the said Joanna Barber et al applicants for citizenship in this case by W. B. Watts, one of their attorneys, and pray an appeal from the decision of the Honorable Commission to the United States District Court as provided by the Act of Congress approved June the 10th, 1896.

And the said W. B. Watts, being duly sworn and acting on behalf of said applicants says that the appeal prayed for in this case is not asked for the purpose of delay but that justice may be done the appellants.

(signed) W. B. Watts,

Sworn and subscribed to before me this 22nd day of December 1896. (signed) J. C. Lindsey,
(SEAL) Notary Public.
My Commission expires March 28th 1897."

Indorsed: "Court 1896."

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"Received of P. L. Mecowry, Jr., Secretary of the Commission to the Five Civilized Tribes, the original papers, in the case of - - - - vs - - - - Nation, as follows:

/ / / / / / /

Witness my hand and official seal at Muskogee this the 8th day of Feby 1897.
(SEAL) (signed) J. Q. Tinnon, Clk."

Indorsed: "Court # 30 No.1864. receipt for original papers in the case of Joanna Barber et al vs. Cherokee Nation. Received and filed this . . . 8th of . . . 1897. . . Secretary."

- - - - -

FIRST. The Commission erred in overruling its decision on said claims adversely to the appellants and against the proof submitted by said appellants.

SECOND. The Commission erred in investigating the claims of appellants and denying same during the absence of a majority of the members of the Commission.

THIRD. The Commission erred in refusing the appellants the right and privilege of examining the proof submitted by appellee in support of the answers filed by the appellee and denying the appellants the right of filing replication to appellee's answer or producing proof in rebuttal of the same.

FOURTH. The Commission erred in denying the appellants the right of a trial of their claims by a competent jury, granted to them by the law and constitution of the United States.

FIFTH. The Commission erred in refusing appellants the right to be represent in person, or by attorney, during the trial and determination of their claims before the said Commission.

SIXTH. The Commission erred in refusing to issue process for witnesses and the said commissioners were required to do so by the appellants.

SEVENTH. The Commission erred in deciding against the right of these appellants to be enrolled as citizens of the Cherokee Nation.

EIGHTH. The Commission erred in deciding against blood, holding that blood was not a test of the right of citizenship in said Cherokee Nation.

NINTH. The Commission erred in deciding against the question of residence, holding that residence in the Cherokee Nation was not a test of the right of citizenship in the said Cherokee Nation.

TENTH. The Commission erred in not entering upon their docket of record the grounds upon which the claims of appellants were denied and refusing to notify appellants the grounds of denial or rejection.

ELEVENTH. The Commission erred in examining the claims and proof of appellants and denying the same while the Commission was not clothed with any legal authority, nor had jurisdiction, to render decision on said claims and deny the same.

TWELVTH. That the Act of Congress approved June the 10th, 1906, was unconstitutional and had no power or legal right to confer jurisdiction on said Commission to try and determine the rights to citizenship of said appellants, and said Commission erred in determining the rights and denying the same to said appellants.

THIRTEENTH. That Congress had no power by enactment to create, appoint and empower a judiciary, and said Commission erred in denying the claims of said appellants without any legal authority to do so.

Therefore, the appellants of this cause pray that an appeal be granted to this Court and that a trial, de novo, be granted the appellants, and that said appellants be permitted to introduce new testimony, and that an order be made requiring said Commission to send all pleadings, papers and records filed before it in this cause to this Court, at Muskogee, Cherokee Nation, the appellee in this cause, be cited to appear

at this Court and plead and defend against the said ... why by the appellants should not by the rules, orders and decisions of this Court be adjudged entitled to citizenship in the said Cherokee Nation, and the appellants will ever pray.

(signed)
W. P. Watts,
A. H. Garland,
W. J. Watts,
Attorneys for Appellants."

Indorsed on back: "Cherokee Citizenship Case, No. 99 on ... Joanna Barber et al vs Cherokee Nation Filed Dec 23 1896 Jas A Winston Clerk Watts, Garland & Watts, Attorneys for Appellants."

"SUMMONS.

In the United States of America,)
Indian Territory, (ss.
Northern District.)

THE PRESIDENT OF THE UNITED STATES OF AMERICA,

To the Marshal for the Northern District, Indian Territory:

You are commanded to summon the Principal Chief of the Cherokee Nation, or the Attorney General of said Nation, to answer on the First day of next May term of the United States Court for the Northern District, Indian Territory, at Muskogee, Indian Territory, being the 4th day of May, 1897, A.D. 189— a petition praying an appeal from the decision of the Commission to the Five Civilized Tribes duly filed in said Court by Joanna Barber, Onis E. Barber, Wm R Barber, Jas E Barber, Jennie Barber, Joel A. Barber, Mary A. Barber, Erva Moore, Attie L. Hunt, Alcey J. Smart, who claim to be entitled to be enrolled as citizens of said Nation, to the United States Court for the Northern District, Indian Territory, which petition is now pending in said Court, and warn him upon a failure to answer petition within thirty days from the time of the service of this writ, the same will be taken for confessed, and you will make due return of this summons within ten days after the actual service of this writ.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the 23th day of Dec. 1896 A.D.189—

(signed) J. A. Winston, Clerk.

(SEAL)"

"MARSHAL'S RETURN.

I received this summons the 23" day of December A.D. 1896 and served the same as follows: W. T. Hutchings, Attorney for Cherokee Nation Indian Ter Accepted Service on the within at Muskogee, Ind Ter on this 12" day of January 1897

(signed) W. B. Watts

Ex-Marshal

By .....Deputy."

Indorsed on back as follows: "Citizenship Case No. 90 No. 6.. Motion... Summons....Attys for Claimants."

"Joanna Barber et al.
vs. No.90.
Cherokee Nation.

Mr. M. A. Gibson, Special Master, to whom this case was referred, submits the following report:

'IN THE UNITED STATES COURT IN THE INDIAN TERRITORY,
NORTHERN DISTRICT, AT MUSKOGEE.

JOANNA BARBER ET AL)

-VS)- : REPORT OF SPECIAL MASTER.

THE CHEROKEE NATION.)

----------oOo----------

I, M. A. Gibson, Special Master herein, show to the Court that under the general order herein, I have examined the proof and pleadings herein, which is hereto attached and made a part hereof, and that I find as follows:

I

This this cause was instituted on September 8th, 1896, before the Dawes Commission to the Five Civilized Tribes, by Joanna Barber, and Isaac J. Barber, her husband, and their Children, Onis E., William R., James E., Johnnie and Joel A. Barber. That Joel A. Barber has the following children. Hattie Tolliver, George A., Frankie C., Jesse and Ethel Barber. That the application includes also Mary A. Bowser and her child Inez Bowser, Emma L. Murphy and her child Claud Murphy, Emma Moore and her children Anna J., Jackson D., Mary M. Gladys, Attie L. Hunt and her child Norman Hunt, Alley J. Swart and her children Georgia A. and Arzey M. Swart, Josie J. Garlinghouse and her children Myrtle C., Cora L. and Bertha M. Garlinghouse. That this application was by the Commission tried and rejected on October 20th, 1896, with no reasons given for the decision, and that subsequently on December 22, 1896, the claimants appealed to this Court. That the parties all live in the Cherokee Nation, Indian Territory.

II

That the parties claim the right to be admitted to citizenship in the Cherokee Nation by reason of their descent from Polly Rogers, who is claimed to be a Cherokee Indian by blood. That they filed in support of their application the affidavits of S. R. Dawson, E. Dawson, Francis M. Dawson, and T. A. Dawson, who testify that Joanna Barber is the daughter of Elizabeth Reedy, nee Dawson, who was the daughter of Polly Rogers, who married a white man by the name of Samuel Dawson, and that Polly Rogers was the daughter of Captain John Rogers and Ailsey Vann. That these witnesses are all Cherokee citizens by blood, acquainted with the

claimants, and according to their testimony, related to them by blood.

The agent is introduced to controvert this testimony the decision of the Dawes Commission on Citizenship, rendered in the year 1897, in which these claimants were rejected by this Commission and also the affidavits of T. C. Rogers a grandson of Captain John Rogers, and Mrs. Sarah Carter, a great-daughter of Captain John Rogers, both of whom state that they never heard of any daughter of said Captain John Rogers by the name of Polly Rogers, and that Cynthia Rogers was his only daughter.

III

The claimants admitted that they are residents of the Cherokee Nation, and are relatives of the Dawson family, who are recognized citizens of the Cherokee Nation by blood, are entitled to be enrolled as Cherokee Nation as citizens by blood, while the agent contends that John Rogers, through whom the petitioners claim, is not now and has not been a citizen of the Cherokee Nation since the removal West: that his name does not appear on the rolls of the Cherokee Nation, and that he nor his ancestors ever resided in the Cherokee Nation as citizens thereof.

The premises considered, in view of the unsettled condition of affairs in the Cherokee Nation at the time when Captain John Rogers, the ancestor through whom these claimants trace their Cherokee blood, lived, and especially in view of the absence of a marriage license and records pertaining to marriage, I am of the opinion that these claimants have proved that they are descended from John Rogers, who resided in the Cherokee Nation, and was a recognized citizen, though they do not show that he was ever enrolled as such; and I therefore find that the claimants are all residents of the Cherokee Nation, Indian Territory, and that they are all Cherokee Indians by blood. That they have resided in the Cherokee Nation since 1867, and probably longer, though the proof does not state definitely how long they have so resided.

I ask that the Court allow me a reasonable fee for my services herein as special master.

Respectfully submitted this 16 day of August, 1907.

(Signed) H. A. Gibson,
SPECIAL MASTER.

My fee paid.
No exceptions filed."

BY THE COURT.

From this report it appears that the claimants base their right to be enrolled as citizens of the Cherokee Nation upon the grounds that they are the descendants of a Cherokee Indian by blood, but their ancestors through whom they claim have never resided in the Cherokee Nation as now constituted. It appears that they have resided in the Cherokee Nation since 1867, and probably longer, though the proof does not state definitely how long they have so resided. It does not appear that the claimants or any of their ancestors have ever been recognized as citizens of the Cherokee Nation.

The judgment of the United States Commission rejecting this case is affirmed, and the application of the claimants

to be enrolled as citizens of the Cherokee Nation is denied."

Indorsed on back: "#C No.7 Joanna Barber et al vs Cherokee Nation, Final Report of Special Master, Filed August 17, 1897, Jos A. Finston, Clerk."

Foregoing papers in Joanna Barber case enclosed in jacket indorsed: "#C Joanna Barber et Vs Cherokee Nation."

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"NOTICE.

#C
UNITED STATES OF AMERICA)
INDIAN TERRITORY (SS
NORTHERN DISTRICT.)

In the United States Court for said District.
In the matter of the application of Joanna Barber et al to be enrolled as citizens of the Cherokee Nation.

To the Commission to the Five Civilized Tribes.

You are hereby notified that an appeal has been taken in the matter of the application of Joanna Barber et al to be enrolled as citizens of the Cherokee Nation, from the said Commission, to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William H. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the 27 day of Dec. 1896. A.D. 189—.

(SEAL) (signed) J. A. Finston, Clerk."

Indorsed: "No. 1864 Joanna Barber et al vs Cherokee Nation, APPEAL ORDER OF U. S. COURT."

Foregoing paper enclosed in jacket marked: "No. 1864."

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BY MR. HUTCHINGS:

We now introduce the original record in the citizenship case of Irene J. House, et al., before the Commission in 1896, the court number of same being 236. said case being denied by the Commission; Appealed to the United States Court, and the decision of the Commission affirmed.

In this case we desire to call especial attention to the certified copy filed therein of the testimony of Arthur Baker, the certified copy having been made in 1894, being the testimony of Dr. Baker in the case of Robert Dawson against the nation, number 198, before the Citizenship Commission, and which was made January 19, 1892.

BY MR. McKENNON: To all of which the applicants object, because the same is immaterial, irrelevant and incompetent.

The papers in Court No. 838, just introduced above, are as follows:

"Office of Commission on Citizenship,
Cherokee Nation, Tahlequah, January 19, 1882.

No. 108.
Robert Dawson et al) Exhibit C.
vs)
Cherokee Nation.)

Testimony for Claimants.

Witness, Mr. Arthur Baker sworn testified as follows:

My name is Arthur A. Baker I reside at Berryvill Arkansas Carroll County. My age is 77 years I am not a Cherokee. I lived in the Cherokee Nation about three years. When I first came to Arkansas I have been acquainted with him since he became a citizen of Carrolls County some 17 years - At my Mothers house near Calhoun I became acquainted with the claimants Robt Dawson grandmother on mother's side she was frequently at my mothers house though she Anna Pruet lived in the Nation side; She claimed to be a half sister to Big Joe Vann, also claimed to be half Cherokee, the first time she brought the claimants mother to my mothers house she the mothers mother was about grown when I was a little boy. She called her daughter Polly Rogers, Said Captain John Rogers Who ran a Boat up the River was the father of the child; I saw the girl frequently there at my mothers and there at Louis Russes Store.

I saw her occasionally until I was 15 or 16 years of old and I think then Old Capt. John Rogers took her off to school, I saw her no more from the time Old Capt. John Rogers took her off till I saw her here in Arkansas the wife of old Samuel Dawson, I stayed all night there and we and I had a talk over our old matters and I asked her where she became acquainted with Dawson and she said at the time she was going to school and she said after she left school that Dawson followed her home, to the Nation and they were there married. I have told that precisely in the words that she used, Capt John Rogers claimed to be one fourth Cherokee. The claimant is the son of Polly Rogers, and I know Polly Rogers to be the daughter of Anna Pruett and I know the claimant to be the son of Polly Dawson.

Capt. Rogers then resided in the Cherokee Country about ~~twenty~~ (Word "twenty" marked through) twelve miles below Calhoun on the Hiwassee River Anna Pruett resided in the Cherokee Nation as long as I stayed there the Dawson when I got acquainted with them Arkansas were recognized where they were as Cherokees. Robert Dawson children is Buck, John, Marian and two girls. The children named in the petition I recognized as being the claimants.

Question by Solicitor:

No. 1 How many children did Polly Rogers have?
Ans. 1 Five I think that's all
No. 2 Did you say so other about more one being married twice?
Ans. 2 The claimant was married twice.
No. 3 Could Anna Pruet speak Cherokee?
Ans. 3 Yes, she could speak it well.

Ques 4 Did Polly Rogers speak Cherokee?
Ans. 4 She did when a e was young.
Ques 5 How far did you live from Ana Pruett?
A. 5 Just across the rive about 3/4 of a mile.
Ques 6 Was Calhoun in the Cherokee Nation?
Ans. 6 It was on both sides of the river part in the Nation and part out in the state.
Ques 7 Which Marnage was it went to Texas?
7 George went first, then John went, they were the sons of old man Marnage, that lived up near the line.
Ques 8 Did the Claimant go to Texas?
Ans. 8 No the Claimant did not go to Texas.
9 What connection was claimant and Polly Rogers?
9 The Claimant is the son of Polly Rogers Marion here is the grandson of Polly Rogers.
10 Where does claimant now live?
10 He lives in Carroll Co Arkansas.
11 Do you Know what relation old Capt John Rogers was to Charles Rogers here in Cooweescoowee?
11 They claimed Kin but what Kin I dont know there were two Capt John Rogers in the Nation I am speaking of the time when I first come to this country about the year 1840.
12 Was Anna Pruet the Maiden name of claimants grandmother
12 Yes that was her maiden name the Indian called her since

his
(signed) Arthur x Baker
mark

Witness hand paralyzed is the reason why he signed by a mark this x

I R T Hanks Assistant Executive Secretary do hereby certify that the foregoing document is a true and correct of the riginal as appears of record in the Executive Department of the Cherokee Nation.

Given under my hand and the seal of the Cherokee Nation on this the 5th day of December 1894.

(signed) R. T. Hanks,
Asst Exec Sec.

(seal)

"To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes in the Indian Territory:

Your petitioner, Irena J. House, undersigned, respectfully states that she is a Cherokee Indian by blood, as asks to be enrolled as a Member of the Cherokee Nation of Indians in the Indian Territory. That she derives her said Indian blood from Joanah Barber he rother, who is a Cherokee Indian by blood The said Joanah Barber being a daughter of Elizabeth Petty who was the daughter of Polly Rogers and Samuel Dawson, the said Polly Rogers being the daughter of Captain John Rogers and Anna (also Wann) Pruet, Cherokee Indians, as shown by a certified copy of the affidavit of Dr. Arthur A. Baker, which is hereto attached as Exhibit A also affidavits marked exhibits B- C- D- and E.

Your petitioner states the above facts as the lawful grounds for her application for citizenship in the Cherokee

Nation, and prays th t her claim may be fully inve ti ated by your Honorable Commission and that she be adjudged to be a citizen of said Cherokee Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nati n of Indians.

My age is 34 years. My Post Office address is Talala, Ind. Ter. My family consists of the following named persons: My husband and children as follows:
W. J. House, aged 34 years; Chas. C. House, aged 9 years; Vinson T. House, aged 8 years, Anny V. House, aged 5 years.

[illegible] my hand this 19 day of August 1896.
(signed) Irene J. House.

- - - - - - - - -

Northern Judicial
District, Ind. Ter. SS

Personally appeared before me, the undersigned authority, Irene J. House, to me known to be the petitioner in the above petition, who being by me first duly sworn upon her oath says that she is the petitioner in the above petition, that she has read (or heard read) the said petition and that the facts stated therein are true, as she verily believes.
(signed) Irene J. House.
Subscribed and sworn to before me at Talala, Ind. Ter. this 19 day of August A.D.1896.
(signed) J. Barricklaw,
Notary Public, My Commission expires
(seal) June 8 1899."

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"Exhibit A.
Northern Judicial Division,
Indian Ter itory.
Joanah Barber being duly sworn according to law. on oath states My name is Joanah Barber I am 61 sixty one years old My Post office address is Vatova Ind Ter- My husband occupation is farmer I am a Cherokee in Cooweescoowee Dist I am a Cherokee Indian by blood my mother being Elizabeth Petty (nee Dawson) Daughter of Samuel Dawson and Polly Dawson (nee Rogers) and said Polly Rogers is a daughter of Capt Rogers and Anna Vann (commonly called Alsey Vann) the following Irene J. House is my daughter; she was born in Williamson County, Texas May 13th 1867, moved with her husband children to the Indian Tery and settled near Talala I Tery
(signed) Joanah Barber
Subscribed and sworn to before me this 19th day of Aug.1896.
(signed) J. Barricklaw,
Notary Public, My commission expires
(seal) June 8 1899

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"EXHIBIT B.

Indian Territory,
Northern Judicial District ss.
F. M. Dawson being duly sworn according to law deposes and says:

My name is F. M. Dawson; I am 54 years of age; My post office address is Afton Indian Territory I am a farmer by occupation a d reside in the Cherokee Nation.

I am a recognized Cherokee citizen by blood. I was born in Carroll County Arkansas near Berryville. I derived my Cherokee Indian blood from my grandmother whose maiden name was Polly Rogers through my father Robert Dawson, My grandmother Polly Rogers was a Cherokee Indian and was married to Samuel Dawson My grand father in the old Cherokee Nation in Tennessee. My grand parents Samuel Dawson and his wife Polly came west from the Old Cherokee Country in about 1832 and settled in Western Arkansas and later came on to the Indian Territory and the father of this affiant Robert Dawson and family settled in the Cherokee Nation, Indian Territory, Robert Dawson, the father of the affiant was also a recognized citizen of the present Cherokee Nation by reason of his Cherokee Indian blood.

The said Robert Dawson father of this affiant and Elizabeth Dawson who married John Petty were full brother and sister by blood, both being children of said Samuel Dawson and his wife Polly Dawson whose maiden name was Polly Rogers The said Elizabeth Petty was the mother Of Joanna Barber who is a full cousin by blood of this affiant in the Indian side. The said Joanna Barber is the mother of Irena J. House nee Barber who is a second cousin of this affiant in the Indian side.

This affiant further states that he has seventy five to a hundred blood relatives who reside in the Cherokee Nation and are recognized Cherokee Indians by blood and drew their per capita money all the last payment; said citizens and relatives derived their Indian blood from the same source that the above named Irene J. House, derives her Indian blood and right.

This statement I have made to John H. Koogler, a Notary Public at Muskogee Indian Territory and it has been written down by him at my dictation. Such part of this testimony which refers to matters occurin; previous to my recol ection I know by means of family history and traditions which facts I have always been taught and told of by my parents and grand parents from childhood up, ts facts stated as occuring since my childhood I know of ry personal knowledge. Affiant further states that he is not personally interested in the prosecution of the application of said Irena J. House for citizenship in the Cherokee Nation.

(signed) F. M. Dawson."

"Indian Territory,
Northern District.

I John H. Koogler, hereby certify that the annexed and foregoing statement and affidavit was dictated to me by F. M. Dawson and was subscribed and sworn to by him and was written by me from his oral statement at my office in Muskogee Indian Territory this 14 day of August 1896, and I further certify that the said F. M. Dawson is personally known to me and that he is a creditable person and entitled to belief.

(signed) John H. Koogler,
Notary Public."

(seal)

Northern Judicial District,
Indian Territory.

EXHIBIT D.

E. Dawson, being duly sworn according to law on oath states: by name is L. Dawson; I am 61 years old; my post office address is Talala, Ind. Ter, I am a farmer by Occupation, and reside in Cooweescoowee District- Cherokee Nation. I am a recognized Cherokee Indian by blood, and exercise all the rights and privalidges of a Cherokee citizen now living in the present Cherokee Nation. I was born in Carroll County Arkansas near Berryville. I moved to Cherokee Nation 1871 from [illegible] Dawson. [illegible] this wife [illegible] Cherokee Nation. [illegible] my ceritificate [illegible] Cherokee Nation. [illegible] mother of [illegible] Cherokee Indian blood.

The said [illegible] and Elizabeth Dawson who [illegible] and sister by blood, [illegible] Dawson and Polly Dawson [illegible] Rogers as aforesaid. The said Elizabeth Dawson was the mother of Joanna Barber who is a [illegible] on the Indian side, the said Joanna Barber is the mother of Irena J. House, who her maiden name was Irena J. Barber and a second cousin of this affiant on the Cherokee Indian side. This affiant further states that he has seventy five to a hundred blood relatives who reside in the Cherokee Nation and are recognized Cherokee Indians of the present Cherokee Nation and exercise all the rights and privileges of such Cherokee citizens, they having drawn their shares of the Strip Money at the last per capita payment made by the Cherokee Nation.

Said citizens and relatives derived their Cherokee Indian blood from the same source, as did the above named Irena J. House.

I have made this statement before J. Bartlesham, Notary Public at Talala, Ind. Ter, and affiant further states that he has no personal interest in the prosecution of the claim for citizenship in the Cherokee Nation of the said Irena J. House.

That the above facts which are within the personal knowledge of the affiant or within his years of discretion he knows personally, and the other facts which occured before the recollection of affiant he testifies to [illegible] that he has been taught from his family [illegible] and traditions.

That [illegible] visiting among all his people in the [illegible] has [illegible] his personal knowledge and that they are related to the Cherokee Indian side.

(signed) L. Dawson.

Subscribed and sworn [illegible] this 1st day of August 1896

[illegible] Bartlesham,
Notary Public.

My commission expires June [illegible], 1900.

(seal).

"Cherokee Nation,
Cooweescoowee District. EXHIBIT E.

Before me the undersigned authority this day, personally appeared W. A. Dawson who is to me well and personally acquainted, and after being duly Sworen; deposeth and says, that he is well acquainted with Irena J. House and knows she is a Cherokee Indian, and that he knows she is the daughter of Joann Parker, who is a neice of Robt. & James Dawson, who are both recognized Indians and recognized citizens of the Cherokee Nation.

Affiant further states that Irena House is the grand daughter of Wm. Petty, who was a full sister of Robt & James Dawson.

Affiant further says that he knows that Irena House is a lineal descendant of Annie Dawson whose ~~children~~ (line drawn through word "children") sons, Robt & James before spoken are recognized citizens.

Affiant further says he has no interest in this suit.

(signed) W. A. Dawson.

Sworn and subscribed to before me this 17 day of August 1896.

(signed) William Lynch
Notary Public.

(Seal) My term expires Feb 6 1900."

Foregoing indorsed on cover as follows:
"No: 3099 5464 Before the Dawes Commission on Citizenship in the Five Tribes. Irene J. House V.S. The Cheroke Nation. Petition and Proof, Will E. Linton, for Petitioner. Filed Sept 8 1896 A. S. McKennon, Com'r. Denied. Filed Feb 26 1897 Jas A. "inston clerk."

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"Received of H. H. Jacoway, jr., Secretary to the Commission to the Five Civilized Tribes the original papers in the cause of .... "s..... Nation, as follows..... Witness my hand and of icial seal at Muskogee this the 26 day of Feb' 189" J. A. Winston, Clerk."
(Seal)"

Indian Court No.23[illegible] No. 5464 Receipt for original papers in the cause of Irena J. House vs. Cheroke Nation, Received and filed this .... day of..... 189..."

- - - - - - -

"Irene J. House et al,
vs. No. 338
Cherokee Nation,

Mr. H. A. Gibson, Special Master to whom this case was referred, submits the following report: (Insert report)

IN THE UNITED STATES COURT IN THE INDIAN TERRITORY.

NORTHERN DISTRICT AT MUSCOGEE.

IRENE J. HOUSE ET AL

VS # 232 REPORT OF SPECIAL MASTER.

THE CHEROKEE NATION.

----------oOo----------

I, N. A. Gibson, Special Master herein, show to the Court that under the general order herein, I have examined the proof and pleadings on file in this case which are made a part of this report, and that I find as follows:-

I

That this case is in reality a branch of Case No. 90, Joanna Barber vs Cherokee Nation, the principal claimant herein being Irene J. House a daughter of Joanna Barber.

That this cause was instituted on September 8, 1896 at which time application was made to the Commission to the Five Civilized Tribes for citizenship by blood in the Cherokee Nation.

That this case was tried by the said Commission on November 24, 1896 and the applicants denied, no reasons being given for the decision, and that on January 20, 1897, the parties appealed from said decision to this Court.

That this application was made by Irene J. House, her husband, W. J. House, and their children Chas., C. Winston T.., and Henry W. House. That they file in support of their application the affidavits of Joanna Barber, F. H. Dawson, Arthur A. Baker, E. Dawson, and W. A. Dawson. That these Dawson witnesses are citizens by blood of the Cherokee Nation, and state that they are related by blood to the claimants herein on the Cherokee side. The claimants base their contention of a right to Cherokee citizenship upon the fact that the claimant Irene J. House is the daughter of Joanna Barber, who is the daughter of Elizabeth Petty, who was the daughter of

Polly Rogers, and that Polly Rogers was the daughter of Captain John Rogers and Ailsey Vann, who were recognized Cherokee citizens by blood. That the testimony shows that this Dawson family are recognized citizens of the Cherokee Nation, and that the claimants herein are cousins by blood upon the Indian side, and that they all claim through a common ancestor, Polly Rogers and Captain John Rogers and Ailsey Vann, who were all recognized Cherokee Indians.

II

The appellee introduces in defense the record of the application of these claimants to the Cherokee Commission on Citizenship in the year 1897, and the record of the rejection of the claimants, and further the affidavits of W. C. Rogers, and Mrs. Sarah Carter, a grand daughter both of whom state that they never heard of any daughter of Captain John Rogers by the name of Polly Rogers, and that he had only one daughter, whose name was Cynthia.

III

The Claimants contend that the are residents of the Cherokee Nation and are relatives of the Dawsons, who are

recognized citizens of the Cherokee Nation by blood, and entitled to be admitted to the Cherokee Nation as citizens by blood, while the appellee contends that John Rogers, through whom the petitioners claim, is not now and has not been a citizen of the Cherokee Nation since the removal west. That his name does not appear on the rolls of the Nation, and that neither he nor his ancestors ever resided in the Cherokee Nation as citizens thereof.

IV

The premises considered, I find that the claimants are the descendants of Captain John Rogers, and that it was entirely possible that in the condition of arrairs at that early date in the Cherokee Nation, especially owing to the absence of a marriage law and of records pertaining to marriage, that these claimants should be the descendants of Captain John Rogers by a daughter, Polly Rogers, of whom the affiants for the appellee may never have heard.

I find that the claimants are residents of the Cherokee Nation, Indian Territory, where they have resided since 1887, and that they are Cherokee Indians by blood.

I ask that the Court allow me a reasonable fee for my services herein as Special Master.

Respectfully submitted, this 8 day of Nov 1897.

(signed) H. A. Gibson,
Special Master.

My fee paid.
No Exceptions filed."

Foregoing papers indorsed on cover as follows: "238, Irene J. House et al V Cherokee Nation Final Report of Special Master. Filed Nov 10 1897 Jas A. Finston, Clerk."

Foregoing papers enclosed in jacket indorsed as follows: "238, Irene J. House, et al vs. Cherokee Nation."

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BY MR. HUTCHINGS:

Well we close for the present.

TESTIMONY INTRODUCED ON BEHALF OF THE APPLICANTS:

D. V. C. DUNCAN, being first duly sworn, and being examined, testified as follows:

BY MR. McKENNON:

Q Please state your name, age and residence? A My name is D. V. C. Duncan, my age is 78 years, my residence, Vinita, Indian Territory.
Q Are you a duly recognized citizen of the Cherokee Nation by blood? A I am.
Q You gave testimony in this case once before did you not, before the Dawes Commission? A I did.
Q Before this Commission I will say, this Commission? A The Dawes Commission? A Why I don't recollect who the Commissioner was, that was taken at Vinita, ex parte.
Q Were you in any way connected with the Cherokee citizenship Commission in 1880? Known as the "Tahlee Commission"? A I was Clerk of that Commission.

Q For what length of time? A I don't recollect the exact length of time, I think it was about thirty days, during the continuance of that Commission, existence of that Commission.
Q You were the only clerk it had during its existence were you?
A I think I was.
Q You were Clerk of that Commission when it rendered a decision in favor of Robert Dawson et als, as found on page 114, of its record, numbered 108 (witness examines record referred to.) Now in the possession of the Commission? A I was.
Q The members of that Commission were the same as shown by the signatures to this judgment were they? A The same, yes, sir.
Q Thomas Tehee, President of the Commission, Alex Wolfe and T. F. Thompson, Commissioners, that is correct, is it? A That's correct.
Q Were you present when this case was under consideration by that Commission and when it rendered this judgment in the case? A I was.
Q Were you at that time acquainted with F. M. Dawson, commonly called "Mud Dawson", Campbell Taylor and Samuel H. Benge, who were attorneys, who were Cherokee attorneys at that time? A I might say that I merely knew Mr. Dawson; all I know of him was I saw him there as a party to the suit. I knew Mr. Taylor and Mr. Benge more extensively; I have known them a number of years.
Q They were recognized Cherokee citizens were they? A They were.
Q Was Taylor not known generally as a Citizenship Attorney?
A I think he was.
Q Do you remember seeing him and Benge present at the time this case was under consideration by the Court? A Why I do not recollect seeing Mr. Benge, I cannot recollect, but I can recollect of seeing Mr. Taylor about the Court room now and then.
Q Do you know who submitted the case to the Court for the applicants? A Let me understand the meaning of that; who brought the case?
Q Who called up the case? A No, I don't recollect.
Q Do you remember whether that Commission rendered any other decision than that found upon this record in that case? A I never had any knowledge only but one decision.
Q Was that in favore of or against the applicants? A It was in favor of them; I will say this: that if there was another decision other than the one that appears on the docket now before you, I have no recollection of it.
Q The only decision you have any knowledge of was recorded by you in this book as here shown was it not? A That is the only one that I have any knowledge of.
Q Did Mud Dawson pay you any money in connection with that case?
A He did not.
Q Did he ever promise to pay you any money for your influence with the Court in that case? A Never.
Q Or paid you any money, either directly or through any other person? A For my influence in that case?
Q Yes, sir? A Never.
Q Did you have any knowledge of his having paid to the Court or to any member of the Court any money for the purpose of influencing their judgment in that case? A None whatever.
Q Did you have opportunity of observing his conduct during that Court at the time? A The only opportunity that I had was during the session of the Commission; I saw but very little of him during the recesses of the Commission; now and then I would see him in passing.
Q Did you see anything in his conduct toward that Court which indicated that he had used undue influence in procuring that judg-

ment? A I never observed anything of the kind; nothing that awakened a suspicion in my mind that he was engaged in that kind of practice.
Q Did Campbell Taylor at any time after the rendition of that judgment pay to you any money as coming through him from Bud Dawson for any services which you had rendered to him in that case?
A Yes, he paid me some.
Q What amount? A My recollection is that, I think it was a twenty dollar bill. I don't know but I had better go and state the transaction, all about it.
Q Yes, sir. A Mr. Dawson, Bud Dawson, during the trial of the case occasionally applied to me at my desk for writing paper, issue of a subpoena or transcript, something of that kind; I always treated him with courtesy and proper official consideration. He seemed to appreciate it, and whenever I did services of that kind to him, says he, I have no money, Mr. Duncan, but I feel as I ought to pay you. I told him I made no charges for work of that kind. And in passing I might state that I never received a cent for any kind of that work which I had been in the habit of doing for various parties before the Court.

After his trial was concluded, in the afternoon a little while before supper time I went to my hotel, The National Brick Hotel in Tallequah; went to my room, felt a little tired, laid down upon the bed to rest. I recollect Mr. Dawson stepped into the room, drew a chair up to the bedside and sat down and commenced giving expression to his gratification at the success of his case, dwelling mostly upon the testimony in the case being so satisfactorily, establishing his Cherokee blood, and that he thought that he was entitled and that he had received justice by the Court. I listened to him, and we talked there I guess some ten or fifteen minutes; after a little he says, I must go to-morrow, I think he says to-morrow, I must go home,- he then lived down in Arkansas somewhere. Says he, Mr. Duncan, I believe I owe you something, ought to pay you something. Alluding, as I understood, to those little courtesies that I extended to him at my desk. Says I, I make no charges, Mr. Dawson, for services; if I have done you any good you are welcome. Well, says he, I feel indebted to you, I ought to pay you. I says, that makes no difference; I will leave that to you. Says he, I have hardly enough money to get back home. He shook my hand, and the last word he says to me, you shan't lose anything for your kindness to me; I thought he had reference to my services at the desk. That was the last I saw of Mr. Dawson, oh it must have been a year afterwards; I had located a little claim on the public domain up there in Delaware District, staked off what I intended to be a farm, merely stakes, I didn't make any other improvements, over there on Horse Creek. Went over in that part of the country to look after my claim, and I ran across Mr. Dawson, he had come into the country and located and built him a little shanty and was living in it; I called upon him, he was very glad to see me; I asked him what he was doing there; he said he had moved into the country, and I told him, says I, you are encroaching upon me here; he had spread his claim over part of mine, mine had been made so long it was outlawed under Cherokee law. Well, says Mr. Dawson, I don't feel like doing you any wrong, I will pay you for your claim, and we will settle the matter in that way, that he as soon as he got his little matters together that he would satisfy me for it. Well we parted at that point. It ran on then for a long time, I don't know how long,- I think I met him in Vinita, and says he, did Camp Taylor pay you any money that I sent to you? Says I, No, I have not seen Camp Taylor.

Well", says he, I gave him some money and told him to send it to you for me, and, says he, you ask him and he will hand it over to you I guess. Well we parted then. Well, went on for some time, some months; I happened to meet Mr. Taylor in Tahlequah; I met him on the street I think, jocularly I slapped my hand on his shoulder, says I, look here, did Mr. Dawson any money to me by you? He says, yes, and he pulled out what I recollect to be a twenty dollar bill, and handed it to me; I received it, and I received it with the idea that he was compensating me for taking my claim, or possibly for doing him those little services in the Court. Now that is the sum and substance of the whole thing.
Q Was not that twenty-five dollars, Mr. Duncan? A It might possibly have been, my recollection does not serve me exactly, it might have been 25 dollars.
Q Did Campbell Taylor pay you any other money as coming from Bud Dawson? A Never a cent.
Q Did he at one time pay you fifty dollars out of a hundred dollars which he had received from Mr. Dawson? A Never.
Q Did he on a second occasion pay you fifty dollars out of one hundred dollars which he claimed to have received from Mr. Dawson? A None at all.
Q He paid you no other money than that you have already stated, from Mr. Dawson? A Not a cent.

BY MR. McKENNON: We offer in evidence the judgment of the Cherokee Citizenship Commission before referred to, and ask that it be filed in evidence in the case of every application made by members of the Robert Dawson family who claim and or it, or through Robert Dawson, as citizens of the Cherokee Nation, said judgment being found on page 114, Records of the Tahlequah Court, 1900 to 1904, cause number 108, judgment dated January 11th, 1903, signed by Thomas Tehee, President, Alex Wolfe, T. F. Thompson, Commissioners. D. W. C. Duncan, Clerk Commission.

The said judgment just introduced is as follows:

"Office Commission on Citizenship,
Tahlequah, I. T., September 24th, 1901.
No. 108
Robt Dawson,
Albert Dawson,
Jasper Dawson,
John Dawson,
Josephine Dawson,
Joseph Dawson, Petition for Citizenship
Jane Dawson,
Molly Dawson,
Wilbrod Dawson,
James Dawson,
Vial Dawson,
vs.
Cherokee Nation.

Continued by the Plaintiff, Oct. 5, 1901.

January 11th, 1902.
The above case continued by the Cherokee Nation till next.

terms. A[illegible] by the parties that the case will not be taken up for final disposition before the [illegible] for the year 1894.

It is agreed by the parties that this case shall be finally disposed of at the next January term if the evidence is present demanding the same, if not, the case shall be continued to the September term, 1893.

On this agreement Commission continues the case till the next January term to-wit, January 1st, 1894.

And now this the 11th day of January A.D. 1893 this case coming on for final hearing, and all the evidence produced in the case being carefully read and duly considered by the Commission it was adjudged and determined by the Commission on Citizenship that the claimants, Robert Dawson, F. L. Dawson, Filbert Dawson, Jasper Dawson, John Dawson, Josephine Dawson, Joseph Dawson, Jane Dawson, Molly Dawson, Filmon Dawson, James Dawson, and Phil Dawson, are Cherokees by blood; and that they are entitled to all the rights and privileges of Cherokee citizenship within the Cherokee Nation, and that they should be, and they are, hereby admitted to the full and complete enjoyment of the same in all respects as native born Cherokees.

(Signed) Thos. Tehee,
President of Com.

D. W. C. Duncan,
Clerk of Commission.

Alex Wolfe, } Commission,
T. B. Thomson, } Cts.

Transcript turned to Claimants, January 11th, 1893,
(Signed) D. W. C. Duncan, Clerk.

Marginal Note: "Case submitted by Claimant's January 11th 1893. Case submitted by Solicitor January 11th, 1893."

Q Do you remember how many members of the Court were present when this judgment was rendered, or were all of them? A My recollection upon that point is not positive, but my impression upon what I know to be the practice of the Court at the time, seeing the names of all three Commissioners there, I can say with a great deal of positiveness that they were all present, because I never signed the name of one of the Commissioners unless he was present, assenting to it or directing it.

Q The rendition of that judgment then was concurred in by all of the three judges? A It was.

Q Mr. Duncan, if there had been a decision rendered the day before in this case while the Court was in session, adverse to these Claimants, would you have known it? A I certainly should have known it.

Q Was there any such decision of the Court? A None to my knowledge. I can say positively there was not.

Q How many of these judges are now living? A Only one.

Q Who? A Mr. Thomson.

Q Tehee and Wolfe are dead? A Tehee and Wolfe are dead.

Q How long have they been dead, do you know? A I do not know, quite a number of years. I haven't kept time. [illegible] them when their death occurred, and the incidents connected with a long time before. I [illegible] of it. It is generally understood that they are dead.

Q Do you recollect the exact day after the 9th of the Dawson family about the Court at that time or not? A I have been thinking, and I can't call to mind that I ever saw any other Dawson except Ned, until after they came into the country subsequent to the rendition of the judgment.

(At this point a party who has been sitting in the room in which the examination is being held, is called forward, sworn on behalf of applicants, and asked to retire until called.)

BY MR. HUTCHINGS:

Q Mr. Duncan, when did you become clerk of the Yukon Collection Court? A It must have been somewhere in March, 1894, at the time the Commission was organized immediately at the close of the Council in which they were appointed.

Q December 1894? A I think so.

Q What are you doing rendering judgments here in your handwriting in 1893? A The Commission held its Court after they were elected and before.

Q The Court was elected in 1891 wasn't it? A Well, I mean the time, I don't pretend to say when the Court was elected, I might have said at the time I was chosen clerk. I was chosen clerk just at the close of the session of the National Council of that year.

Q '84? A I think it was '94.

Q You entered up this judgment rendered January, 1893? A Yes, that was the session of the Commission.

Q That was before you were clerk of it? A Well I held my clerkship for some time you know unofficially.

Q Well but when you come to sign it you were their clerk when the law on case was passed? A No, I don't mean to say that.

Q How could you be clerk when the Dawson case was passed on in 1893 when you were not elected until 1894? A I am mistaken in that, '94 comes after '93,- it was the year preceding 1895, it must have been '92.

Q Your first entry in the Dawson case is a March 12, 1892, isn't it? A I don't recollect what my first entry was. (Attorneys show the record to witness) Yes, that is the entry there on the 12 day,

Q And that was shortly after you became clerk wasn't it? A Yes, shortly after I became clerk.

Q The case had been entered upon the docket before you became clerk? A I think so, yes; It was entered at the previous term of the session of the Commission.

Q In whose handwriting was the names of the three Commissioners signed to what judgment? A Dawson Judgment?

(Attorney shows record to witness again) A That is my handwriting,

Q All three names? A All three names.

Q The record there shows that you immediately gave them that day a transcript of the judgment, do you know who signed that? A Signed the transcript?

Q Yes, sir. A I do not recollect now, this is, did the writing?

Q Signed the names to it? A Yes, that's it.

Q You always signed the names of Yukon and Yukon didn't you? A I think I did pretty generally; I don't know of their requesting to write their own names.

Q Then Mr. Thompson was there didn't he sign his own name? A Sometimes he did, sometimes he simply authorized me to do it.

Q Have you any recollection of his having come in to do it except from the fact that you have done it on the record frequently? A I don't recall the matter but literal fact of authorization, but I can say positively that, consulting the record, that he authorized me to put his name there.

Q Will you look at the original transcript hereby shown you and refer to it, the judgment and say who signed the names of the Commissioners there? A (Papers shown to witness) A I signed them there.
Q You recognize that as your handwriting? A I do.
Q What made you when you were testifying at Vinita before Mr. Martin, on looking at the same signatures, and being cross-examined by me, say that it was not your signature and that the signature thereto attached was the signature of Mr. Thompson? A Occurred in this way: I had not seen any of the records in the case for about nineteen years. The exact transaction in the court had vanished about entirely from my memory; I recollected at that time, however, when I gave in my testimony before the Commissioner, Martin, that that was a practice of the Court at the time I served by which I signed the names of the full-blood members of the Commission, and Mr. Thompson either uniformly or occasionally signed his own name. I based my statement in that deposition upon my knowledge of the rule or practice in the Court, without comparing the docket and refreshing my memory. I made an incorrect statement when I said that that was not my handwriting; I am convinced now that it is my handwriting. That is the way it occurred, the way it happened.
Q Then you consider your recollection of the fact that Thompson then he was present and rendering a judgment signed it himself, set on that your own knowledge of your own handwriting?
A No, I didn't so regard it. I simply spoke without advisement when I gave in that testimony; I subsequently became better informed and concluded that that was my handwriting and not entered by me. Thompson under the rule, but was one of those cases in which he authorized me to do it myself, and I did it.
Q Then you have changed your testimony, because you think you have a better knowledge of the surrounding facts now than you had then, and not from the effect of your judgment on your handwriting at present? A I simply corrected my testimony in reference to my statement in regard to this handwriting, this case.
Q And you couldn't know then as I understand you whether or not that is your handwriting; if it was not recorded by what you consider to be exterior facts? A I should know it by examining it and thinking over the circumstances, I think I should recognize my own handwriting, but if the question should be propounded instantaneously without any advisement or preconsideration I might make a mistake.
Q You did recognize the names of Thomas Tehee and Alexander Rolfe as being in your handwriting at that time? A I was very clear and positive, and so stated, that the names of those Commissioners were in my handwriting, and I was made certain by reflecting on the rule that they never signed their names with their own hand, but always authorized me to do it. Hence there is no question in my mind in me and to my handwriting in their signatures.
Q And then the third name, right under it, as compared with your admitted handwriting, you had to wait and learn the facts afterwards to determine whether that was your signature or not? A No, I don't think that if I had considered the circumstances, I knew that there was a resemblance; what made it of the opinion that that might have been Mr. Thompson's signature was like this: I knew that he had left in the habit of at least sometimes signing his own name, and I was under the impression—and I do not now think I am mistaken—that his signature bore at least some resemblance to my own, hence I doubted whether I had signed that name or not on that account.

Q You were asked on cross at this time in your testimony if the fact that Mr. [illegible] a move that I be required to [illegible] one not you were, didn't he? A Mr. [illegible] I [illegible] that that was my understanding, not in order to [illegible] testimony. I was not positive or not, and not I am sure, I think I would [illegible] that I was.

Q And he stated, only you too didn't you, that he didn't [illegible] the original bill when he was present? A I do not recollect that I stated, that I used the word "always", as that is, but at the time I was assured that the deposition was to [illegible] to do, but also I came to realize and am sure of that I was convinced that I was wrong; I am occasionally I [illegible] him.

Q Then you never found out that your testimony given on, that's like a year and a half ago was wrong, until you examined the [illegible] yesterday, and [illegible] you're saying now's a mistake? A I don't know that I have thought of it since that time until yesterday or day before the examination in chief.

Q So the only recollection that you have got and the only aid to your recollection that Thomson was present when this judgment was rendered was the fact that you now see signed to it, in your handwriting, is it? A As a fact,-

Q You can answer that yes or no? A That reading the handwriting, my recollection and I recollect now that the counsellors were all present at the time that I signed it. I didn't [illegible] their names out of court at all.

Q Was it in the forenoon now or in the afternoon ? A I don't recollect whether it was in the forenoon or afternoon.

Q In recollecting that they were all present when the record was signed, do you mean to say that they were all present when the judgment was rendered? A Yes, that is, you mean when the question of admission or rejection was voted upon?

A Yes. A They were present.

Q Did you take up the record at the time that they rendered the judgment, or make a memorandum of it, or have written up the judgment some days afterward? A The record was not written up immediately upon the decision of any case, but I wrote up the record after adjournment, generally in the evening, and presented it next day or when the next session was held, for signature: that was the practice.

Q But in this Dawson case you wrote it up the very day that it was rendered didn't you? A I didn't recollect as to that.

Q And gave them a transcript the very day it was rendered? A I don't recollect as to that.

Q And indicated the giving of the transcript on the bottom of the judgment the day it was rendered? A I should say it was given as the date of the transcript.

Q That was a very unusual thing for you to do in entering up judgment. A To do what?

Q To indicate the bottom that you had given a transcript the same day the judgment was rendered? A No, I don't know that there is anything unusual about that.

Q Any other places in that record or more than one in any event that you have ever done that? A I don't recollect, but as I don't recollect of giving anybody else a transcript.

Q That is what I am getting at, you gave them a transcript and wrote up your judgment and everything right away? A Probably [illegible] after the decision; however it was the same day or the evening, and signed next day, I don't recollect.

BY MR. McKENNON: At this point to all of the witness' testimony relative to the method of taking the testimony of witnesses at the trial, the character and effect of that testimony, and the manner of witnesses, except so far as the same may be used for the purpose of testing the memory of the witness, because the same is incompetent, irrelevant and immaterial.

B. F. FORTNER, being first duly sworn, and being examined testified as follows:

BY MR. McKENNON:

Q That is your name? A B. F. Fortner.
Q What is your age? A 54.
Q You are a physician are you not? A I am.
Q Where do you reside? A Vinita, Indian Territory.
Q Do you hold any official position in your position? A Yes, I am President of the National Board of Health, Cherokee National Board of Health, and member of the Legislative Conviases of the Indian Territory and of the American Medical Association,-these are some, and the most important positions I hold at this time.
Q Are you a Cherokee citizen? A I am.
Q By blood or intermarriage? A Intermarriage.
Q Your wife is a citizen? A Yes, sir.
Q Do you know D. W. S. Duncan? A I do.
Q How long have you known him? A About twelve or fifteen years, about twelve years I should say.
Q Do you know his general reputation in the community where he resides for honesty and uprightness of character? A I do, I think.
Q Is that good or bad? A It is good.
Q Do you know Campbell Taylor? A I do.
Q How long have you known him? A About six or eight years, don't know exactly how long; known of him for ten years and personally I have known him about say six or eight years.
Q Do you know his general reputation for truth and veracity? A I do.
Q Is that good or bad? A It is bad.

BY MR. HASTINGS:

Q Mr. Du can belongs to the same church you belong to? A Yes, sir.
Q And has for a number of years? A Well now I say I think he does: I have always so understood.
Q Don't keep up with all your members? A No, but he has attended church there and my impression has been that he is a member of the church.
Q You didn't have any business before the Citizenship Court of which he was clerk, did you? A No, sir, not that I know of.
Q You was not at Tahlequah while he was clerk of a Court from 1898 to '39 A I don't believe I was.
Q Never had any business before that Court? A Had no business before them, not while he was clerk to my knowledge.

BY MR. McKENNON:

Q You spoke of his membership in the church; he is in good standing as a member of the church is he? A Yes, sir.
Q I will ask you if Campbell Taylor's reputation isn't notoriously bad? A Yes, I have so understood it.

BY MR. HASTINGS:

Q I will ask you if it was notoriously bad in 1898, when these people employed him to represent them before the Court? A That was before my knowledge of him.

Q But so far as you know his bad reputation dates back as far as you know him? A So far as I know him.

O. W. MILLER, being duly sworn and being examined, testified as follows:
BY I.R. McKENNON:
Q What is your name? A O. W. Miller.
Q What is your age, Mr. Miller? A 61.
Q Where do you reside? A Vinita.
Q How long have you lived there? A Well I have lived there altogether about 17 years I guess, or 14.
Q Are you a citizen of the Cherokee Nation? A No, sir.
Q What is your business? A Real estate and insurance agent.
Q Do you know D. W. C. Duncan? A Yes, sir.
Q How long have you known him? A I have known him twenty years.
Q Do you know his general reputation for honesty and uprightness of character where he lives? A Why yes sir.
Q Is that good or bad? A It is good, so far as I know.
Q Do you know Campbell Taylor? A Yes, sir.
Q How long have you known him? A Well I have known him 18 or 20 Years, I guess.
Q Do you know his general reputation for truth and honesty? A Well yes.
Q Is that good or bad? A Well, it is bad, I think.

ATTORNEYS FOR CHEROKEE NATION waive cross examination.

W. H. CURTIS, being first duly sworn and being examined, testified as follows:
BY I.R. McKENNON:
Q What is your name? A W. H. Curtis.
Q How old are you, Mr. Curtis? A 56.
Q Where do you reside? A Afton, Indian Territory.
Q How long have you lived in the Indian Territory? A 20 years.
Q What is your business? A Lumber business.
Q Do you know D. W. C. Duncan? A I do.
Q How long have you known him? A About 20 years.
Q You know his general reputation for honesty and uprightness of character in the community where he lives? A I do.
Q Is that good or bad? A As good as any man's.
Q Do you know Campbell Taylor? A I do.
Q How long have you known him? A Some 20 years, I suppose.
Q Do you know his general reputation for truth and integrity and honesty? A Yes sir.
Q Is that good or bad? A Bad.
Q Is it notoriously bad? A Yes.
Q Did you ever known Dr. Baker, Dr A. B. Baker, of Berryville, Arkansas? A Yes sir, I knew him in '68 and '69.
Q Where? A Over at Berryville; I ran a saw mill in that country at Berryville.
Q Did you know his general reputation so far as honesty and uprightness of character and truthfulness? A Yes sir.
Q Is that good or bad? A Good sir. Good as any man's; he is a good Christian gentleman.
Q Did you know him well enough to know his habits of life? A Yes sir.
Q Was he in the habit of taking liquor, drinking liquor? A Not that I know, of sir, I never saw him take a drink in my life.

Q Was his character such as to preclude any such charge against him? A It was, yes sir.

BY MR. [illegible]:

Q How long did you know Mr. Baker? A Two years.

Q What done he do there? A He was an old gentleman then, he lived right in the edge of Perryville, Mr. Baker.

Q How old do you think he was then? A I think he must have been 75 or 76 years old; an old gentleman.

Q That was in 19 what, 80? A No sir, it was in '68 and '69, the two years that I lived over there.

Q He had retired from business? A Yes, sir.

Q Did he have any family? A Yes, sir.

Q What family did he have? A I don't know how much family he had, I was not acquainted with the old gentleman.

Q He wasn't doing any business with any body? A No sir.

Q And his character was never called in question one way or the other was it? A No sir, no sir.

Q Campbell Taylor was a notorious rascal pretty much ever since you ever knew him wasn't he? A Yes sir, I never knew much good of him.

Q And whenever a man got a bad citizenship case he got Campbell to work it, because he was notoriously a rascal; that's it sort of it? A Well a great many of them got him.

Q It was a notorious thing that they had a bad case they could get him, it would sort of give a case a bad odor to have Campbell around it? A Yes, that would be right.

Q You never knew anything about Mr. Duncan's connection with citizenship matters? A No sir, never did.

Q You never heard about his changing some of the records of citizenship cases? A No sir, never did.

Q You have heard lots of talk about this Democrats? A Yes sir.

Q Rumor how it all around that somebody was doing something crooky? A Yes sir.

Q You never accused him of it you think? A I never heard him accused of it, no sir.

Q That rumor got out from the first day they were admitted right up to the present? A Well I don't know not from the first day, I have heard it for a good while though.

Q But you never knew who they fixed it on? A No sir.

Q They have been a pretty strong family up there in that country haven't they, pretty large family? A Yes sir.

Q Quite a good many votes up there? A Yes sir.

Q Did you ever know of the Doctor's testifying any in court, Mr. Baker? A No sir, I never did.

Q What would you think of a man who would testify that he knew a girl that was eight in 1925 when the youngest of her seven children was born in 1824; what would you think, would you think that was a matter out to be made by a man who was truthful? A -

BY MR. McKINNON: Applicants object to the question because it is wholly incompetent, any more than proof of admitted facts in this case, and it is wholly immaterial and incompetent.

Do you think that was a statement that would be made by a truthful man? A (No response.)

Q You knew him in '68? A Yes sir.

Q He was quite an old, venerable man? A Yes sir, quite an old, old man.

Q Is there any time that this he was liable to be in his dotage?
A I don't know, he was old all the years I knew him.
Q So he was too old to work, and retired from business then? A Well he did some good work, but never did any business particular that I knew of.
Q He would have been pretty old in years from that time? A Yes, he would be getting old.

D. H. HARRIS, being first duly sworn and being examined, testified as follows:

By Mr. Mehaffey:

Q What is your name? A D. H. Harris.
Q What is your age, Mr. Harris? A I am 44.
Q What is your business? A I am publishing a newspaper.
Q What paper? A "The Indian Chieftain."
Q Are you editor of that paper? A Yes sir.
Q You live at Vinita, then? A Yes sir.
Q Are you a citizen of the Cherokee Nation? A Yes sir.
Q By blood or intermarriage? A Intermarriage.
Q Do you know D. W. C. Duncan? A I do.
Q How long have you known him? A 15 or 19 years.
Q Do you know his general reputation in the community where he lives for honesty and uprightness of character? A Yes sir.
Q Is that good or bad? A Good.
Q Do you know Campbell Taylor? A Yes sir.
Q How long have you known him? A Why 15 years or longer.
Q Do you know his general reputation for truth and honesty in the community? A His general reputation, yes sir.
Q Is it good or bad? A Well it is not good.
Q Is it bad? A Well I suppose it must be bad then.

BY MR. BRUMLEY:

Q How long has Campbell's reputation been bad, Mr. Harris, quite a good while, hasn't it? A Yes I think so, yes sir.
Q And it kind of began mostly with this citizenship business?
A Yes, so far as I know it did, yes sir.
Q Campbell got so many bad citizenship cases and through the mill, and they finally had him up about it, had a good deal of stir about it? A Yes sir.
Q And some of that stir was sort of occasioned by Mr Melton; Mr Dawson in person, wasn't it? A I don't know, I don't know whether he tried the Dawson.
Q Was not that one of the principal cases that brought Mr into notoriety? A I don't know whether he had that case or not. I know he had a great many cases.
Q That was the principal thing that concerned the Creek Campbell out, was citizenship cases here? A I think that is what got him into the most trouble.
Q I say before that time nobody had talked much about Campbell one way or another, and it became pretty general that Campbell was handling about citizenship cases, and he got a bad reputation from that? A Yes sir, I think that was the impression generally.
Q Was Mr. Melton's connection with the Dawson case sort of been that Bank Deposit matter talked much about it? A I never have, myself, about it, I don't know.
Q You have said that people have a reputation, now what the facts were, that was a notorious thing? A Oh it has been a notorious case, yes sir.
Q Well is that of Mr. Campbell's reputation for truth and honesty been notorious also in the community? A I have so that

Q His reputation for truth and veracity is good, is it not? A I don't know as I could say that very often that is the case.
Q Speaking of his own honesty, he does that very thoroughly?
A No sir, not that I know of.
Q Doesn't he pride a good deal about that sort of thing? A About his reputation?
Q Why is standing off in his integrity? A I don't understand that he does.
Q You were not about the citizenship courts along in '81 and '2 were you? A No sir.
Q Don't remember about the talk that was going on around the Capitol over there about the citizenship cases? A Why no, don't remember anything special as I know of. I knew how the citizenship court going on at different times.
Q How far were you living from Tahlequah in '81? A Well, I lived close to Vinita, I guess it is sixty miles probably.
Q Have you lived any nearer Tahlequah since that time? A No sir, never have.

H. L. BUTLER, both first duly sworn and being examined testified as follows:

DIRECT EXAMINATION BY

Q What is your name? A H. L. Butler.
Q You are a minister of the Gospel? A Yes sir.
Q M. E. Church, South? A Yes sir.
Q How long have you been in the ministry? A I have been in the ministry 22 years, sir.
Q Did you ever live at Vinita? A Yes sir.
Q How long? A I was there four years, sir.
Q Do you know R. T. C. Dawson? A I do.
Q How long have you known him? A I have known Mr. Dawson 21 years.
Q Do you know his general reputation for honesty and truthfulness of character? A I do.
Q Is that good or bad? A Good, so far as I know.
Q You have an opportunity of knowing? A Yes sir.

CROSS EXAMINATION BY MR. RUTHERFORD:

Q Mr. Dawson was a member of your church? A Yes sir.
Q That is the principal way you had of coming in contact with him?
A Yes sir, he was a member of my official board.
Q His connection with citizenship cases that were decided by the court of which he was clerk may never have come in your presence anywhere? A No sir.
Q Or never discussed? A No sir, I know nothing about his connection with it.
Q You didn't live about or near Tahlequah in '81? A Yes sir, I was Pastor of the Methodist Church in '81 at Tahlequah.
Q Did you hear about the Dawson case, and other cases written over there by the Citizenship Court? A No sir, I knew nothing about the cases; I remember when the Commission was in session, and I believe that he was Clerk of the Commission, but knew nothing about the cases that were decided at all.
Q Never heard anybody discuss the cases that were decided? A No sir.

THOMAS A. CHANDLER, being first duly sworn on behalf of the petitioner, testified as follows:

BY MR. McKENNON:

Q What is your name? A Thomas A. Chandler.
Q What is your age, Mr. Chandler? A I am 70.
Q What is your business? A Deputy Clerk of the United States Court at Vinita.
Q How long have you lived in the Cherokee Nation? A All my life.
Q Do you know B. F. C. Vincent? A Yes sir.
Q How long have you known him? A Let me see, I have known him about nine or ten years.
Q You know his general reputation for honesty and uprightness of character in the community where he lives? A Yes sir.
Q Is it good or bad? A Good so far as I know.
Q Do you know Campbell Taylor? A Yes sir.
Q How long have you known him? A I think about 15 years.
Q Do you know his general reputation for truth and honesty? A Yes sir.
Q Is it good or bad? A Bad so far as I know.

BY MR. HUTCHINGS:

Q How did Campbell Taylor get a bad reputation? A Why, sir, I don't know how he did.
Q You never knew him until 1935? A Well I never knew him personally, I heard of him before that.
Q He had a bad reputation before '35? A Yes sir.
Q Bad reputation way back yonder? A First I remember I ever heard of him I heard people speaking bad of him, when I was a kid.
Q And everybody that came around the Nation and knew anything at all knew Campbell had a bad reputation? A Yes sir, ever so far back as '79 or '80, that is as far back as I can remember: I think I heard it spoken of in '80, I think that's about the time.
Q And Campbell got a very bad reputation in '80 and '81 when we began to have these citizenship cases? A Yes sir.
Q You heard his reputation of immorality and using the mails for these business? A Yes sir, I heard of him being in the Post Office Jail on that account.
Q Citizens of the Nation talked a good deal about Campbell's being in these bad citizenship cases? A Yes sir.
And I also heard he had a bad reputation for owing his debts, also about the same time.
Q You don't know whether he had the money, he might not have had the money to pay his debts? A No sir.
Q He could have kept out of the citizenship cases? A Yes sir, I am sure he could.
Q You never heard Mr. Duncan's name mentioned before in connection with the Duncan case, citizenship cases? A No sir, I don't think I have, I may have, but I don't remember hearing it.
Q General impression that everybody had done something wrong in that matter, citizenship cases? A I heard there was no one done wrong in connection with the Duncan citizenship cases.
Q What has always been in relation with these citizenship cases? A Yes sir, I have heard it mentioned around over the country that was the case.

Q There A A pretty large voting community of these Indians that was never investigated? A I don't know about that. I don't think it was ever investigated, I never heard of it.

Q Do they never make any endeavor to find out the truth of it?
A No sir.
Q Where did you live in '67? A In '67 I lived out on Dick Creek, about 12 miles southeast of Winslow.
Q How far from Tahlequah was that? A About 65 or 70 miles, I suppose.
Q You never were around before the citizenship courts any thing that time? A No sir.
Q You don't know whether Mr. Campbell had part of the bad check or not, do you? A No sir, I do not, at that time.

BY MR. [illegible]: Applicants object to all of the testimony of this witness as it went in by way of proof, about the claim of the Brown case, because the case is hearsay, immaterial, irrelevant and incompetent.

A. W. MCKENNON, of Counsel for Applicants, being first duly sworn, makes the following statement:

I became a resident of Carroll County, Arkansas, early in 1886. I was intimately acquainted with Doctor Arthur Baker, for many years. Knew him as well as I did anyone else. He was a gentleman of the highest Christian character, so recognized by everybody who knew him. He was a sober man, and never drank liquor. I make this statement here in vindication of that good man's memory than for any other reason, because any imputation against his character is false.

BY MR. HASTINGS:

Q How long did you know him? A I resided in Carroll County until 1887 when I removed to Johnson County, Arkansas; during the war I was away from home, but I knew him intimately every year that I resided in Carroll County.
Q Did you know him since '67? A Yes sir, I have seen him several times. I have relatives living in the town in which he lived; my relations to him were such as to cause me always to inquire about Doctor Baker; I knew his reputation I think as well after I left there as I did when I lived there.
Q Did you know those facts in 1896 when you were a member of this Commission? A Yes sir, I have known them all my life as I know them now.
Q Did you know them when you as a member of this Commission passed on the Irene J. House case? A I knew it every day of my life, in 1896 as well as now.
Q Suppose that Doctor Arthur Baker's statement should appear that he was born in the year 1808, and suppose he said when he was 15 or 16 years of age that Anna Pruett the wife of Samuel Dawson, was a grown up girl going to school, when the other undisputed evidence shows that she had married Sam Dawson prior to that time and had seven children, the youngest of whom was born in '83, how would you harmonize that with a man who was an honest man and knew the facts in the case? A Whatever Dr. Baker stated he honestly believed, whether it was right or wrong; whether it was error or truth, he honestly believed it, and stated it as he believed it.
Q He was capable of being in error? A Every man is.
Q I say he was? A Yes sir, just as you and I and every man, he was; I merely stated as to his high character, which could be proven by every man who knows me I think, I swear it.
Q The Commission rejected Irene J. House in 1896, of which you were a member? A I don't remember anything about that personally.

TESTIMONY ON BEHALF OF CHEROKEE NATION.

DAVID MEREDITH, being first duly sworn, and being examined, testified as follows:
BY MR. MCKENNON:
Q State your name? A David Meredith.
Q Where do you reside? A Vinita.
Q How old are you? A 60 years old.
Q Did you ever know Jesse Dawson? A Yes sir.
Q How long have you known him? A I knew him probably 8 years.
Q Did you ever have any talk with him about his citizenship case.
A Very little.
Q You were at one time an applicant before the Dawes Commission for citizenship were you not? A Yes sir.
Q Tell what did Mr. Dawson tell you with reference to his citizenship, as to the cost of his getting it, if anything? A Well he told me it cost him eleven or twelve hundred dollars to get him on through.
Q Where did that conversation take place? A At Afton.
Q At what time? A It was in '82, spring of '83.
BY MR. MCKENNON:
Q Where were you when he told you that? A I was working on a house in Afton, building the house.
Q Whose house? A S. S. Haines.
Q Who else was present? A Haines was present.
Q Where is he? A At Afton.
Q What aged man was Mr. Dawson at that time? A I don't know, he was very old, probably 75 years old.
Q Was he not a very feeble man? A Yes sir.
Q Hardly able to get around? A No sir.
Q Was he not then regarded as feeble minded old man? A I don't know whether he was so regarded or not.
Q You don't know what he had to do with the case, in fact, himself, do you? A No, I judged it was himself and family that cost that much to get through; attorney's fees, etc. That is the way I took it anyway.
Q You were an applicant yourself were you not? A Yes sir.
Q When? A At that time.
Q Before the Cherokee authorities? A Yes sir.
Q They rejected you? A Yes sir.
Q You were an applicant then before the Dawes Commission were you? A Yes sir, been rejected ever since.
Q Are you still an applicant? A Yes sir.
Q Still trying to get in? A Yes sir.
Q Claiming by blood? A Yes sir.
Q How long have you been living in the Cherokee Nation? A 13 years.
Q Whose did you come from? A Indiana.
Q Claiming to be a Cherokee citizen? A Yes sir.
Q Indian? A Yes sir.
Q Jesse Dawson is dead is he? A Yes sir.
Q How long has he been dead? A I think he died probably within two years after that.

TESTIMONY TAKEN ON BEHALF OF THE APPLICANTS.

T. M. DAWSON, being recalled and further examined, testified as follows:
BY MR. MCKENNON:
Q. M. Dawson? A Yes sir.

Q. Mr. Dawson, what number of your family came to the Cherokee Nation to file and have made the claim of your father, James Dawson, and the children of his family, to Cherokee citizenship?
A My brother from Texas met me at Tahlequah.
Q Tell his name? A Filbert Dawson, they all know him by nick.
Q When was that? A In '81 as well as I remember, or '82, I don't know which, it was in '81 or '82.
Q Did you file your claim at that time? A My brother was, yes, the application,-my brother had Joel Mayes to make it out and file it. That is my understanding.
Q Joel Mayes, who afterwards was Chief of the Cherokee Nation?
A Yes sir.
Q Before what court was that filed? A My understanding was as the clerk of the court; Hastings can tell he what court he was clerk of.
Q He was clerk of the Court at that time? A Yes sir, of the citizenship court; that's my understanding.
Q What was done about the case at that time, if you remember? A I went back home and left my brother down there at that time, that trip.
Q Where did you then live? A I lived at Perryville, Ark ansas.
Q When did you next come to the Cherokee Nation? A I believe I come back the next January, that was in September.
Q Was your brother back here then? A I don't think he was, I don't remember.
Q Well had he at any term of the Court or session of the Commission at any time after you first came here and filed the application until after it was decided? A No sir, I never met him any more until that case was decided.
Q You conducted the business then after that did you not? A Yes sir.
Q The case was finally determined in January 1887? A '87, yes sir, the 11th day as I remember.
Q Were you present at that session? A Yes sir.
Q Was there any decision of that case other than the one of record here? A I never heard of it if there was.
Q Was the judgment rendered in that case recorded in the record Book of that Commission now in the custody of the Dawes Commission the only judgment that was rendered in that case so far as you know? A Yes sir, so far as I know, if there was any I never heard of it in that case.
Q You then know of no decision against you in the case? A No sir.
Q Who was your attorney employed at the beginning? A I employed A. H. Norwood.
Q Was he a Cherokee Citizen? A Yes sir, I think so.
Q Where did he live? A At Claremore, my understanding.
Q Was he present at any time before the Commission? A I never saw him, he never met me there before the Commission.
Q Did you pay him any money? A Yes sir.
Q How much? A Fifty dollars.
Q Did he ever render any services? A If he ever did I never knew it.
Q Well then who did you employ? A My brother employed Joel Bryant.
Q Was he a Cherokee citizen?
A That is my understanding.
Q Was he not a prominent Cherokee citizen? A Yes sir.
Q What service did he render? A Well sir, I don't know whether he rendered any or not, only he met me a time or two at Tahlequah, and he was before the Commission; whether he rendered any services

or not I don't know; he was generally always at Washington City during the Term down there.
Q Well what did he do about it? A I don't know, I couldn't say whether he done anything about it. That is Mr. Bryant, he was always gone.
Q What next was done about the employment of an attorney? A Why I got a letter from Joel Bryant that he was going to Washington City and for me to come down in January Term and Campbell Taylor would see to my claim before the court.
Q Did he say that he had engaged the services of Campbell Taylor the attorney, to attend to it in his absence? A Yes sir, in his absence.
Q Have you got that letter? A I don't think I got the letter.
Q Well what did you do then? A Why when the time come I come down on the duty to Muskogee here and I goes over from here to Fort Gibson and I goes down to see Uncle Houston Benge and stays all night with him; it was very cold weather, and I got him to come over and submit my case to the court; I went over one day and the next day Uncle Houston Benge come over and the next morning after he come over the case was submitted.
Q Did he submit the case? A Yes sir, he told me so.
Q For you? A Yes sir.
Q Were you present? A I was present until they went to take the vote on the case and then we was drove out of their room and they had a secret session, actin on the case.
Mr Houston Benge present with you? A Yes sir.
Q Were you in the court when he submitted it to them? A Yes sir, when he made his argument.
Q He made an argument before the Commission? A Yes sir.
Q Was the decision rendered on that day? A Yes sir.
Q How long after he made his argument and submitted the case? A It was not but a little bit when we were drove out of the house the first time before they went into secret session they wanted us to get up the cigars to the court and the crowd in the house; after the decision was rendered I am I was to get up the cigars, and everybody come to me and told me to go and get the cigars and I done so.
Q And you took the cigars there and all? A Yes sir, everybody, the attorneys and all that was in the house, all had a big smoke.
Q Did they then announce their finding in the case? A Yes sir, they told me that I was granted my citizenship right and by the Commission.
Q What did you do about it then? A Why the Clerk wrote me out my certificate.
Q That same day? A That same day.
Q What arrangements did you make with Mr. Benge about his fee, and what was the amount of his fee? A There was no arrangement made until we got up there and he submitted our case; then he stated to me, he charged me fifty dollars, that was his fee.
Q What was the agreement about the matter, the manner in which that fee should be paid? A My brother in Texas was to pay it.
Q Were you to write or was he to write? A He was to write for it.
Q Did your brother in Texas ever pay his fee of fifty dollars?
A Yes sir.
Q Was that all that was to be paid? A All was to have; all he charged me.
Q You heard his statement when he gave his deposition at Fort Gibson the other day did you not? A Yes sir.

Q He there stated that you paid him fifty dollars before you went over to Tahlequah, did you do that? A No sir.
Q He said that you paid him fifty dollars after he got over to Tahlequah, did you do that? A I never paid him a cent in my life.
Q After that judgment was rendred where did you go to? A I went back home to Arkansas.
Q By what route? A I went by Silom Springs and on by Spring Dale and then on to Rogers, took the railroad there and went on by Seligman and by Eureka Springs home.
Q You then did not return to Fort Gibson with Duncan Vann, as he stated? A No sir, I did not.
Q Why did you not return by way of Fort Gibson? A Well I thought maybe the others was the cheapest road and struck a hack going out by Sam Stubbs when I was boarding at, I could go to Silom Springs and I went by that route and then there was a hack going by Spring Dale, that was the most direct route.
Q That was the most direct route from your home was it not? A Yes sir.
Q And the cheaper? A And the cheapest route.
Q Had you been coming back to Fort Gibson you would have been going directly away from home would you not? A Yes sir.
Q Your home was nearly east, due east of Tahlequah was it not? A Yes sir, little north of east, pretty near due east.
Q While Fort Gibson is almost due west is it not? A South west.
Q You heard his statement that you went to Fort Gibson with him, and he says on a you stated to him that the way to reach the court was through Duncan and you reached there through Duncan with five hundred dollars, did you make that statement? A I never did, I didn't have the five hundred dollars to reach him.
Q Did he while at Tahlequah inthe court room or the evening before this judgment was rendered in your favor, tell you that the court had rendered a judgment against you? A No sir.
Q And did you then say to him, you can't fix that? A I had no such conversation with him.
Q Did you pay to D. W. C. Duncan, who was the Clerk of the Court any sum of money, or agree to pay him any sum of money, directly or through any other person for any services he might render you by way of influencing the court to decide in your favor? A No sir.
Q Or for any other purpose? A No sir.
Q Did you pay him any money after that through Campbell Taylor? A Yes sir.
Q What amount? A 30 or 35 Dollars, I don't know which it was.
Q State what that money was paid for? A For a claim.
Q What do you mean by a claim? A Claim on the public domain; he had a claim up there close to me; paid him 30 or 35 dollars for his claim he had up there by me, on the Cherokee Public Domain.
Q What did Campbell Taylor have to do with your case?
A He had nothing to do with it.
Q Did you agree to pay him any money for his services as an attorney? A No sir.
Q Did he perform any services in that case foryou as a representative of Mr. Bryant? A No sir.
Q Did you pay him any money? A Yes sir.
Q On what account? A He come to me and said he had the claim against me for Joel Bryant and wanted me to pay him the money and I done so.
Q What amount? A Hundred dollars.

Q [illegible] paid to [illegible] for [illegible] I [illegible], for Joel Bryant, he was entitled to it for Joel Bryant.
Q Did you pay that money to Joel Bryant, or not? A Joel Bryant claimed he didn't, and I had to pay him again, paid Joel Bryant two hundred dollars in cash. For the fee: E. D. Mac., paid Joel Bryant; after that we never could get the money from Campbell Taylor, only this twenty dollars or twenty-five dollars; that is all we ever got back from him.
Q How did you get that 25 dollars out of D. Duncan? A I went after him and telling him to pay that money over to me, he rendered no services to [illegible] all and the money was to go to Joel Bryant, and I finally worked out the twenty or twenty-five dollars, that is all I ever did get back.
Q The amount that he paid to Duncan? A Yes sir.
Q Was this money paid to him, this one hundred dollars, while you were there at the time the judgment was rendered, or was it sent to him afterwards? A I think it was paid then, as well as I recollect about it.
Q You think it was paid then? A Yes sir, that's my recollection now.
Q Did you send him one hundred dollars after you got back from there, subsequent to the rendering of that judgment, after it was rendered I mean, directing him to pay fifty dollars of that or any other sum to D. T. C. Duncan? A No sir.
Q Did you send him a second one hundred dollars with a direction? A No sir.
Q Mr. Dean, do you know what it cost your family in all to obtain this ruling in the Cherokee Nation under this judgment? A Pretty near, it I do.
Q Well about what sum? A About five hundred dollars, maybe near 500 dollars. That is what I considered, I was bent out of some of my money, that I was bent out of and expenses.
Q Now make a statement of what that money was paid for and how, so far as you have been able to do it now? Tell the first fifty dollars Norwood got; the next fifty dollars he got; that was the attorneys fees; I speak of the attorneys fees now; the next money was the hundred that Campbell Taylor got; the next attorney fees was Bryant's one hundred dollars.
Q Was that all the attorney's fees? A I think it was, no, wait, I paid Ross 15 dollars for taking Baker's deposition.

Q Which Ross was that? A The old Chief, Will Ross I think was his name, William P. Ross.
Q He then, this Chief William P. Ross for taking the deposition of Dr. Baker charged you fifteen dollars? A Yes sir.
Q Do you mean by that that he acted as your attorney or examined him? A Yes sir.
He examined him before the Commissioner, took his statements.
Q What other attorneys were there present? A None of this was present.
Q Well now, go on? A For the expenses of taking Dr. Baker and he was a Doctor, as well as I remember he charged me 5 dollars a day and I gave him and his expenses down there; we come through to a hotel [illegible], Kennyville, Arkansas, to Chickasaw, and our board and expenses amounted I think it was about 75 dollars that trip, we stayed over it, maybe a little over that.
Q Did you pay his per diem? A I paid him five dollars a day for his time and then his expenses.

Q Well? A Well I made several trips out here at different times, to Tahlequah before the Commission, and back, three or four times as well as I remember now, cost me 20 or 25 dollars each trip, as I remember about it.

Q Do you remember how many trips aside from the one in which you brought Dr. Baker? A No, I think there was probably three trips I think it was, maybe more, and then I made one trip to Claremore to see A. H. Norwood.

Q What did that trip cost you? A I don't remember what it cost; I went in a wagon down there.

Q You went through and employed Benge, went by railroad; what did that trip cost you? A I don't remember what it was, whether it was 21 dollars or 31 dollars, one or the other, I don't remember which it was: Joe Dawson, my brother, give me the money, it was either 21 or 31 dollars.

Q Now then is there any other expense that you know of that was paid by you or your family, any members of your family, other than that you have mentioned? A I don't remember any other now; I can't tell to my memory right now.

Q What was the condition of the members of your family generally now, financially, at that time? A Well we were considered poor people; I don't know, we didn't have much money, scarcely any.

Q Was there any one of them that was better off than the others, and if so, which one? A I suppose Albert Dawson was better off than the others, Buck Dawson.

Q Do you know how much Buck Dawson paid of these expenses? A I don't think he paid, he paid the Benge debt and the Bryant debt, I think it was.

Q That is one hundred and fifty dollars? A Yes sir, that he owed on one trip and taken some evidence with Joel Bryant when Joel Bryant was Clerk of the Court before this Tehee Court, I don't know what that cost him.

Q Carr up he send took some testimony? A Yes, come up and went back to Texas. Filed his claim and took some testimony and went back to Texas and I didn't see him.

Q Did that testimony include Dr. Baker's testimony? A No sir.

Q You know how many witnesses were examined then? A I only know what he told me.

Q How many? A Four witnesses.

Q You know whether they were residence of the Cherokee Nation or not? A He told me they was.

Q Were you present on that trip in which he came there and took that testimony? A No, I met him there and then I went back home and left him at Tahlequah.

Q He had taken the testimony before you left him or afterwards? A He taken it afterwards; that was my understanding.

Q Did Buck furnish only the one hundred fifty dollars that you now remember? A I think it was.

Q And the expense of taking these witness up there A Yes sir.

Q Who else furnished money now of the members of your family? A My brothers and father lived down in Berryville, me and my brother-in-law, Blassingame, we all chipped in together a few dollars from each family.

Q You heard the statement of C. C. Brought that in June 1903 you told him that it had cost you 700 dollars, did you make any such statement out to him? A I never did.

Q And that you paid one witness 300 dollars? A I never made any such statement.

Q Did you pay any witness any fees? A No sir, I paid Dr. Baker for his time; he said his time was worth 5 dollars a day, and so, and I paid it.
Q Did you pay any other witness any more than that? A No sir, he was the only witness I had up down there in my case.
Q Well the Robert Dawson case? A Yes sir.
Q He says that you told him this in your house there on your place, did you have any house there in June 1883? A I was not living on my farm at that time.
Q Did you have any farm? A Didn't have any.
Q Then did you build a house there? A I built a house on the farm I live in now by Mr. Brought, I moved on the farm the last of July, 1883, and I carried in my wagon.
Q What did you do? A I went to the timber and cut poles and hauled them out and made me a log cabin on the place by a spring near Mr. Brought.
Q About what time did you finish that house? A I was in September.
Q How long after you finished that house until you brought your family out? A I finished it up and got it covered and the floor in it and I went back to Eureka Springs after my wife.
Q What family did you have then? A I had my wife and she had one child; but my oldest children, by my first wife were with me in the Territory, camping with me; three little boys and one girl were with me, and one girl back in Arkansas.
Q Are you and C. G. Brought on good terms? A No sir.
Q What has been the character of the trouble between you? A Trouble over our places first started it.
Q When did it begin? A As soon as I got back from Arkansas he commenced hinder crowding me out to take my farm away from me, and we have been in a racket ever since.
Q Then his statement that you were on friendly terms, is it correct or not? A No sir, it aint correct.
Q He and you have never been friendly as neighbors then since you first came back from Arkansas and settled in the Territory? A I don't remember ever being in his house; I never was in his house.
Q Have you had law suits with each other? A Yes sir.
Q How many? A I don't know that we had any particular law suits, but I have had law suits and he has been a witness against me.
Q What was your last trouble with him, when I mean? A Along last fall.
Q That was when your boys had a little racket and he had your boy arrested? A Yes sir.
Q What was the age of those boys? A Eleven years old.
Q He had him arrested down at Vinita? A Yes sir, had him arrested and carried before the Commissioner at Vinita.
Q He was discharged on account of his age? A Yes sir.
Q Jack Dawson is dead is he? A Yes sir.
Q How long has he been dead? A Three years, little over three years.
Q And James Dawson is dead? A Yes sir.
Q Is your father, Robert Dawson living? A No sir.
Q When did James Dawson die? A I don't remember, been dead several years, I don't remember how long, 6 or 7 years, I couldn't state.
Q When did your father, Robert Dawson die? A I believe it was in '87 as I remember now, I wont be positive.
Q Had all these moved to the Cherokee Nation before their death?
A No sir, father died in Arkansas.

Q Those that lived here in the Nation they lived here in the Nation but went back to Arkansas and died there? A Tell the rest of my folks all lived here. That was James Dawson and Buck Dawson.
Q Robert Dawson, your father, never did move to the Territory, did he? A No.
Q Did you hear the statement of the witness Beavert this morning, that about the time of hearing of the James Dawson case, at a negro church at night James Dawson came down there with someone else was introduced to him, and he loaned him ten dollars; did you hear that statement this morning? A I heard the statement, yes sir, I heard it.
Q He says that Sam James Dawson was 35 or 40 years old; was there any James Dawson living belonging to your family at that time of any such age? A No sir.
Q How many James Dawson's were there belonging to your family? A There was my uncle James Dawson and a brother James Dawson, the Doctor here.
Q How old was your brother James Dawson then? A He was a tolerable old man, I don't know his age.
Q About what age? A Must have been 60.
Q Between 60 and 70? A Yes sir.
Q That was the age of your brother James? A At that time?
Q Yes sir, in '84? A In '84 I suppose he was about 18, so something like that.
Q Had he anything to do with the James Dawson case? A No sir.
Q Was he present at the time that the James Dawson case was under consideration? A No sir.
Q Was James Dawson, your uncle James Dawson, present at any time during the consideration of his case? A No sir.
Q He never was present? A No sir, if Uncle Jim Dawson was ever in Tahlequah I never knew it.
Q Who conducted the prosecution of the James Dawson case before the Cherokee Citizenship Commission, who conducted it? A The James Dawson case?
Q Yes sir? A I think James Low and Bill Jackson and Campbell Taylor.
Q Were you acting with them? A Yes sir.
Q They employed Campbell Taylor? A Yes sir.
Q Then there was no James Dawson present during that session of the Commission? No sir.
Q What was the condition of James Dawson's health at that time? A It was pretty poorly; was not good.
Q Was he at that time able to get about and attend to business? A I don't think he was.
Q Was he not a very feeble minded old man at that time? A Yes sir.
Q Regarded as rather a silly man was he not? A Yes sir.
Q Did he attend to any kind of business of the family at that time? A No sir, didn't.
Q What was his financial condition? A Pretty bad.
Q Did he have any money? A No sir.
Q Did he have any property? A None hardly at all; horse probably, or a cow or two, something that way.
Q Was that about all the property he had? A Yes sir.
Q How about the other members of his family that were admitted at that time; what was their financial condition? A They were in poor circumstances.
Q Now then after these judgments were rendered what members of your family removed to the Territory, Cherokee Nation, I will say? A Robert Dawson and family and James Dawson and family, that is, they and their children.

Q Robert Dawson didn't remove here? A No, I said except Robert Dawson.
Q Did all the members of Robert Dawson family move here? A Yes sir.
Q Except himself? A Yes sir.
Q And all the members of James Dawson family? A No, not all the members, Melvina Low I don't think ever lived here.
Q She has never moved here? A No sir.
Q Well all the members of your family, your father's family included in that judgment of the Committee, rendered January 11th, 1893? A All but one.
Q What was the name of that one? A Mina.
Q A daughter? A Daughter of Robert Dawson.
Q Your sister? A Yes sir.
Q Was she then of age or was she a minor? A I think she was a minor, as well as I can remember.
Q Was she afterwards admitted to citizenship in the Cherokee Nation? A She was.
Q By a Commission of the Cherokee Council? A She was first admitted by the Spears Court, her and two of my neices.
Q What were their names? A Katie Vernon and Verna Fishback.
Q What became of that? A The certificate papers they got was lost, and they went before the Council in 1894 and they was admitted each by the act of Council.
Q That is in 1894, the Cherokee Council admitted, re-admitted or let it, the three above named? A Yes sir. Mary and Verna Fishback and Katie Verner, they have now the same names as Vincent Vernon, if is not, Bob Robinson married the wife, daughter of mine.
Q Was there any other consideration of the Dawson case by the Cherokee authorities at any time aside from these two payments in '87 and '94 admitting the two families of Robert and James Dawson, and the act of Council of '94 admitting these three who you have just named? A Yes sir.
Q When? A My two of my sons was placed on the roll by the act of Council in 1892 I think it was; left off of the rolls in per capita payment and they was placed on the rolls I think, and Sam Hitchcock member of Council, got their draft or checks for the money.
Q Have you got that copy of the act of Council admitting them? A Yes sir.
Q Where is it? A (Produces papers.)

BY MR. McDERMON: We offer in evidence an act of the Cherokee National Council making an appropriation of 20,000 dollars belonging to the general fund for the payment of certain persons therein named a per capita payment, as per amount set opposite their respective names, provided that the Principal Chief shall draw warrants for such amounts, and further provided "That the names of the persons appearing on the per capita rolls in this act shall be placed (on) the authenticated roll of 1880 by the Principal Chief."
This act was approved December 31, 1891.
Approval signed by Stephen Tenee, Assistant Acting Principal-
In this list appear the names of William R. Dawson for payment of $13.70, and of Marion Dawson, for a like sum. Are these the names of two of your sons? A Yes sir.

(The paper above introduced, is filed and made a part of the records in this case.

Q Was there any other action of the Cherokee authorities relating to members of your family? A Yes sir.

Q Then? A In 1894.
Q What was that? A Allowing them their strip money.
Q Have you a copy of that? A I think I have. (Produces papers.)

BY MR. McKENNON: We offer in evidence a duly certified copy of an act of the Cherokee National Council approved November 24, 1894, signed C. J. Harris, Principal Chief. Senate Bill No. 19, appropriating a sufficient amount of money to make payment per capita of what is known as the strip money to certain persons named therein. Among them are members of the Blassingame family, as follows: Jane, Elbert, Henry, James Ross Lellie, Pearl, Amos, Myrtle, Vinnie and Clifford; this act mentions these persons as Cherokees by blood, and whose names had been left off the pay roll approved May 3, 1894, providing a payment to each one of these a sum of $265.70.

Q Were these members of the Robert Dawson family? A Yes sir.
Q Which one of the members of the family? A Jane.
Q This is Jane who was admitted by the judgment admitting the Robert Dawson family? A Yes sir.
Q And her children? A Her children, was not admitted, she was admitted.
Q I mean this mentions her children here? A Yes, that mentions her children.

(The paper last above introduced is filed and made a part of the record in this case.)

Q Do you know whether the payment of the Cherokee Strip money was to Cherokee citizens by blood only or not? A Yes sir.
Q Was there any other act of the Cherokee authorities passing upon the citizenship of members of your family? A Why the Douthett children, my brother's grand-children. Two grand-children of E. Dawson.
Q When was that? A That, I think it was in '84.
Q Have you got a copy of that act? A No, the record is here.
Q Was that by the Spears Court? A Yes sir, by the Spears Court.

BY MR. McKENNON: We now offere in evidence a judgment of the Cherokee Commission on Citizenship, 1880 and 1884, found on page 190, case No. 181, dated September 9th, 1884, signed by Ellis Spears, President, John Lee and Andrew Young, Commissioners, admitting to citizenship Lula Dowthett and Dallas Dowthett as Cherokees by blood.

Q These now are the Douthetts to which you refer, are they? Yes sir.

BY MR. McKENNON: Attention is called to the fact that the names of the Commissioners are all signed in the same hand-writing as the record of the judgment.

The said judgment record above introduced, and found on page 190, No. 181, record of 1880 to 1884, is as follows:

"Office of Commission on Citizenship,
Tahlequah, Cherokee Nation, September 14th, 1883.

E. Dawson, for his grand-children, No. 181.
Lula Dauthhitt,
Dallas Dauthitt,
vs
The Cherokee Nation.

C. H. Taylor, Atty for Claim.

Petition filed September 14th, 1883.

Case submitted by claimants Sept 14th, 1883.
Case submitted by Solicitor, Sept. 14th, 1883.
Continued by Petitioner Jan 22 1884 to September Court 1884.
Re-submitted September 2nd 1884, by Attys Taylor and Benedict

Submitted by defense Sept 9 1884.

And now on this the 17th day of September 1884 comes this case for final hearing and all the evidence in the case having been carefully read, and considered by the Commission on citizenship it has been decided by the Commission that the above named Lula Dauthett and Dallas Dauthett are Cherokees by blood, and that they are entitled to all the rights and privileges of Cherokee citizenship in the Cherokee Nation and that they should be, and are hereby admitted to the full and complete enjoyment of the same in all respects, as native born Cherokees.

Eli Spears, Pr S.
John Lee,
John L. Adair, Andrew Young,
Clk Com'n. Commission on Citizenship."

Q Now were there any other actions of the Cherokee authorities of like character relating to the members of your family?
A I don't remember of any others.
Q I will ask you if when the Cherokee authorities were making the roll of 1896, in compliance with the request of the Dawes Commission for a roll to be prepared by them for the use of the said Commission, the question of the citizenship of the members of your family was not then raised and an investigation had in regard to it? A Before the Dawes Commission?
Q No, before the Cherokee Commission making the roll of 1896, of which John T. Gunter was a member? A Yes sir, yes. I had forgot it, but since you have named it there was some investigation of them at that time; this is what I understood.
Q That roll shows that the members of your family were duly enrolled by the Commission? A Yes.

Q Have you and the other members of your family since your removal to the Territory in 1883 and immediately following been recognized as Cherokee citizens by blood? A Yes sir.

Q Have you been exercising and enjoying all the rights of Cherokee citizens by blood since that time? A Yes sir.
Q You and all the members of your family are living in the Cherokee Nation? A Yes sir.
Q You have all drawn Cherokee moneys whenever payments were made? A Yes sir.
Q And have you all male members been voting at the Cherokee elections or in the Cherokee elections? A Yes sir, I was one of the judges of the elections that was held voting on the treaty.
Q What treaty? A The treaty bill that was sent back here for the Cherokees to vote on; I was one of the judges at Afton.
Q I. What year was that? A I believe it was last spring some time, last April.

Q Have any of you held any offices in the Cherokee Nation? A Yes sir.
Q What offices have the members of your family filled? A Deputy Clerk, under Pete Hastings, when he was clerk of Delaware District, I was a candidate once for Council in the Downing Party.

Q [illegible] of deputy clerk be held by any one else except a recognized citizen? A Only [illegible] citizen, you sir.
Q Is that all? A (No reply).
Q [illegible] of [illegible] attend the [illegible] schools, [illegible] schools? A Yes, sir.
Q [illegible] subject to the jurisdiction of the courts of the Cherokee Nation? A Yes sir.
Q [illegible] against the law? A Yes sir.
Q [illegible] Nation? A Yes sir.
Q [illegible] A Yes sir.
Q [illegible] Cherokee Nation? A Yes sir.
Q [illegible]
Q [illegible] I
BY MR. [illegible]:
Q [illegible], I couldn't [illegible].
Q [illegible] A Yes sir, [illegible] to tell [illegible] A No I don't [illegible].
Q [illegible] A [illegible] feeble.
Q Well to state that [illegible] silly [illegible] that [illegible]? A He went to live [illegible] I didn't like him until [illegible] to the Territory.
Q I [illegible] he had gotten so old, [illegible] sign of that?
A I suppose so, the eldest one of these children was Mrs. Betty Peter, that's my understanding.
Q And the oldest boy was John Rogers? A He always called him Jack.
Q Jack Rogers he was the oldest? A Yes sir.
Q And the youngest? A Sam Riley.
Q He was the youngest one of the group? A Yes sir.
Q Your father lived four or five years after he and you were admitted to citizenship? A Yes sir, something about that, it was [illegible]. I think he died in [illegible], I wont be positive; that is as near as I remember it. I have got a headache so bad that I can't remember anything.
Q The roll name of the old man [illegible] family were present at any of these trials of citizenship? A No sir, not any of them.
Q [illegible] any one of them was ever called upon to testify as to the blood of their mother, do you know anything about it? A I don't know if they was.
Q Your old man Riley was through Capt. in John Rogers and that your grandmother was the half sister of Billy Joe Vann, wasn't it? A I don't know, I couldn't answer the question.
Q You were there when they took the testimony? A I was there when Dr. Baker's testimony was taken, that was about 16 years ago.
Q And nobody kin to the Rogers and Vanns ever called to testify in the case? A Not as I know of.
Q They were very well known Cherokee families in the coun try?
A I suppose so, I don't know.
Q And yet nobody on any side of the family connected with it was ever called to testify A Not that I know of, I don't know that my brother down, he taken some of the evidence at Tahlequah when I was not there; he first filed his claim.

Q You've spoken to Dr. Baker since he's been testifying before you brought your case didn't you? A No sir.
Q Must have been a short time afterwards? A It was short time afterwards. I went back after [illegible] and it was too late and I fetched him the next time.
Q You had talked to your brother [illegible] A I would want Dr. Baker? A I told him I thought Dr. Baker, I thought he was one of our folks.
Q You had told him in general why you expected to use Dr. Baker as a witness? A Yes sir.
Q You went off, came to Atlanta and left your brother at [illegible] after you told him that fact? A Yes sir.
Q You didn't see your brother any more until after you were admitted? A No sir.
Q You did go however and try back and forth to Tuskegee [illegible] at different times, but you didn't happen to get to attend? A No. I never met him any more and I don't know what he did there until after we were admitted.
Q But you were there and brought Dr. Baker over? A Yes sir.
Q And took his testimony a year or more before ever we were admitted? A I think so as well as I remember, yes sir.
Q Now the way you came to get Campbell Taylor was on the recommendation of old man Bryant? A I didn't get him, didn't get him.
Q The way he came into your case? A The way he claimed to come in.
Q He did more in your case than Bryant did? A Campbell didn't do anything.
Q What did Bryant do? A I think he told my brother to use evidence [illegible] brother employed him.
Q How did you happen to be sending money by Campbell to Mr. Duncan? A I never sent him any money.
Q Then when he, Mr. Duncan, states that Campbell delivered the money as Campbell said he did, both were wrong? A Oh no, you are mistaken, Mr. Duncan got 20 or 25 dollars, which he stated, from Campbell Taylor, for me.
Q How did you happen to give it to Campbell? A I give the money to Campbell to give to Joel Bryant, and he wouldn't do it, and I tried to get the money back from him, and I finally worked the 20 or 25 dollars he gave to Duncan.
Q Then you didn't tell Duncan as he testified that you sent 20 or 25 dollars by Campbell Taylor? A Campbell Taylor agreed to pay Duncan 20 or 25 dollars for me of the money I give him to give to Joel Bryant.
Q The family kept Campbell Taylor employed though as their attorney after that? A In the James Dawson case I think so.
Q E. Dawson, you remember, had his [illegible] grand-children? A That is my understanding.
Q And your uncle James Dawson had him in the case of his children? A Uncle James had nothing to do with it; James Lo[illegible] and Bill Jackson got him: that was my understanding of who employed him.
Q The record here shows that the case was originally instituted by C. E. Taylor and was finally submitted by him September 3rd, 1[illegible], in the James Dawson case? A I don't deny him being in that case.
Q You say he was employed in the E. Dawson case? A I don't know who was in the Dauthett children's case.
Q The record shows that Campbell Taylor instituted the case, and it was finally submitted by him, and Mr. Beovert, who testified a while ago? A That was in the James Dawson case, wasn't it?
Q That was in the E. Dawson grand-children? A Elbert?
Q No, in the Dauthett children's case? A Oh yes.

Q He was likewise attorney in the Mary Dawson case was he, and before the Adair court, the 4th of October, 1887, in the case of James K. P. Dawson? A I don't know anything about that.
Q And the case likewise of Riley Dawson? A I don't know anything about those.
Q They are relations of yours? A Well I couldn't say.
Q James K. P. Dawson proves to be a son of Riley Dawson? A Well if he is he is by connection then. There are so many Dawsons I don't know them all.
Q You know Andrew J. Dawson? A Yes sir.
Q The Dawsons have so many children their brothers didn't hardly know them did they? A That's it, I don't know them.
Q Well then you don't know who Andrew J. Dawson is? A No sir, I don't know.
Q It appears in his application [illegible] and yourself, who were admitted to citizenship by the Dawes Commission? A He may be, I don't know nothing about it.
Q He resided I believe, at that time at Nevada, Missouri? A I don't know anything about the people.
Q Old Man Riley was an old and paralyzed man at the time he testified wasn't he? A Getting old, but was not paralyzed.
Q Then the statement made that the reason he couldn't write his name and had to make his mark, because he was paralyzed, in his testimony isn't that true? A He didn't have got [illegible].
Q Then he was not paralyzed? A No, I brought him over [illegible] back from Berryville, Arkansas.
Q Well I say he was a very old man? A Yes, getting old.
Q Now didn't you come to this place and then [illegible] work on it some time before you brought your family? A No, I brought my family with me, except my wife.
Q And you subsequently built a log house on it? A Yes sir.
Q And went back and got your wife and moved them to the log house? A Yes sir, went to Eureka and got my wife.
Q You never saw your grandfather at all? A Sam Dawson, yes sir, I saw him.
Q You remember do you of being with him much of any at all? A I was in Texas in time of the war, with my uncle Riley Dawson, and he was there.
Q In '60 sometime? A '62, I reckon, or '63. Somewhere along there, it was in time of the war.
Q How old a man was he at that time? A Pretty old man.
Q You never saw your grandmother, she died before she came? A Yes sir, I never saw her at all.
Q Who first started the citizenship matter, your brother in Texas or you? A Why it was me, and my brother together.
Q I mean who first conceived the idea? A I first conceived talking about it.
Q And sent down for him? A I was in Texas with him and then in Arkansas; I went backwards and forwards a time or two after the war.
Q About that time nearly everybody in Arkansas were trying to get some claim of kinship to Cherokees? A No sir, not at that time.
Q They were getting pretty thick in there in 1880? A Well in 87 and '4 and '5 I think.
Q Been much excitement over there to get yourselves on the rolls? A Just got to be everybody; but it wasn't at the time we were admitted there was not much stir about the rights here.
Q Well the Watts had been admitted before that? A I suppose they had; there was not much excitement over the Watts claim at that time.

BY MR. HASTINGS:

Q You did locate and board with Sam Shables when you first came to Tahlequah in '81? A I think I did.

Q Your brother Buck Dawson stayed there also? A Yes sir.

Q Sam Shables lived in the north end of town, old German? A Yes sir, old German, lived in the lower part of town.

Q Did you ever hear the names of any other witnesses which you stated perhaps testified in your case? A I have heard them but I have forgot them.

Q You don't recollect any name now? A I dont remember them now sir.

Q In the Irene House case and Joanna Barber case, in which you testified before the Commission, when you were making search for this testimony you couldn't find any other testimony from that of record except the Dr. Baker testimony, could you? A That's all we could find; no we didn't find the testimony, we got a copy.

Q Well it must have been a copy of the original, the certificate shows that? A I don't know; House got a copy of what claimed to be the affidavit of Baker and he told me to give it to him; that is all I know about it.

Q Well the certificate there does not bear my certificate does it? A I don't know about that, I am no scholar.

Q Well you didn't get the testimony of any other witness except that of Dr. Baker, you couldn't find any other over there of record? A I didn't hunt for any; House hunted for them.

Q None of you have ever been able to find any other? A No. Not even find our petition.

Q Samuel R. Dawson applied to what is known as the Adair Court, didn't he? A I don't remember now.

Q He was an uncle of yours wasn't he? A Yes sir, claimed to be.

Q The father of these two parties who testified here this morning? A Well I don't know, they claimed to be, I never met them to know them.

Q He was rejected by the Adair Court, or Hayes Court? A I don't know whether he filed his petition.

Q Did you testify in his case? A I don't remember; I might have dont it.

Q Didn't you testify in the Andrew J. Dawson case before what is known as the Hayes Court? A I don't recollect, if I did I don't remember.

Q Did you testify in the Riley Dawson case? A No sir, no. that I remember.

Q Didn't you know of his being rejected by that court? A I don't remember, sir.

Q You know that the Cherokee Council never authenticated the roll of 1896, don't you? A No sir, I don't know it; I didn't know this was done until I went to Tahlequah after some papers and come back and they told me about it.

Q You never found out that C. W. Taylor was a big rascal up until the present time have you? A (No response)

Q The records here show that he has been in the constant employment of your family from that date up to this time? A Why it shows here from the record. I would rather be excused for my part of it.

Q You are the man that had the most to do with it? A I never employed him, I can say that.

Q You are the man that had most to do with the records? A In my case and in my father's case.

Q Didn't you testify for your uncle Jim Dawson? A Yes sir.

Q Wasn't he attorney for him? A Yes sir.

Q Wasn't he employed by Jim Dawson after you got your citizenship?
A Why not but the grand-children.
Q Jim Dawson's petition was filed in September 1937, after yours?
A Yes sir.
Q C. H. Taylor, attorney of record, filed the petition? A He might have filed it for all I know.
Q Well you hadn't at that time fallen out with C. H. Taylor had you? A Why no, we never did have any trouble, only over [illegible] he never would give it back to me or give it to Bryant.
Q You never discovered that he was not a real man until after your judgment was rendered? A I knew it was not of very long time.
Q Are you and Brought, this man who testified for the Cherokee Nation, on speaking terms? A Hardly speak.
Q Does he refuse to speak to you? A To all of us I guess.
Q Do you refuse to speak to him? A Yes sir.
Q Have you been speaking to him for the last two or three months?
A I have not spoke to him until I met him there at the hotel the other day.
Q First time you spoke to him since he had the boy arrested? A Yes sir.
Q When did he have the boy arrested? A Along in September or October, September I think.
Q When did Dr. Baker die? A I don't remember.
Q You don't remember how much older your father was than you?
A No, I don't know.
Q What is your age? A I will be 70 in May.
Q Then you were born in '42? A Yes sir, '42 according to the record.
Q Was your father as much as 25 years old when you were born?
A I couldn't say.
Q What was your best judgment? A I suppose he was 20 or 25 years old. My understanding he married young.
Q Can't you give any better idea than 4 or 5 years of your father's age? A I say 25.
Q Your father was born say, 25 from 42 would have made him be born in 1817; now had your father any older brothers or sisters? A I think Jack Dawson was the oldest of the family, no, Betty, the girl, was the oldest and Jack next, and then my father as well as I remember about it.
Q There were two girls older? A No, one of the girls I never saw.
Q Then you think there were only 2 older than your father? A Yes, that's my understanding of the family.
Q Dr. Baker gives his age 72 in '52, which would make him be born in '89, now he states that [illegible] was 1 or 2 years old, which added to 1809, will make 1824, that your grandmother Annie Pruett, was a school girl; whereas from your testimony and that of the family history introduced here she is that your grandmother Annie Pruett was the other of seven children, the youngest being born in 1821. How do you reconcile that? A I don't remember about the statement of Dr. Baker; I don't know [illegible] made such statement as that, I don't remember about it.
Q And if he did you don't know how to reconcile it? A (No response.)

Q Did you talk to any of the others of the court that admitted you? A No sir, I was not acquainted with them.
Q You know whether they were old or young men? A They were old men like; Steve Tehee. I got acquainted with him afterwards, and Tom Thompson, at the Council you see I was there [illegible].

Q That was the fellow that was on the Court? A Yes sir..
Q He was afterwards assistant Chief of the Cherokee Nation?
A I think so.
Q Steven Tehee, that's the man you had reference to? A Yes sir,I think it was, I just knew the man; I had no acquaintance with him at all.
Q D. W. C. Duncan boarded when you were down there at the National Hotel? A I think he did, as well as I remember now when we were admitted.
Q Don't you know he did? A I think he did, as well as I remember.
Q Were not you over there to his room?AI think I was.
Q You remember when it was that you brought Dr. Baker down there to make a statement before the Court? A It was in January, Term, was in January Term of 1882 I believe, it was, as well as I remember about it.
Q Well you didn't take any more testimony after Dr. Baker testified?
A No sir, I didn't.
Q But your case was now submitted or passed upon for a year?
A I think it was, yes sir, as well as I remember.
Q I would like to ask you when the Blassingame family came to the Cherokee Nation? A Alex Balsingame came with me when we moved here, and went back and got his family and moved that fall.
Q Did he move his family here that same fall? A Yes sir.
Q What year was that? A In the fall of .83 I believe it was, as well as I remember now.
Q When did the Bulaska family come? A I think the girl and the old lady came in the next spring.
Q How long did they remain that time? A The old lady stayed here, but the girl went back and in a short time her and her husband came back.
Q Did she come back until after her marriage? A No, she was married when she came first.
Q The last time? A She was married I think, she was married when she came out.
Q How long has August Bulaska been a permanent and continuous resident of the Cherokee Nation? A I think he came there in the fall of 1884 or 1885, I wont say which.
Q How long has Robert Pierce been a continuous resident of the Cherokee Nation? A Ever since he was admitted.
Q When was that? A '85.
Q How long has Martin L. Patterson? A Ever since he married his wife, and he was living here before he married his wife.
Q Who is Arizona Alrey? A That is my daughter.
Q Did you bring her with you? A No not when I moved.
Q When did she come? A She came out in a year or two after I moved here.
Q Was she married when you moved here? A No sir, she was not married.
Q She was not married when you were admitted? A No sir, she was a child.
Q When did Jim Lowe come to this country? A With his grandfather, James Dawson.
Q What was his mother's name? A Melvina Dawson.
Q You know Jim Lowe's age? A No sir.
Q Don't know how old he was in '83? A No sir.
Q Was he grown? A I think he was.
Q Married? A No no.
Q Married in this country? A Yes sir
Q Who is James M. Harmon? A Married one of the Jackson girls.

Q When did they come to this country? A Right away after they was admitted.
Q In what year? A I think the winter of '94, I think it was, spring or winter of '94.
Q You know Gideon Graham? A Yes sir.
Q Who is his mother? A Missouri Ann Graham, formerly Missouri Ann Dawson.
Q Did he come from Texas to Arkansas? A Come from Texas.
Q Did you know them in Texas? A I knew the girl.
Q You never knew them until they come to this country? A I never knew Gid.
Q When did you see him here? A I think they come here in the fall or winter of 1894 or '5.
Q He was married then? A I think he was.
Q Brought his wife? A I think he was, I don't know.
Q Did he have any children when you first saw him? A He come to my house and I never saw his family for-I don't know, for several years.
Q You understood he had a family? A Yes sir.

BY MR. LOCKHART:

Q Did you mean to say '84 or '94? A '84.
Q Did you see Gid Graham in '84? A '04, let me study, maybe '85.

BY MR. HASTINGS:

Q Did you see him in '05, are you positive on that proposition? A I think so.
Q Will you swear it? A No sir, I wont positive swear it, but I think it was, as I remember now it was; I couldn't say positive.
Q All the people Mr. Dawson that have been admitted to citizenship by courts of competent jurisdiction unless they were de-citizenised by courts of acquired jurisdiction, enjoyed the same privileges that you have narrated here about going to school and being tried in the courts? A Yes sir.

Q All that sort of thing that you have been telling here on your direct examination? A Ask me the question again.
Q I say all people who were admitted here by courts of competent jurisdiction, until they were de-citizenised by courts of like jurisdiction, enjoyed the same privileges that you did? A So far as I know they was.
Q They all drawed money and all tried in the courts as long as we had tribunal courts, were they not? A Yes sir, so far as I know.
Q There was no special privilege granted to you in preference to anybody else? A None but recognized citizens of the Cherokee Nation.
Q Well you had been recognized since you were admitted? A Yes sir, I enjoyed the same privileges of native born Cherokees.
Q Well I say there is nothing special about it? A No, I don't know as there is.
Q You got acquainted with Mr. Duncan while you were up there during the hearing? A Yes sir, I was acquainted with him, knew him, when I saw him.
Q Mr. Bill Ross did the examination of Dr. Baker? A Yes sir.
Q Did you file any other paper before the Court other than your petition and then Dr. Baker's statement? A I never filed any petition there at all.
Q None whatever? A I don't remember any.
Q Well you never had occasion to file any papers before Mr. Duncan? A I got him to do some writing for me.
Q What? A Letters to my brother in Texas.
Q Buck Dawson? A Yes sir, W. Dawson.

Q That? A Yes sir, Buck Dawson.
Q Well is that all he did for you? A I don't remember now about it.
Q Why didn't you get your attorney to do that letter writing? A There was not any there.
Q Taylor Nor Benge was not there then? A No sir.
Q That is what you paid the 20 or 25 dollars for, was writing this letter back to your brother? A I paid him for that claim.
Q When did you pay that? A I think I paid it, I don't exactly when, Camp Taylor paid it a year or two after I moved out here and settled where I did; might have been 2 years. I don't remember.
Q There was Dawson living then? A I couldn't say where.
Q Was he still clerk of this Court? A No sir, not when that money was paid; that is, when Camp Taylor said he paid it.
Q You did send Camp Taylor some money? A I sent some money to him for Joel Bryant.
Q You knew Joel Bryant's address didn't you? A No, I don't know that I did, No I didn't send Camp Taylor any money, I gave it to him.
Q How much did you give him? A One hundred dollars.
Q When? A Right at that time; he claimed it from me as soon as we got our papers; he came onto me and demanded it for Bryant.
Q You never sent him any then after that? A No sir.
Q Did you ever see Bryant after that? A Yes sir
Q How long after that? A I don't know, a year or two afterwards. a year I believe, my brother wrote, I wrote to my brother about paying Camp Taylor money and he went onto my brother about it and he never paid him until we moved out to this country.
Q After all that you got him to attend to your uncle Jim Dawson's and the other relatives cases? A The other parties did.

BY MR. McKENNON:

Applicants object to all that part of the witness' evidence in response to interrogatories by representatives of the Cherokee Nation which relates to the character of the evidence upon which the judgments admitting members of the James and Robert Dawson families were admitted, and to the history of the members of the Dawson family, because the same is immaterial, incompetent and irrelevant.

BY MR. McKENNON:

Q One question I omitted to ask you Mr. Dawson, as to the Court at the time the judgment admitting Robert Dawson's family was rendered, who of the judges were present on that day? A They was all three of them, Wolfe, Tehee and Thompson.
Q Are you positive of that fact? A Yes sir.
Q You do not know this Andrew Dawson family who applied to the Dawes Commission for Cherokee citizenship, and who stated that they are cousins of some members of your family? A Andrew?
Q Andrew J. Dawson, who claims to be from Missouri? A How was the question?
Q You do not know them do you? A I don't know that they are any kin to us.
Q You don't know that they are related to you at all? A No sir.
Q This Mary Dawson case, do you know the members of that family? A No sir, I don't.
Q Don't know who they are? A No sir.
Q The Rebecca Dawson case? A I don't know her either.
Q You don't know whether they are related to you or not? A No sir.
Q If any of these persons are related to you or your family did you have any knowledge of it? A Not as I know of.

Q Jon.e Barber, do you know anything about them? A They claim to be kin to us.
Q Where are they from? A They are from Texas.
Q Do you know they are related to you? A They claim to be kin.
BY MR. HASTINGS:
Q Well you swore for them before the Commission? A Yes, they claim to be kinfolks of mine.
BY MR. McKENNON:
Q Irene J. House, who is that? A That is a cousin of mine: claims to be.
BY MR. HASTINGS:
Q You testified for her didn't you before the Commission? A I think I did as well as I remember.
BY MR. McKENNON:
Q Before the Court that admitted James Dawson and family, who were the witnesses there? A Oliver Miller, from Berryville, Arkansas.
Q Who were the others? A Myself and J. Dawson and there were two other witnesses, I don't remember who they are.
Q Were they Cherokee citizens and residents of the Cherokee Nation? A Yes sir.
BY MR. HASTINGS:
Q You don't remember their names? A Which?
Q Of these other people who claimed to be citizens of the Cherokee Nation and who were witnesses? A I said about me and J. Dawson were citizens of the Cherokee Nation.
Q You only proved that Jim Dawson was a brother of Robert Dawson before the Court? A Yes sir.
Q And then referred back to the decision in the Court before? A We proved that they were citizens, and he had my folks before he ever came here.
Q Was he older than Dr. Baker? A About the same age.
Q Why didn't you get Oliver Miller's testimony in the House case?
Q He was dead.
Q You and no member of your family in the Irene House case or the Joanna Barber case or any of those cases that were tried before the Dawes Commission in your affidavits ever made reference to the fact that Oliver Miller testified in Jim Dawson's case in '84 did you? A I don't remember about that.
Q You did make reference to the fact that Dr. Baker testified there in '83, didn't you? A I don't remember about that now.
Q You never made reference to any other witness having testified other than Dr. Baker didyou? A I don't remember about it now.
BY MR. McKENNON:
Q Now just one other question: All of these papers in the original application and everything, so far as you know, in the James Dawson case, were filed before the Commission which admitted the James Dawson family, are lost or mislaid are they not? A I suppose they are, I don't know, I never saw them.
Q Have you tried to get copies of them? A Yes sir, I tried to get the original papers.

BY COMMISSION: This case is continued until 8:30 a.m., tomorrow morning, March 20th, 1902, it now being the hour for adjournment.

MARCH 20, 1902,- 8:30 a. m.- T. B. DAWSON again on the stand, testifies as follows:
BY MR. McKENNON:
Q Where was your brother Rick Dawson raised? A In Arkansas.

Q What County? A Carroll.
Q Near what town? A Berryville.
Q Was Dr. Baker live at Berryville? A Yes sir.
Q Was your brother intimately acquainted with him for many years?
A Yes sir.
Q Did he know his sufficiently to be acquainted with his character and habits of life? A Yes sir.
Q Do you know Josephine Pierce? A Yes sir.
Q Whose daughter was she? A Robert Dawson's.
Q Is she the same identical woman who is called Josie Pierce, and Josie Dawson? A Yes sir.
Q Is there any other Josie Pierce or Josie Dawson or Josephine Pierce or Josephine Dawson? A I don't know but the one.
Q She was also called Josephine or Josie Kelly? A Yes, after she married; her first husband was Pierce.
Q And her second husband A Was Kelly.
Q There was another Josephine Dawson wasn't there, Bulaski's wife?
A They called her Joe, I suppose that's her name, I could not be positive; that was Riley Dawson's daughter, August Bulaski's wife.
Q She is much younger than your sister, Josephine, above referred to? A Yes sir, oh yes.

BY MR. HUTCHINGS:

Q Where were you born, Mr. Dawson? A Carroll County, Arkansas.
Q You know how old you are? A 42.
Q 42? A I think so.
Q How many older children were there of your father and mother than yourself? A Three.
Q Which were they? A E. Dawson, Riley Dawson and Jasper Dawson.
Q You are the fourth child and the fourth boy? A Yes sir, fourth boy.
Q Where were your father and mother married, do you know, from family history? A I think it was in Arkansas, I couldn't be positive, I think they was.
Q Do you know how long your grandfather lived in Arkansas? A No sir I don't.
Q Don't know what year he came to Arkansas? A Only from statement.
Q Well what did they say about it? A I think they come there some time in '30.
Q You know whether your father was born in Arkansas? No many of your grandfather's children were born there? A There was none of them born in Arkansas according to history and according to what he always told me, they were born in Tennessee.
Q He come there in '30, and all the other children were born on the Hiwassee River in Tennessee, before he ever came? A That is what I think, yes sir. Now I am not positive about that. They were from Tennessee, but either Dr. Baker lived there or my folks come from there; I don't know as I remember that I ever heard my father say where he was born at.
Q In Tennessee somewhere; he said he was a good big boy when he come to Arkansas? A I don't know as I ever heard him say.
Q Do you know the difference in the ages of yourself and your three older brothers? A No I don't.
Q Don't know the time that comes in between you? A No I don't know that; I think it is about two years though.
Q That would make E. Dawson about eight years older than you, probably? A Yes sir.

BY MR. McKENNON:
Q Did Josephine Pierce have a daughter who married Mr. Bogle?
A Yes sir.
Q What was her name? A I always knowed her by Dade Pierce; I don't know whether that is her right name or not.
Q What is Bogle's name? A John Bogle.
Q She is the child of Josephine Pierce who married John Bogle?
A Yes sir.
BY MR. HASTINGS:
Q Where did she marry John Bogle? A Near Afton.
Q When? A I couldn't state.
Q About when? A You have got a copy of the marriage license.
Q When did Josephine Pierce come to the Cherokee Nation? A '83.
Q Has she lived here continuously since that time? A Up until her death; she is dead.
Q Any of her children come with her at that time? A Yes sir.
Q And have they lived here continuously since that time? A Yes sir, except Bill Pierce, he went to Colorado and died.

J. C. STARR, being first duly sworn and being examined, testified as follows:
BY MR. McKENNON:
Q Your name is J. C. Starr is it? A Yes sir.
Q Mr. Starr, was that instrument taken by you, or before you? (Showing witness document.)
A Yes sir.
Q Where? A At the residence of S. H. Benge: near Fort Gibson.
Q When? A On the 15th day of this month.
Q What day of the week was that? A On Saturday.
Q Is that the day it was taken? A Yes sir.
Q Did you go there on Saturday to take this? A Yes sir.
Q Then when Judge Benge stated on Tuesday that it was taken "yesterday" meaning Monday, the 17th, he was mistaken, was he?
A It was taken Saturday, the 15th.
Q Was he mistaken or not? A It was not taken then.
Q Then his statement made on Tuesday the 18th that it was taken on "yesterday", meaning Monday, the 17th, was not correct, was it?
A I think not, because I was there, and it was taken on the 15th.
Q And it was taken on the 15th, you are positive it was taken on the 15th? A Yes sir.

Q Then of course his statement could not be correct? A I guess not.
BY MR. HASTINGS:
Q He was just mistaken about the date, wasn't he? A Yes sir.
BY MR. McKENNON:
Q Did you tell Charles T. Moore who is now present, on last Tuesday that they sent you out there on Monday to take that? A No sir.
BY MR. HASTINGS:
Q I sent you there last Saturday? A Yes sir.
Q And you went there at my direction, didn't you? A Yes sir, and come back Saturday night.

ROBERT L. DAWSON, being first duly sworn, and being examined testified as follows:
BY MR. McKENNON:
Q What is your name? A My name is Robert L. Dawson.
Q What is your age? A My age is something close to 30 years old, I a 29 past.

Q Are you a son of E. Dawson, commonly known as Buck Dawson?
A Yes sir.
Q I will ask you if you will take into this letter sent with the enclosure and state whether or not you found that among the papers of your father after his death? (Shows letter to witness who examines it) A Yes sir, I found this among the papers of my father. He always kept all his own papers, and in looking over them I saw this letter.
Q Has that been in your custody ever since you found it? A Yes sir, if that's the letter that was in the envelope.
Q Well that's what it is, you can tell whether it is or not. (Witness further examines letter) Q That purports to be a letter from Samuel H Benge does it not, to your father? A Yes sir.
(Here applicants' attorney hands letter and env lope referred to to attorney for the Cherokee Nation.

BY MR. McKENNON: I want to offer this letter in evidence in this case. It is a letter signed by S. H. Benge, attorney at law, dated Fort Gibson, C. N., Jan. 13, 1883. Addressed to Mr. E. Dawson, Esq., bearing with the envelope, in which it was enclosed, with the word [illegible] upon it, Attorney at law, Tahlequah, Indian Territory, and postmarked Tahlequah, Ind. T., January 16

BY MR. HITCHINGS: The Nation objects to the introduction of this letter for the reason that S. H. Benge is living and has testified in this case and his handwriting should be either proven or denied by himself.

S. W. BENGE, being first duly sworn, and being examined, testified as follows:
BY MR. McKENNON:
Q What is your name? A S. W. Benge
Q Are you a son of Samuel H. Benge? A Yes sir.
Q Do youknow his handwriting? A I believe so.
Q Is that his handwriting? (Shows witness letter before referred to.) A Yes sir, it is either his or a resemblance of his.
Q To the best of your knowledge and belief is that his letter?
A Yes sir.
BY MR. McKENNON: Now we offer it in evidence.

BY COMMISSION: (Reads letter)

Fort Gibson, C. N.,
Jan 13th, 1883.

Mr. E. Dawson, Esq.

Dear Sir:- I write this note to inform you that your case came off before the Court on Citizenship on the 11th inst, and was decided in your favor, so you all are citizens of this Nation. T. M. Dawson was furnished with a copy of the decision of the court. He will write to you also. You will please send me fifty dollars as my fee in your case according to contract. Send it to Fort Gibson, Cherokee Nation.

Respectfully yours,
S. H. Benge,
Attorney at law."

Enclosed in envelope, as follows:
And in upper corner, left hand:
"Return in ten days to S. H. Benge,
Attorney at Law,
Tahlequah, Ind. Ter."
Addressed: "Mr. E Dawson.

Henryetta,
Clay Co., Texas.

Post-marked: " Tahlequah, Jan 17 Ind T."

ROBERT L. DAWSON, -re-called and further examined, identified as follows:

BY MR. McKENNON:

Q Now exa ine that and see if that is also a paper which you found among your father's papers after his death? (Hands papers to witness) A That is the same letter that I found.

Q Among the same that you found the Bruce letter? A Yes sir.

BY MR. McKENNON: This is a letter purporting to have been written by J. M. Bryan, to E. Dawson, dated at Chouteau Station, Cherokee Nation, and not dated, which we offer in evidence. (Applicant's attorney hands said paper to Nation's attorneys.)

Q Mr. Bryan is dead is he not? A I think so.

BY MR. HUTCHINGS: We have no objection.

BY COMMISSION: (reads letter)

"Chouteau Station, Cherokee Nation.
I. T., M. K. & T. R. R.

MR. Dawson:

Dear Sir:-

I am in receipt of your favor of the 30th inst in regard to our contract.

After I had got the claim so there would be little more to do I employed Campbell Taylor to answer for me when the case came up, for which I was to pay him $20-out of my fee.

This all the action I had in the matter with Taylor.

I saw Taylor in Washington last month, and he told me that your brother had made another contract with him, and paid him, or that you was to pay him $100-, and that you had offered him a check on some bank in Texas.

That $100- matter with Taylor, I have nothing to do with, nor couldn't have if I wanted to.

I hope Mr. Dawson this letter will explain the matter fully.

And I am satisfied that you are apprised of the earnest work I done for you. Please write to me.

Very respectfully,
Very truly,
J. M. Bryan."

Q I will ask you if you know of your father having paid Bryan that money? A Yes sir, paid him a horse and some other money.

BY MR. HUTCHINGS:

Q How old was your father when he died? A No, I don't know whether I know his age or not.

Q If you don't know you can't say? A I wouldn't have no reason to know his age; never asked him his age; of course I guess my mother knows.

Q Never had occasion to talk about his age at all? A Oh I have heard him speaking of his age at different times, but then I never paid enough attention to it.

Gid Graham, being first duly sworn and being exa i ed testified as follows:

BY MR. McKENNON:

Q What is your name? A Gid Graham.

Q How old are you? A Mr. Graham? A I am 36 years old.
Q How long have you been living in the Territory? A I came out here in 1887 or '88.
Q To the Cherokee Nation? A Yes sir.
Q How long have you been living in the Cherokee Nation, what year was that '87 or '8? A Yes sir.
Q Have you resided here continuously from that time ever since in the Territory? A Yes sir.
Q How long did you live in the Cherokee Nation? A About 6 years.
Q Where did you go then? A Wagoner.
Q In the Creek Nation? A Yes sir.
Q And been residing there ever since? A Yes sir.
Q In business? A Yes sir.
Q Have you all the while been recognized as a citizen of the Cherokee Nation? A Yes sir.
Q Mr. Graham, do you know Judge Samuel H. Benge? A Yes sir.
Q Did you have a conversation with him in Fort Gibson about September of 1900? A Well as to the exact time I couldn't say, it was sometime about the time that the Dawes Commission were at Sallisaw, or possibly a little later, somewhere about there.
Q Taking the census of the Cherokees? A Yes sir.
Q At that time had the question of the validity of the judgment of the Cherokee citizenship corrission admitting Robert Dawson and family been called in question? A Yes sir.
Q Did you talk to him about the facts concerning the obtaining of that judgment? A I did.
Q What did he tell you about it; well I will just ask you, did he then and there tell you that that judgment was regular and all right nothing wrong with it? A He did.

BY MR. HUTCHINGS:

Q You were looking around for testimony at that time, Mr. Graham, were you? A How was that?
Q You were looking around for testimony at that time, expecting this case to be questioned? A Since the validity of that judgment had been attacked by the authorities of the Cherokee Nation, I thought it was well to look into the matter.
Q And he told you the judgment was all right? A Having known that Mr. Benge was connected with the case, I saw him in Fort Gibson, subsequent to that time and asked him about it, if there was anything wrong about the matter, and also that I might want his affidavit concerning the matter, and I also I think maybe wrote to him; possibly prior to that, I am not sure as to the writing, but I think possibly I did.
Q Did he tell you he would make an affidavit? A I don't think at that time that I asked him for an affidavit. I thought as he lived right near here I would use him in person; he assured me that everything was all right.
Q Your mother was Missouri Dawson was not she? A Yes sir.
Q Her name was Missouri Graham when she was re-admitted to citizenship? A Yes sir.
Q And was not Missouri Dawson as named in that judgment? A Yes sir.
Q Do you know whether the other ... children named in there had married and changed their names also at the time they were admitted?
A There were not any of them married.
Q Ella Dawson was your aunt? A Yes sir.
Q Was she married at that time? In 1883? A Yes sir.
Q Melvina Dawson, was she married at that time? A Yes sir.
Q And the fourth one you have mentioned, Missouri Dawson, was your mother? A Yes sir.

Q Can you give us the exact date of your birth? A Yes sir.
Q Do so, please? A January 21, 1867.
Q And you came to the Territory when? A In 1887 or 1888.
Q You can't make that any more definite? A Well sir, it has been a good while ago, and I didn't have anything to cause me to.
Q Well I just want to know whether you did have or not? A No sir.
Q When were you married? A 1886.
Q You were married prior to coming here? A Yes sir.
Q Your first child born away from here? A Yes sir.
Q What is its name? A John W.
Q '86 you were married, and he was born about the spring of '87?
A Somewhere in 1887, I don't remember.
Q Prior to your coming here? A Yes sir.
Q That is the only child you had that was born away from here?
A No sir, Julius.
Q Julius was not born in the Territory? A No sir.
Q And prior to the time of your removing to the Territory? A Yes sir.
Q These are the only children born out? A Yes sir.

BY MR. McKENNON:

Q Do you know Campbell Taylor? A Yes sir.
Q I will ask you if about February 1901, he came to Wagoner, and sent his son to have you come to the hotel at night where he was, and if he then and there said to you "You people are on the doubtful list, and if you will give me five hundred dollars I will make it all right and see that you are enrolled, and if you don't I will see that you don't get on".? A Well now as to the first part of thatquestion, where you say he sent his son; that is an error; I don't know whether he came to my house or sent some one; when I returned home that evening my wife told me there was some one there to see me, and was at the city hotel at Wagoner, and said come down and see him; I went down there; I never had met Taylor; he introduced himself to me and stated what his business was; asked me if I was on the doubtful list, etc., to which I replied that we were; he asked me if I didn't want to employ him, stating that if we would give him, our family would give him five hundred dollars he would see that we were placed on the rolls all right, but if we refused to give him five hundred dollars that he would use his influence against us and see that we were rejected.
Q You never had met him before, or had any communication with him?
A I never met him before; as to the communication, I may have written him something about his affidavit as to the validity of that judgment, I can't say as to that. He said in his testimony that I did; I don't know whether I did or not now.

BY MR. HUTCHINGS:

Q You knew he was the attorney in the case, originally? A After looking at the records I did.
Q I mean you knew it at the time you wrote to him about the affidavit; that was the reason why you thought he would know something? A Certainly.
Q He never told you he was going to swear against you or threatened to tell anything that was not true? A He just simply said unless we gave him that five hundred dollars he would see we were all put off the rolls.
Q Said he would use his influence against you, that is what he said? A Yes sir.

BY MR. HASTINGS:
Q You don't deny writing to him then for the affidavit? A I don't say I did or I did not; I neither affirm it or deny the question.
Q You went to Captain Benge and also wrote him with reference to what he knew about the case? A I don't kno whether I wrote him or not, I said I was under the impression I wrote his son.
Q You went to Asa Aaron Butler, who was interpreter before that court that admitted you? A Yes sir.
Q And you went with Anron Butler to see Jir Smith, attorney before that court? A Yes sir.
Q And you either wrote or went t see everybody you knew of that was before that court then? A Yes sir.
Q That shows you used considerable activity? A Yes sir, I used such activity as was to my interest.

BY MR. McKENNON:
Q That was all after the representatives of the Cherokee Nation objected to the enrollment of the Dawson family and by reason thereof such as had appeared before the Commission had been placed upon a doubtful card? A Yes sir.
Q Then you began to look up the evidence and see what there was in it? A Yes sir.
Q As Mr. Hastings has stated? A That's right.

BY MR. McKENNON:
Q You are a grandson of James Dawson? A Yes sir.
Q The old gentleman? A Yes sir.
Q About what was his age when he was admitted to citizenship in the Cherokee Nation, in 1884, wasn't it? A Yes sir, well I can't be exact as to that.
Q Well as nearly as you can? A He was somewhere about 70 or 72, years of age.
Q Well what other James Dawson did you know belonging to the families, either one of these families, Robert Dawson family or the James Dawson family? A I never knew of but two James Dawsons.
Q Who were the others? A Dr. James R. Dawson, who is present and standing right here; my grandfather, James Dawson.
Q Was there in '84 any James R. Dawson 35 or 40 or 45 years old, that you know of, belonging to either one of these families?
A No sir.
Q Do you know how old Dr. James R. Dawson was that time?
A James Dawson? Q No I am speaking of Dr. James R. Dawson? A Oh, how old he was, no sir, I do not.

BY MR. HUTCHINGS:
Q Do you know who was here attending to your mother's citizenship case at that time, at the time they were admitted? A Yes sir, James Low and Bill Jackson, son of Ellen Jackson.
Q Who was W. A. Dawson? A That is Wilburn, my uncle.
Q Was he here? A I don't know sir.
Q You were not here any of the time? A No sir.
Q You knew your grandfather then, you had lived in the same neighborhood with him? A Yes sir, I knew him well.
Q He didn't die for a year or two after that did he? A After when, Mr. Hutchings?
Q After his admission to citizenship? A No sir, he didn't die I think until '91 or '90, several years after.
Q Very old man when he died? A Yes sir.

BY MR. McKENNON:
Q About what age? A He was approximately 80 years old.

BY MR. HUTCHINGS:
Q When he died? A Yes sir.

BY MR. HASTINGS:
Q That about 1891? A I think so, yes sir.
BY MR. McKENNON:
Applicants object to the testimony of the witness elicited by interrogatories of Counsel for the Cherokee Nation relating to his family, their history, etc, as being irmaterial, irrelevant and incompetent.

James R. Dawson, being first duly sworn, and being examined, testified as follows:
BY MR. McKENNON:
Q Your name is James R. Dawson? A Yes sir.
Q Where do you live? A Afton, Indian Territory.
Q What is your age? A 45.
Q You are a physician are you not? A Yes sir.
Q Was James Dawson, whose family was admitted in 1884, an uncle of yours? A Yes sir.
Q Do you know what his age was at that time? A No sir, I do not, only approximately.
Q State as nearly as you can? A At the time of theadmission?
Q Yes sir? A About 70, I don't know exactly.
Q How old was he when he died? A I would suppose he was about 78.
Q What was your age in 1884? A I am 45.
Q What year were you born, Doctor? A I was born in '55.
Q Must have been '84? A Yes sir, that's right.
Q What was your age then? A In '84?
Q Yes sir? A About 28.
Q Were you present at the time that James Dawson family was admitted, or at any time while their case was pending before the Cherokee citizenship commission? A Not while the James Dawson case was, no sir.
Q You were present during your father's case? A I was there at the time.
Q When was that? A The dates I dismember; when the case first come up, I dismember the exact date.
Q How long were you there? A I was there about a week.
Q Was that when it first came up you say? A Yes sir.
Q Nothing was done? A No sir.
BY MR. HUTCHINGS:
Q You never saw Dr. Baker? A Yes sir.
Q Did he and your uncle Jimmie used to talk about how they played together when they were boys? A My uncle Jim and Dr. Baker talk?
Q Yes? A I never saw them together.
Q They were about the same age? A Yes sir, I believe Dr. Baker was 15 years older probably.
Q Dr. Baker must have been mistaken about his own age? A Guessing, that's all I know about his age.
Q The Doctor had been paralyzed, rather a decrepit looking man at the time he was over here at this citizenship business? A No sir, not as I know anything about.
Q He was near about 70 then? A I couldn't tell you, he was an old looking man.
Q Your uncle Jimmie was about 70? A Yes sir.

TESTIMONY ON BEHALF OF THE CHEROKEE NATION.

W. W. HASTINGS, being first duly sworn, and being examined testified as follows:

BY MR. HUTCHINGS:

Q State your name? A W. W. Hastings.

Q Residence? A Tahlequah, age 35.

Q You are attorney for the Cherokee Nation in the general preparation of these cases? A Yes sir.

Q Just state how it happened that you summoned Mr. Campbell Taylor, and what occurred between you with reference to his testimony?

A Well there had been some talk, as the testimony here indicates, that there was perhaps fraud in the admission of this family, and by agreement with counsel on the other side, and the Commission, this case was set for the 17th day of March, and some short time prior to that, as the attorney for the Nation I began to make some preparation or inquiry into the case, and I wrote a great many letters around to different people and among them I wrote C. H. Taylor to come down here. I don't think in that letter that I told him what I wanted with him. I don't think I told him the case that I wanted him to testify in; that is my recollection now. Mr. Taylor prior to that time, neither directly nor indirectly, so far as I know, ever gave me any information voluntarily against this family, or ever said anything that would lead me to believe that he knew anything of a fraudulent character connected with it. But I summoned him; perhaps the fact that I knew he had been connected with them in some way and that I perhaps also would get some information from him. Well he came in response to a letter that I wrote, and I took him up to my office. I talked to him quite a long while. He was exceedingly reluctant about giving any testimony whatever, he told me first and last that he didn't intend to testify before the Commission. He told me he had been attorney for these people, and he didn't believe he could be compelled to testify, and that is he was put upon the stand he would claim that privilege, and he didn't believe I could force him to testify. I talked to him at some considerable length; I asked him what he knew about it; of course he for a long time declined to tell me; and what information I did get from him was by piecemeal. He was exceedingly reluctant all through the interview to give any information. I asked him finally though that if the Court compelled him to testify when he got before the Commission, if he would tell the facts about it, and he said that he would. I told him then that I would subpoena him.

Well we talked quite a good while and finally after always telling me that he intended to claim that privilege, and never wanting to testify, he detailed to me the facts just as he told them on the stand; I don't believe there is the slightest variation, except that he perhaps was not so full at that time and it was told by piecemeal, but I got all those facts out of him, or very nearly all those facts out of him. He may have elaborated a little more here by examination; but he never voluntarily gave me any information at all, either directly or so far as I know indirectly. I don't think he sent any one to me. I got his name because I heard he was connected with the case, and perhaps knew something about it, like I did a great many other people, some of whom I didn't bring, because they didn't know what I supposed they did know about the case.

With reference to S. H. Benge, I want to state that he never voluntarily gave me any information at all about this case, nor did I know that he knew anything in connection with this case until I sent J. C. Starr over to S. H. Benge's place to take his affidavit on Saturday, March 15, in the W. H. and J. W. Shoemake case, and their descendants. I had heard that Mr. Benge knew some important facts in connection with the Shoemake case and I sent him over there then to take that affidavit; and when Mr. Starr came back he told me that he knew some facts also in connection with these other cases, and I was surprised to find he had instead of one affidavit, in the Shoemake case, that he also had another affidavit in the Dawson case. That is the first information I had that Mr. Benge knew anything whatever in connection with the Dawson case, and therefore he never voluntarily, either directly or indirectly gave any information prior to that time to me.

I impressed upon Mr. Taylor that the Nation only wanted the absolute truth in this matter; that it was not seeking anything else but the truth, and didn't want him to tell anything else but the truth.

I want to say again that after he was on the stand and left that evening, and after Captain McKennon, or counsel for the family, had indicated his willingness for Mr. Taylor to testify, that he went over all of these facts that he testified to on the stand subsequent to that time in the presence of J. C. Starr in my office. I simply wanted to go on the stand for the purpose of showing that Mr. Taylor hadn't voluntarily given me any information, and I make this statement for that purpose.

BY MR. McKENNON:

Q You had no power to compel him to give you any information at that time at all did you? A No sir, none other than the persuation that I brought to use.

Q He therefore did it simply upon your persuation? A Yes sir.

Q You knew he had been acting as attorney for these parties?

A Yes sir, I had seen from the record that he did too.

Q And he told you so? A Yes sir.

BY COMMISSION: The attorneys for the applicant and the representatives of the Cherokee Nation will be granted thirty days from the receipt of the transcript in this case in which to file a brief in this case with the Commission.

I, M. D. Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

(Signed) M. D. Green.

I, Arthur C. Evans, being duly sworn, state that as stenographer to the Commission to the Five Civilized Tribes I copied the foregoing, and that the same is a true and complete copy of the original.

Arthur C. Evans

Subscribed and sworn to before me this 18th day of December, 1902.

B. D. Jones

Notary Public.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Francis M. Dawson, et al for enrollment as Cherokee citizens, consolidating the applications of,

Francis M. Dawson et al	Cherokee	D.	524
John Dawson,	"	D	580
William R. Dawson,	"	D	581
Andrew C. Atkins, et al	"	D	584
Francis M. Dawson, Jr.	"	D	588
Arizona Allred, et al	"	D	835
Samuel R. Dawson, et al	"	D	350
Robert Dawson,	"	D	352
Albert H. Dawson, et al	"	D	358
August Bulawsky, et al	"	D	365
John W. Dawson, et al	"	D	482
Katie Newman	"	D	402
John Dawson, et al	"	D	578
Thomas P. Dawson, et al	"	D	360
Orle H. Dawson, et al	"	D	530
Robert Pierce, et al	"	D	408
William Pierce,	"	D	409
Charles E. Pierce,	"	D	431
Oma Gray, et al	"	D	471
Effie Pierce,	"	D	472
John S. Bogle, et al	"	D	478
Joseph R. Dawson, et al	"	D	364
Wilborn Dawson,	"	D	475
Charles T. Moore, et al	"	D	510
James R. Dawson, et al	"	D	526
Henry A. Blasingame, et al	"	D	832
Elbert L. Blasingame, et al	"	D	833
James R. Blasingame, et al	"	D	834
Martin L. Patterson, et al	"	D	435
William C. Dawson, et al	"	D	604
Robert L. Dawson,	"	D	605
Elbert B. Dawson, et al	"	D	608
Richard W. Dawson, et al	"	D	617
Ella L. Spickerman, et al	"	D	686
Francis M. Dawson,	"	D	627
Sarah J. Dawson,	"	D	609
John W. Graham, et al	"	D	23
Gideon Graham, et al	"	D	25
Mathew A. Painter, et al	"	D	836
Charles T. Bradshaw, et al	"	D	1124
Joe R. Graham, et al	"	D	1125
John F. Graham, et al	"	D	1126
Joe Willie Neal	"	D	1127
James M. Graham, et al	"	D	1128
Green W. Jackson, et al	"	D	395
James R. Marmon, et al	"	D	476
Toshie A. Jackson,	"	D	508
Lizzie Jackson, et al	"	D	830
William C. Lenox, et al	"	D	947
James Lowe, et al	"	D	850
Millie T. Dawson,	"	D	408

Texanna Woolley, et al.,	Cherokee	D	498
Henry T. Richardson, et al.,	"	D	7[illegible]
Etta Brown,	"	R	12
Mariam A. Dawson,	"	D	343
Alonzo M. Fishback, et al.,	"	D	621
Miram F. Waddle, et al.,	"	D	542
William D. Douthitt,	"	D	737
Florence Morgan, et al.,	"	D	845
John E. Fishback,	"	D	878
George A. Mabry, et al.,	"	D	878

D E C I S I O N.

It appears from the record herein that applications were made to this Commission at the times and places hereinafter mentioned for the enrollment of the following named persons as citizens of the Cherokee Nation:

D 324 By Francis M. Dawson, son of Robert Dawson, at Vinita, Indian Territory, on September 17, 1900, for the enrollment of himself and his minor children, Lula, Ray, Jessie J., Jacob L., Ruth A. and Laura A. Dawson as citizens by blood, and for the enrollment of his wife Katie Dawson as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on April 8, and October 20, 1902.

D 580 By John Dawson, at Nowata, Indian Territory, on October 15, 1900, for the enrollment of himself as a citizen by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 1, 1902.

D 581 By William R. Dawson, at Nowata, Indian Territory, on October 15, 1900, for the enrollment of himself and his wife, Fannie Dawson as citizens by blood. Fannie Dawson has been differently classified and is not embraced in this decision.

D 584 By Andrew C. Atkins, at Nowata, Indian Territory, on October 15, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Lizzie Atkins and his minor children, Arthur, Edna E., Edward C. and George J. F. Atkins as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 10, 1902.

D 583 By Francis M. Dawson, Jr., son of Francis M. Dawson and grand son of Robert Dawson, at Nowata, Indian Territory, on October 15, 1900, for the enrollment of himself as a citizen by blood.

D 335 By Francis M. Dawson, Sr., at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of his daughter Arizona Allred and his grand-son William C. Allred as citizens by blood.

D 350 By Samuel R. Dawson, at Vinita, Indian Territory, on September 19, 1900, for the enrollment of himself and his two minor children August and Mate Dawson, as citizens by blood, and for the enrollment of his wife Catherine Dawson as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, October 3, 1902.

D 352 By Robert Dawson, at Vinita, Indian Territory, on September 19, 1900, for the enrollment of himself as a citizen by blood.

D 358 By Albert H. Dawson, at Vinita, Indian Territory, on September 19, 1900, for the enrollment of himself and his minor children Ralph H., Alford and Cecil Dawson as citizens by blood, and for the enrollment of his wife Sarah F. Dawson as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 21, and October 3, 1902.

D 365 By August Bulawsky, at Vinita, Indian Territory, on September 20, 1900, for the enrollment of himself as a citizen by intermarriage, and for his wife Josephine, and his minor children Dora, Ida, Annie, Blanche, May and Oscar Bulawsky, as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 6, 1902.

D 482 By John W. Dawson, at Vinita, Indian Territory, on October 1, 1900, for the enrollment of himself as a citizen by blood, and for the enrollment of his wife Nannie as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 3, 1902.

D 402 By Charles J. Newman, for the enrollment of his wife Katie Newman as a citizen by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on March 18, 1902.

D 578 By John Dawson, at Nowata, Indian Territory, on October 15, 1900, for the enrollment of himself and his minor children Robert B., Iola M., Lemuel H., Rosa B., Charles B., Hattie J., Jennings B. and James U. Dawson as citizens by blood, and for his wife Sarah J. Dawson as a citizen by intermarriage. On November 20, 1901, an affidavit was filed for Vergal C. Dawson, a ninth child of the applicant. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, October 30, 1902.

D 360 By Thomas P. Dawson, at Vinita, Indian Territory, on September 20, 1900, for the enrollment of himself and his minor child Marlee J. Dawson as citizens by blood.

D 530 By Orle H. Dawson, at Vinita, Indian Territory, on October 4, 1900, for the enrollment of himself and his minor child, Burr R. Dawson as citizens by blood. On October 31, 1908, a birth affidavit was filed for James W. Dawson, a second child of the applicant.

D 408 By Robert Pierce, at Vinita, Indian Territory, on September

24, 1900, for the enrollment of himself and his minor child Myrtle as citizens by blood, and for the enrollment of his wife Nellie as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 3, 1902. On January 9, 1902, an affidavit was filed showing the birth of Arthur Pierce, a second child of the applicant.

D 409 By William Pierce, at Vinita, Indian Territory, on September 24, 1900, for the enrollment of himself as a citizen by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 21, 1902.

D 431 By Charles E. Pierce, at Vinita, Indian Territory, on September 25, 1900, for the enrollment of himself as a citizen by blood.

D 471
D 472 By John B. Gray, at Vinita, Indian Territory, on September 28, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Oma Gray, his minor child, Cecil Gray, and his sister-in-law, Effie Pierce (now Effie Akins), as citizens by blood. John B. Gray is differently classified and is not embraced in this decision. Further proceedings were had in the matter of this application at Vinita, Indian Territory, on October 4, 1900, and at Muskogee, Indian Territory, on July 21, 1902. On February 18, 1903, an affidavit was filed showing the birth of Velton Gray, a second child of the applicant.

D 479 By John S. Bogle, at Vinita, Indian Territory, on October 2, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Nancy J., and his minor children, James E., Edna N., John H., Marvin R. and Claud Bogle as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 9, 1902. On October 31, 1902, a birth affidavit was filed for Nancy Edith Bogle, born since the date of this application.

D 304 By Joseph R. Dawson, at Vinita, Indian Territory, on September 20, 1900, for the enrollment of himself and his five minor children, Clarence E., Council J., Elmer A., Cleo, and Rufus T. Dawson, as citizens by blood, and for the enrollment of his wife, Florence Dawson, as a citizen by intermarriage. Further proceedings were had in the matter of said application at Vinita, Indian Territory, on October 19, 1901, and at Muskogee, Indian Territory, on October 3, 1902. On October 19, 1901 an affidavit was filed showing the birth of Edgar Dawson, a sixth child of the applicant.

D 475 By Wilborn Dawson, at Vinita, Indian Territory, on September 29, 1900, for the enrollment of himself as a citizen by blood.

D 518 By Charles T. Moore, at Vinita, Indian Territory, on October 4, 1900, for his enrollment as a citizen by intermarriage, and for the enrollment of his wife, Mollie, and his five minor children, Nora, Walter, Clara, Ora and James W. Moore as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on March 18, and October 10, 1902, and on March 17, 1902, an affidavit was filed showing the birth of Edna E. a sixth child of the applicant.

D 596 By James R. Dawson, at Vinita, Indian Territory, on October 4, 1900, for the enrollment of himself and his three minor children, Vinnie D., Ermine C. and Edwin C. Dawson as citizens by blood, and for the enrollment of his wife, Martha A. Dawson, as a citizen by intermarriage. Further proceedings were had in the matter of said application at Vinita, Indian Territory, on October 5, 1900, and at Muskogee, Indian Territory, on October 3, 1902, and on September 13, 1901, an affidavit was filed showing the birth of Ancil F. Dawson, a fourth child of the applicant.

D 832. By Henry A. Blasingame, at Chelsea, Indian Territory, on November 19, 1900, for the enrollment of himself and his minor child, Vinnie C. as citizens by blood, and for the enrollment of his wife, Birdie J. as a citizen by intermarriage. Birdie J. Blasingame is differently classified and is not embraced in this decision.

D 833 By Elbert L. Blasingame, at Chelsea, Indian Territory, on November 19, 1900, for the enrollment of himself and his three minor children Ellis F., Earl D. and Alexander Blasingame, Jr., as citizens by blood, and for the enrollment of his wife Ida, as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, October 6, 1902. On October 31, 1902, a birth affidavit was filed for Elmer H., born since the date of this application.

D 834 By James R. Blasingame, at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of himself and his two minor children, William A. and George L. Blasingame as citizens by blood, and for the enrollment of his wife, Mary A. Blasingame as a citizen by intermarriage. On February 28, 1901, an affidavit was filed showing the birth of Grace D. Blasingame, a third child of the applicant. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 6, 1902.

D 435 By Martin L. Patterson, at Vinita, Indian Territory, on September 26, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Zona, and his five minor children, Sarah A., Martha A., Claud A., Edgar D. and Thomas M. Patterson, as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on April 8, and October 4, 1902, and on October 23, 1901, an affidavit was filed showing the birth of Virgil V., sixth child of the applicant.

D 604 By William C. Dawson, at Nowata, Indian Territory, on October 16, 1900, for the enrollment of himself as a citizen by blood, and for the enrollment of his wife Alice as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on April 3, and October 10, 1902.

D 605 By Robert L. Dawson, at Nowata, Indian Territory, on October 16, 1900, for the enrollment of himself as a citizen by blood.

D 608 By Elbert B. Dawson, at Nowata, Indian Territory, on October 16, 1900, for the enrollment of himself as a citizen by blood. On July 8, 1901, an affidavit was filed showing the birth of Ralph E. Dawson, a child of the applicant.

D 609 By Sarah J. Dawson, at Nowata, Indian Territory, on October 10, 1900, for the enrollment of herself as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 15, 1902.

D 617 By Richard W. Dawson, at Nowata, Indian Territory, on October 17, 1900, for the enrollment of himself and his minor child Ina E. as citizens by blood, and for the enrollment of his wife, Luella as a citizen by intermarriage. Luella Dawson is differently classified and is not embraced in this decision. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on April 8, 1902.

D 620 By Ella L. Spickerman, at Nowata, Indian Territory, on October 17, 1900, for the enrollment of herself and her minor child, Hellen J. Spickerman, as citizens by blood, and for the enrollment of her husband, John J. Spickerman as a citizen by intermarriage. John J. Spickerman is differently classified and is not embraced in this decision. On March 8, 1902, an affidavit was filed for William Glenn Spickerman, a second child of the applicant.

D 627 By Francis M. Dawson, son of Elbert Dawson, at Nowata, Indian Territory, on October 17, 1900, for the enrollment of himself as a citizen by blood.

D 33 By John W. Graham, at Fairland, Indian Territory, on July 12, 1901, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Missouri and his minor children Tempa V. and Robert S. Graham, as citizens by blood. Furtherproceedings were had in the matter of said application at Muskogee, Indian Territory, on October 2, 1902.

D 35 By Gideon Graham, at Westville, Indian Territory, on July 10, 1900, for the enrollment of himself and his minor children, John W., Julius E., Francis W., Mary E., Jesse E., Gracie L. and Florence M. Graham as citizens by blood, and for the enrollment of his wife Elizabeth Graham, as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 17, 1902.

D 830 By Mathew A. Painter, at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Laverna A. and his five minor children Ada R., Eva P., John W., Ray D., and Roberta A. Painter, as citizens by blood. On December 7, 1900, an affidavit was filed for Roy V. Painter, a sixth child of the applicant. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 2 and 3, 1902.

D1124 By Charles T. Bradshaw, at Muskogee, Indian Territory, on February 23, 1901, for the enrollment of himself as a citizen by intermarriage, and for his wife Florence P. and his minor children, Myrtle and Claude Bradshaw as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 21, and October 20, 1902.

D1125 By Joe E. Graham, at Muskogee, Indian Territory, on Febru-

ary 23, 1901, for the enrollment of himself and his minor child William C. as citizens by blood.

D1126 By John F. Graham, at Muskogee, Indian Territory, on February 23, 1901, for the enrollment of himself and his minor child Edna M. as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 21, 1902. On October 31, 1902, a birth affidavit was filed for Robert Lee Graham, a second child of the applicant.

D1127 By James Neal, at Muskogee, Indian Territory, on February 23, 1901, for the enrollment of his wife, Joe Willie Neal, as a citizen by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 21, 1902.

D1128 By James M. Graham, at Muskogee, Indian Territory, on February 23, 1901, for the enrollment of himself and his minor children, Marion, Maggie, Luther, Liddie and Margaret Graham as citizens by blood, and for the enrollment of his wife Bessie as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 17, 1902. On October 27, 1902, a birth affidavit was filed for Floyd Graham, born since the date of this application.

D 395 By Green W. Jackson, at Vinita, Indian Territory, on September 22, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Ella Jackson as a citizen by blood.

D 476 By James M. Harmon, at Vinita, Indian Territory, on October 1, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Flora and his minor children, Lillie R., Claud, Dwight, and William D. Harmon, as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 9, 1902.

D 508 By Toshie A. Jackson, at Vinita, Indian Territory, on October 3, 1900, for his enrollment, among others, as a citizen by blood. The other parties to the application are differently classified and are not embraced in this decision. Further proceedings were had in the matter of said application at Tahlequah, Indian Territory, on December 7, 1900.

D 830 By Lizzie Jackson, at Chelsea, Indian Territory, on November 19, 1900, for the enrollment of herself as a citizen by intermarriage, and for the enrollment of her minor children Osie, Lizzie, Jessie, Ray and Clyde Jackson as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 3, 1902.

D 847 By William C. Lenox, at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Fannie and his minor children Birtie E. and Myrtle Lenox as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 3, 1902.

D 839 By James Lowe, at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of himself and his minor children, May, Zelma, Roberta and Rosa Lowe as citizens by blood.

D 405 By Millie T. Dawson, at Vinita, Indian Territory, on September 24, 1900, for the enrollment of herself as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 13, 1902.

D 406 By Texanna Woolley, at Vinita, Indian Territory, on September 24, 1900, for the enrollment of herself and her minor child Irene W. Woolley as citizens by blood. On March 27, 1902, an affidavit was filed showing the birth of Wilburn E. Woolley, a second child of the applicant.

D 715 By Henry T. Richardson, at Claremore, Indian Territory, on October 26, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Kitty, his minor children Delia F. and Finis T. Richardson and his stepchildren, Edgar, Walter, Alice, Laura, Oscar, Claude, Edna and Florence Flournoy as citizens by blood. Florence Flournoy is embraced in another application herein as Florence Morgan (D - 737). Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 9, 1902, and on August 20, 1902, a birth affidavit was filed for Jasper C. Richardson, born to Henry T. Richardson and his wife, Kittie, since the date of this application.

R 12 By Etta Brauer, at Fairland, Indian Territory, on July 12, 1900, for the enrollment of herself as a citizen by blood.

R 13 By Melissa A. Dawson, at Fairland, Indian Territory, on July 12, 1900, for the enrollment of herself as a citizen by intermarriage.
Further proceedings in the matter of said application were had at Vinita, Indian Territory on October 4, 1900, and at Muskogee, Indian Territory, on October 14, 1902.

D 521 By Lula Pearl Weddle, at Vinita, Indian Territory, on October 4, 1900, for the enrollment of herself and her minor children Curtis and Morris O. Weddle as citizens by blood, and for the enrollment of her husband, Hiram F. Weddle as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 14, 1902. October 31, 1902, a birth affidavit was filed showing the birth of Roy Weddle, a third child of the applicant.

D 532 By William D. Douthitt, at Vinita, Indian Territory, on October 4, 1900, for the enrollment of himself as a citizen by blood.

D 343 By Alonzo M. Fishback, at Vinita, Indian Territory, on September 19, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Laverna A. Fishback and his minor children William A. and Annie B. Fishback as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on March 18, and October 3, 1902.

D 737 By Elbert L. Morgan, at Claremore, Indian Territory, on October 29, 1901, for the enrollment of his wife Florence and his minor child Clide as citizens by blood. On April 30, 1902, an affidavit was filed showing the birth of Alice A. Morgan, a second child of the applicant.

D 845 By John F. Fishback, at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of himself as a citizen by blood.

D 979 By George A. Mabry, at Tahlequah, Indian Territory, on December 14, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Emma, and his minor children Roby and Charley Mabry as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, January 15, 1901, and March 17, and October 15, 1902.

Proceedings were had in the matter of F. M. Dawson, et al., before Lewis T. Martin, a Notary Public on October 4, 1900, and further proceedings were had therein before the Commission at Muskogee, Indian Territory on March 17, 1902. All of these proceedings have been made a part of the record herein.

The evidence, and an examination of the records of the Cherokee Nation, in the possession of this Commission show that on January 11, 1883, one Robert Dawson and his adult children, F. M. Dawson, Elbert Dawson, Jasper Dawson, Mollie Dawson, Wilborn Dawson, James Dawson, Rial Dawson, Josephine Dawson, Joseph Dawson, Jane Dawson and John Dawson were admitted to citizenship in the Cherokee Nation by the Cherokee Commission on Citizenship, commonly known as the "Teehee Court", and that on September 9, 1884, one James Dawson, a brother of the Robert Dawson aforesaid, together with his adult children, Ella Dawson, W. A. Dawson, Malvina Dawson and Missouri Dawson were admitted to citizenship in the Cherokee Nation by the Cherokee Commission on Citizenship commonly known as the "Spears Court." In addition to their tribal enrollment as shown by the evidence herein, it also appears from an examination of the Cherokee tribal rolls, in the possession of this Commission, that F. M. Dawson is identified on the Cherokee pay rolls of 1883 and 1894, Elbert Dawson on the Cherokee pay roll of 1886, Mollie Dawson on the pay roll of 1883, Wilborn Dawson on the pay rolls of 1886 and 1894, James Dawson on the pay rolls of 1883 and 1894, Rial Dawson on the pay rolls of 1886 and 1894, Josephine Dawson on the pay roll of 1886, Jane Dawson on the pay roll of 1883, Joseph Dawson and John Dawson on the pay rolls of 1883, 1886 and 1894, Ella Dawson and W.A.

Dawson on the Day roll of 1896, and Missouri Dawson on the Day roll of 1894.

A majority of the above named persons, together with the descendants of the persons admitted as aforesaid and such white persons as may have intermarried with the said Dawsons or their descendants are the applicants herein.

For convenience, the applications are divided into groups:

Group 1, includes the applications of Francis M. Dawson and those claiming through him and embraces cases numbered D 324, D 530, D 531, D 534, D 588 and D 835.

The evidence shows that Francis M. Dawson is the same person admitted to citizenship as hereinbefore stated under the name of F.M. Dawson. Katie Dawson, his wife, was married to him on November 21, 1880. The Cherokee Supreme Court in the cases of Cherokee Nation vs. Nancy Rogers and Melissa Dawson vs. W. A. Dawson held that a white woman married to a Cherokee Indian at the time of his admission to citizenship acquires thereby the rights of Cherokee citizenship. She has lived with her said husband since they were married, and the six children included in the application of said Francis M. Dawson, and hereinbefore named are the issue of the marriage aforesaid. All the applicants herein are identified on the Cherokee Census roll of 1896.

John Dawson, William R. Dawson, Lizzie Atkins, formerly Dawson, Francis M. Dawson, Jr., and Arizona Allred are the children of said Francis M. Dawson by a former wife, Julia Ann. They were minors at the date of their father's admission to citizenship. John Dawson, Lizzie Atkins and Francis M. Dawson, Jr., are identified on the Strip Payment roll of 1894, and William R. Dawson and Arizona Allred are identified on the Cherokee Census roll of 1896.

Andrew C. Atkins was married under a Cherokee marriage license

and in accordance with the laws of the Cherokee Nation on March 28, 1891, to the above named Lizzie Dawson. He has resided in the Cherokee Nation with his said wife since they were married, and the four children included in his application, and hereinbefore named are the issue of that marriage. The oldest child, Arthur, is identified on the Cherokee pay roll of 1894, and the three younger children are identified by birth affidavits on file with this Commission.

Arizona Allred, nee Dawson, came from Arkansas to the Cherokee Nation for the first time in 1894, remained there about two years and then returned to Arkansas, where she was married to Lee Allred. Such marriage was not in accordance with the laws of the Cherokee Nation. Arizona Allred and her husband came to the Cherokee Nation in 1896, stayed there a month and returned to Arkansas where they remained until September, 1898, at which time they came to the Cherokee Nation, remained there about a year and returned to Arkansas in 1899, where they were living at the date of this application. William C. Allred is the child of said Arizona Allred and possesses no rights not acquired by his mother. He is identified on the Cherokee Census roll of 1896.

Paragraph 9, Section 21, of the Act of Congress approved June 28, 1898 (30 Stats., 495) provides:

> "No person shall be enrolled who has not heretofore removed to and in good faith settled in the Nation in which he claims citizenship."

The evidence further shows that Francis M. Dawson, his wife, Katie and William R. Dawson, Francis M. Dawson, Jr., and Lizzie Atkins have resided in the Cherokee Nation since 1883, and Andrew C. Atkins, the husband of said Lizzie Atkins, since 1891, and that John Dawson has resided in the Cherokee Nation for at least fourteen years prior to the date of his application. The residence of the minor children of the above named persons is considered to be that of their parents, with whom they are living.

Group II, includes the applications of Samuel R. Dawson, together with those claiming through him and embraces cases numbered D 350, D 352, D 358, D 365, D 482 and D 402.

The evidence shows that Samuel R. Dawson is identified as the Rial Dawson admitted to citizenship in the Cherokee Nation as hereinbefore stated. His wife, Catherine, a white woman, was married to him on July 11, 1866. The Cherokee Supreme Court in the cases of Cherokee Nation vs. Nancy Rogers and Melissa Dawson vs. W. A. Dawson held that a white woman married to a Cherokee Indian at the time of his admission to citizenship acquires thereby the rights of Cherokee citizenship. She has lived with her said husband since their marriage, and August and Mate Dawson are the issue of the aforesaid marriage. Samuel R. Dawson, his wife and children are identified on the Cherokee Census roll of 1896.

Robert Dawson, Albert H. Dawson, Josephine Bulawsky, formerly Josephine Dawson, John W. Dawson, and Katie Newman, formerly Katie Dawson are the children of said Samuel R. Dawson. They were minors at the date of their father's admission to citizenship, and they are all identified on the Cherokee Census roll of 1896.

Sarah F. Dawson, nee Abbott, was married to the said Albert H. Dawson in October, 1894. She has lived with her said husband, since they were married. Ralph H., Alford and Cecil Dawson are the issue of that marriage. Sarah F. Dawson and her child Ralph H. are identified on the Cherokee Census roll of 1896. Alford is identified by a birth affidavit on file with this Commission. The evidence further shows that the youngest child, Cecil Dawson, is dead.

August Bulawsky, was married under a Cherokee marriage license and in accordance with the laws of the Cherokee Nation on May 25, 1893, to the said Josephine Dawson. He has lived with his said wife since they were married and the six children included in his application, and hereinbefore named, are the issue of that marriage. The

four older children are identified on the Cherokee Census roll of 1896, and the Strip Payment roll of 1894. May Bulawsky is identified on the Cherokee Census roll of 1896, and Oscar Bulawsky is identified by a birth affidavit on file with this Commission.

Mannie Dawson, nee Baugher, was married to the said John W. Dawson on September 8, 1894, and she has lived with her said husband since they were married.

The evidence further shows that Samuel R. Dawson, his wife, Catherine, and Robert Dawson, Albert H. Dawson, John W. Dawson, and Katie Newman have resided in the Cherokee Nation since 1886, August Bulawsky and his wife Josephine, since 1892, and Sarah F. and Mannie Dawson since 1894. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group III, includes the application of John Dawson, and those claiming through him and embraces cases numbered D 578, D 360 and D 530. The evidence shows that John Dawson is the same person admitted to citizenship in the Cherokee Nation as hereinbefore stated, Sarah J. Dawson, nee Wood, his wife, a white woman, was married to him on October 4, 1871. The Cherokee Supreme Court in the cases of Cherokee Nation vs. Nancy Rogers and Melissa Dawson vs. W. A. Dawson held that a white woman married to a Cherokee Indian at the time of his admission to citizenship acquires thereby the rights of Cherokee citizenship. She has lived with her said husband since they were married and the nine children included in the application of said John Dawson, and hereinbefore named, are the issue of said marriage. John Dawson, his wife, and his seven older children are identified on the Cherokee Census roll of 1896. The two younger children are identified by birth affidavits on file with this Commission.

Thomas P. Dawson and Orle M. Dawson are the children of said John Dawson. They were minors at the date of their father's admission to citizenship, and they are both identified on the Cherokee

Census roll of 1896.

Thomas P. Dawson was married on April 24, 1898, to Allen A. Allison, and Marion J. Dawson is the issue of that marriage. The said child is identified by a birth affidavit on file with this Commission.

Orle H. Dawson was married on December 28, 1899, to Addie York, and Burr R. and James W. Dawson are the issue of that marriage. The said children are identified by birth affidavits on file with this Commission.

The evidence further shows that the said John Dawson and his wife, Sarah J., have resided together in the Cherokee Nation since 1883; that said Orle H. Dawson has resided in the Cherokee Nation since 1883, and that Thomas P. Dawson has resided in the Cherokee Nation since 1888. The residence of the minor children herein is considered to be that of their parents, with whom they are living.

Group IV, includes the applications of those claiming through the said Josephine Dawson, now deceased. At the time of her admission she was the wife of one Thomas Pierce, but was admitted to citizenship under maiden name of Dawson. The group embraces cases numbered D 408, D 409, D 431, D 471, D 472 and D 479.

The evidence shows that Robert Pierce, William Pierce, Charles E. Pierce, Oma Gray, formerly Oma Pierce, Effie Pierce (now Effie Akins) and Nancy J. Bogle, formerly Nancy J. Pierce are the children of said Josephine Dawson. They were minors at the date of their mother's admission to citizenship, and they are all identified on the Cherokee Census roll of 1896.

Nellie Pierce, a white woman, was married to said Robert Pierce on July 15, 1894. She has lived with her said husband since they were married, and Lyrtle and Arthur Pierce are the issue of that marriage. Nellie Pierce is identified on the Cherokee Census roll of 1896, and her two children are identified by birth affidavits on file with this Commission.

Ora Gray was married to John B. Gray on April 7, 1898, and Cecil and Velton Gray are the issue of that marriage. Ora Gray is identified on the strip payment roll of 1896 and her children are identified by birth affidavits on file with this Commission.

John S. Bogle was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on April 5, 1894, to the above named Nancy J. Pierce. He has lived with his said wife since they were married and the six children included in his application, and hereinbefore named, are the issue of that marriage. John S. Bogle and his two older children are identified on the Cherokee Census roll of 1896, and his four younger children are identified by birth affidavits on file with this Commission.

The evidence further shows that the said William Pierce died in January, 1902.

It further appears that Robert Pierce, Charles E. Pierce, Nancy J. Bogle and Ora Gray have resided in the Cherokee Nation since 1884; that John S. Bogle, husband of Nancy J. Bogle, and Nellie Pierce, wife of Robert Pierce, have resided in said Nation ever since they were married, and the residence of the minor children herein is considered to be that of their parents with whom they are living. It appears that Effie Akins was seventeen years old at the date of the application for her enrollment, and it further appears that she resided in the Cherokee Nation from about 1886 up to December, 1900, when she went to Colorado, was married there to Will Akins, and is now living in that state with her said husband.

Group V, includes the application of the said Joseph Dawson, Wilborn Dawson and James Dawson, and embraces cases numbered D 364, D 475 and D 526.

Joseph R. Dawson is identified as the Joseph Dawson admitted to citizenship in the Cherokee Nation as hereinbefore stated. He was married to Florence Jackson on May 18, 1886, and they have lived to-

gether since the date of their marriage. The said Florence Jackson is the daughter of Ellen Dawson, but she was of age at the date of her mother's admission to citizenship. The six children included in the application of said Joseph R. Dawson, and hereinbefore named, are the issue of the marriage between the said Joseph R. Dawson and Florence Jackson. The applicant, his said wife and his four older children are identified on the Cherokee Census roll of 1896. The two younger children are identified by birth affidavits on file with this Commission.

William Dawson is identified as the person of that name admitted to citizenship in the Cherokee Nation as hereinbefore stated. He is identified on the Cherokee Census roll of 1896.

James R. Dawson is identified as the James Dawson admitted to citizenship in the Cherokee Nation as heretofore stated. His wife, Martha A. Dawson was married to him on February 20, 1890. She has lived with her said husband since the date of their marriage, and the four children included in the application of said James R. Dawson, and hereinbefore named, are the issue of said marriage. The applicant, his said wife and his three older children are identified on the Cherokee Census roll of 1896. The youngest child is identified by a birth affidavit on file with this Commission.

The evidence further shows that Joseph R. Dawson has resided in the Cherokee Nation since 1883; that Florence Dawson and Wilborn Dawson have resided in said Nation since 1896, and that James R. Dawson has resided in said Nation since 1883, excepting a temporary absence from 1889 to 1891. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group VI, includes the application of Mollie Dawson and those claiming through her and embraces case numbered D 518.

The evidence shows that Mollie Moore, formerly Dawson, is identified as the Mollie Dawson admitted to citizenship in the Cherokee

Nation as hereinbefore stated. Her husband, Charles T. Moore, was married to her under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on January 17, 1887. He has lived with his said wife since they were married and the six children included in his application, and hereinbefore named, are the issue of said marriage. Charles T. Moore, his wife Lollie, and his four older children are identified on the Cherokee Census roll of 1896; the two younger children are identified by birth affidavits on file with this Commission.

The evidence further shows that said Charles T. Moore, his wife Mollie and his oldest child have resided in the Cherokee Nation since 1883; the younger children have resided in said nation all their lives.

Group VII, includes the applications of those claiming through the above named Jane Dawson, who, at the time of her admission to citizenship in the Cherokee Nation, as hereinbefore stated, was the wife of one Alexander Blasingame, but she was admitted under her maiden name of Dawson. Jane Dawson is a resident of Arkansas, and is not an applicant for enrollment. This group embraces cases numbered D 832, D 833 and D 834.

The evidence shows that Henry A. Blasingame, Elbert L. Blasingame, and James R. Blasingame are the children of said Jane Dawson. They were minors at the time of their mother's admission to citizenship and they are all identified on the Cherokee Census roll of 1896.

Henry A. Blasingame was married to his wife Birdie J., on December 6, 1896, and Vinnie C. Blasingame is the issue of that marriage. The said child is identified by a birth affidavit on file with this Commission.

Ida Blasingame, a White woman, was married to the said Elbert L. Blasingame on September 5, 1894. She has lived with her said husband ever since they were married and the four minor children included in the application of said Elbert L. Blasingame are the

issue of that marriage. The said Ida Blasingame and her two older children are identified on the Cherokee Census roll of 1896. The two younger children are identified by birth affidavits on file with this Commission.

Mary A. Blasingame was married to the said James R. Blasingame on August 11, 1895. She has lived with her said husband since they were married and the three minor children included in the application of said James R. Blasingame, and hereinbefore named, are the issue of that marriage. Mary A. Blasingame and her oldest child are identified on the Cherokee Census roll of 1896. The two younger children are identified by birth affidavits on file with this Commission.

The evidence further shows that the said Henry A. Blasingame, Elbert L. Blasingame and James R. Blasingame removed to the Cherokee Nation in 1897 and have resided therein with their said wives ever since. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group VIII, includes the applications of those claiming through the said Elbert Dawson, and embraces cases numbered D 435, D 604, D 608, D 605, D 609, D 617, D 626 and D 627.

The evidence shows that Zona Patterson, formerly Dawson, William C. Dawson, Robert L. Dawson, Elbert B. Dawson, Richard W. Dawson, Ella L. Spickerman, formerly Dawson, and Francis M. Dawson are the children of the said Elbert Dawson. All of them, excepting the said Francis M. Dawson, were minors at the time of their father's admission to citizenship. Zona Patterson is identified on the Cherokee Census roll of 1896, and William C. Dawson, Robert L. Dawson, Elbert B. Dawson and Richard W. Dawson are identified on the Strip Payment roll of 1894. An examination of the Cherokee tribal rolls, in the possession of this Commission, shows that the said Ella L. Spickerman is also identified on the Strip Payment roll of 1894.

Martin L. Patterson was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on July 13, 1890, to the said Zona Dawson. He has lived with his said wife since they were married and the six children included in his application, and hereinbefore named, are the issue of that marriage. Martin L. Patterson and his three older children are identified on the Cherokee Census roll of 1896, and his three younger children are identified by birth affidavits on file with this Commission.

Alice Dawson, nee Alexander, was married to the said William C. Dawson on November 18, 1886. She has lived with her said husband ever since they were married.

Elbert B. Dawson was married on February 16, 1898, to Cora Bright, a non-citizen, and his child Ralph E. Dawson is the issue of that marriage. The said child is identified by a birth affidavit on file with this Commission.

Sarah J. Dawson, nee Jones, was married to the above named Elbert Dawson about 1854, and lived with him as his wife until his death in February, 1899, and has not re-married since his death. The Cherokee Supreme Court in the cases of Cherokee Nation vs. Nancy Rogers and Melissa Dawson vs. W. A. Dawson held that a white woman married to a Cherokee Indian at the time of his admission to citizenship acquires thereby the rights of Cherokee citizenship.

Richard W. Dawson was married to Luella Mason, a white woman, on January 24, 1898. His child Ina B. Dawson is the issue of that marriage, and she is identified by a birth affidavit on file with this Commission.

Ella L. Spickerman was married to John J. Spickerman, a white man on September 7, 1897. Her children Hellen J. and William Glenn are the issue of that marriage. They are identified by birth affidavits on file with this Commission.

It further appears from the evidence that Francis M. Dawson, son of Elbert Dawson, at the time of his father's admission to citizen-

ship in the Cherokee Nation was twenty-two or twenty-three years old. There is no evidence that the said Francis M. Dawson has been admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation, or by the Commission to the Five Civilized Tribes, or by the United States Court under the provisions of the Act of Congress of June 10, 1896 (29 Stats., 321), Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), Provides for the enrollment of,

> "all persons who have been enrolled by the tribal authorities who have heretofore made permanent settlement in the Cherokee Nation whose parents, by reason of their Cherokee blood have been lawfully admitted to citizenship by the tribal authorities, and who were minors when their parents were so admitted."

The evidence further shows that Zona Patterson, William C. Dawson and Richard W. Dawson have resided in the Cherokee Nation since 1884; Robert L. Dawson, Elbert B. Dawson, Sarah J. Dawson, and Ella L. Spiekerman since 1885. Alice Dawson since 1886, and Martin L. Patterson since 1894. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group IX, includes the applications of the said Missouri Dawson, and these claiming through her. The said Missouri Dawson at the time of her admission to citizenship was the wife of one John W. Graham, but she was admitted under her maiden name of Dawson, This group embraces cases numbered D 23, D 35, D 836, D 1124, D 1125, D 1126, D 1127 and D 1128.

The evidence shows that John W. Graham was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on February 18, 1882, to the said Missouri Dawson. He had been formerly married to her in the State of Texas in 1866, and has lived with her since that time. Tempa V. and Robert S. Graham are the issue of the aforesaid marriage. John W. Graham, his wife and two children are identified on the Cherokee Census roll of 1896.

ship in the Cherokee Nation was twenty-two or twenty-three years old. There is no evidence that the said Francis M. Dawson has been admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation, or by the Commission to the Five Civilized Tribes, or by the United States Court under the provisions of the Act of Congress of June 10, 1896 (29 Stats., 321). Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), provides for the enrollment of,

> "all persons who have been enrolled by the tribal authorities who have heretofore made permanent settlement in the Cherokee Nation whose parents, by reason of their Cherokee blood have been lawfully admitted to citizenship by the tribal authorities, and who were minors when their parents were so admitted."

The evidence further shows that Zona Patterson, William C. Dawson and Richard T. Dawson have resided in the Cherokee Nation since 1884; Robert L. Dawson, Wilbert B. Dawson, Sarah J. Dawson, and Ella L. Spieckerman since 1883; Alice Dawson since 1886, and Martin L. Patterson since 1894. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group IX, includes the applications of the said Missouri Dawson, and those claiming through her. The said Missouri Dawson at the time of her admission to citizenship was the wife of one John V. Graham, but she was admitted under her maiden name of Dawson. This group embraces cases numbered, D 23, D 35, D 836, D 1124, D 1125, D 1126, D 1127 and D 1128.

The evidence shows that John V. Graham was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on February 12, 1888, to the said Missouri Dawson. He had been formerly married to her in the State of Texas in 1886, and has lived with her since that time. Tampa V. and Robert S. Graham are the issue of the aforesaid marriage. John V. Graham, his wife and two children are identified on the Cherokee Census roll of 1896.

Joe E. Graham was married to Mary Bradshaw, a non-citizen on January 6, 1898. William C. Graham is the issue of that marriage, and he is identified by a birth affidavit on file with this Commission.

John F. Graham was married on February 11, 1900, to Mattie Lawson, a non-citizen, and Edna M. and Robert Lee are the issue of that marriage. Said children are identified by birth affidavits on file with this Commission.

Bessie Graham was married on November 2, 1892, to the said James M. Graham. She has lived with him since the date of their marriage, and the six children included in the application of said James M. Graham, and hereinbefore named, are the issue of the said marriage. The oldest child Marion is identified on the Strip payment roll of 1894, and the five younger children are identified by birth affidavits on file with this Commission.

The evidence further shows that the said John W. Graham, his wife Missouri Graham, Gideon Graham, Mathew A. Painter, and his wife Laverna A. Painter, Florence P. Bradshaw, John F. Graham and Joe Willie Neal have resided in the Cherokee Nation since 1888, and that Joe E. Graham and James M. Graham have resided in the Cherokee Nation since 1884. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group X, includes the application of the said Ella Dawson and those claiming through her. The said Ella Dawson, at the time of her admission to citizenship, was the wife of Green W. Jackson, but she was admitted to citizenship under her maiden name of Dawson. This group embraces cases numbered D 395, D 476, D 508, D 830 and D 847.

The evidence shows that Green W. Jackson was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on March 24, 1887 to the said Ella Dawson. He had been previously married to her in Texas prior to her admission to

citizenship. From an affidavit made a part of this record it appears that Green W. Jackson died subsequent to the date of this application, and prior to September 1, 1902.

The evidence further shows that Flora Harmon, formerly Jackson, Toshio A. Jackson, William Jackson and Fannie Lenox, formerly Jackson are the children of said Ella Dawson, now Ella Jackson. Flora Harmon, Toshio A. Jackson and Fannie Lenox were minors at the date of their mother's admission to citizenship, and they are all identified on the Cherokee Census roll of 1896.

James H. Harmon was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on April 24, 1887, to the said Flora Jackson. He has lived with his wife since the date of their marriage, and the four minor children included in his application, and hereinbefore named, are the issue of the said marriage. James H. Harmon and his three older children are identified on the Cherokee Census roll of 1896. The youngest child is identified by a birth affidavit on file with this Commission.

William C. Lenox was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on April 1, 1888, to the said Fannie Jackson. He has lived with his wife since the date of their marriage, and the two children Birtie E. and Myrtle Lenox, included in his application, are the issue of the said marriage. William C. Lenox and his two children are identified on the Cherokee Census roll of 1896.

Lizzie Jackson claims to have been married in 1888 to the said William Jackson, who is now deceased. It appears that William Jackson at the date of his mother's admission to citizenship, was over twenty-one years old. There is no evidence that the said William Jackson was ever admitted to citizenship in the Cherokee Nation, by the duly constituted authorities of said Nation, or by the Commission

to the Five Civilized Tribes, or by the United States Court under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321). Lizzie Jackson and the five minor children included in her application, and hereinbefore named, are identified on the Cherokee Census roll of 1896, and they take only such rights as may have been possessed by the said William Jackson. The authority of the Commission herein is defined in Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), heretofore quoted.

The evidence further shows that the said Ella Jackson, the said Flora Harmon and the said Toshie A. Jackson have resided in the Cherokee Nation since 1884, and that William C. Lenox, and his wife Fannie Lenox have resided in the Cherokee Nation since 1888. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group XI, includes the applications of those claiming through Malvina Dawson and embraces case numbered D 839.

The evidence shows that James Lowe is the son of the said Malvina Dawson, and that at the time of her admission to citizenship the said James Lowe was over 21 years old. There is no evidence that the said James Lowe was ever admitted to citizenship in the Cherokee Nation, by the duly constituted authorities of said Nation, or by the Commission to the Five Civilized Tribes, or by the United States Court under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321). It further appears that the said James Lowe was married on June 12, 1887, to Mollie Knight, a White woman, and the four minor children included in his application and hereinbefore named, are the issue of that marriage. James Lowe and his said children are identified on the Cherokee Census roll of 1896 and said children take only the rights which may have been acquired by their father.

The authority of the Commission herein is derived in Section 21 of the Act of Congress approved June 28, 1898 (30 Stats., 495), heretofore quoted

Group XII, includes the applications of those claiming through the said W. A. Dawson and embraces cases numbered D 405, D 406, D 715, R 12 and R 13.

The evidence shows that Millie T. Dawson was married to the said W. A. Dawson in 1892 and lived with him as his wife in the Cherokee Nation until his death in 1899. and that she has not re-married since his death. Texanna Woolley is the daughter of said W. A. Dawson and his former wife Melissa A. Dawson. Texanna Woolley was a minor at the date of her father's admission to citizenship, and she is identified on the Strip payment roll of 1894. She was married on March 27, 1898, to James Woolley, and her children Irene T. and Wilburn R. are the issue of that marriage. They are identified by birth affidavits on file with this Commission.

Henry T. Richardson was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on July 11, 1886, to one Sellar Dawson, who was the daughter of the said W. A. Dawson by his first wife Melissa A. Sellar Dawson was a minor at the date of her father's admission to citizenship. Henry T. Richardson lived in the Cherokee Nation with his said wife Sellar from the date of their marriage until her death in 1892. On September 22, 1898, Henry T. Richardson married one Kitty Flournoy nee Dawson. The said Kitty Flournoy was re-admitted to citizenship in the Cherokee Nation by an Act of the Cherokee National Council on December 1, 1894. Of the children herein applied for, Delia F. Richardson is the child of the applicant by his first wife, Sellar. Finis T. Richardson and Jasper C. Richardson are children by his wife Kitty. Edgar, Walter, Alice, Laura, Oscar, Claude and Edna Flournoy are the children of his said wife Kitty by a former husband.

The six older children were admitted to citizenship in the Cherokee Nation on December 1, 1894, with their mother as the members of her family. The youngest child Edna Flournoy was born in 1896 and was living at the date of this application. Delia F. Richardson is identified on the Cherokee Census roll of 1896, and Finis T. and Jasper C. Richardson are identified by birth affidavits on file with this Commission.

Etta Brauer is the daughter of said W. A. Dawson, and was a minor at the date of her father's admission. She was married in 1892 to a non-citizen but such marriage was not in accordance with Cherokee laws. She is identified on the Cherokee Census roll of 1896.

Melissa A. Dawson was married to the said W. A. Dawson in the State of Texas on September 28, 1873. The Supreme Court of the Cherokee Nation in the case of Melissa A. Dawson vs. W. A. Dawson, decided that Melissa A. Dawson, the applicant herein was a citizen of the Cherokee Nation by virtue of intermarriage with her said husband, W. A. Dawson. She is identified on the Cherokee Census roll of 1896, and she has not re-married since her divorce from said W. A. Dawson.

The evidence shows that Texanna Woolley has resided in the Cherokee Nation since 1884; that Etta Brauer and Melissa A. Dawson have resided in the Cherokee Nation, with the exception of temporary absences, since 1884; that Millie T. Dawson has resided in the Cherokee Nation since 1892; that Henry T. Richardson has resided in the Cherokee Nation since 1886, and that Kitty Richardson, his wife, has resided in the Cherokee Nation since 1894. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group XIII, includes the following applications: Miram F. Waddle, et al D 821; William D. Douthitt, D 822; Alonzo M. Pinkbeck, D 843; Florence Morgan, et al D 837; John M. Pinkbeck, D 845 and George A. Mabry, et al D 971. The persons enrolled in these applic-

sations are related to the above named Dawsons. They are not claiming the right to enrollment by virtue of such relationship, but rely upon a separate adjudication of their rights.

The evidence shows that Hiram F. Weddle was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on September 13, 1884, to Lula P. Douthitt, who was admitted to citizenship in the Cherokee Nation by the said "Spears Court" on September 13, 1884. Curtis, Morris O. and Roy Weddle are the issue of the said marriage. Hiram F. Weddle and his said wife are identified on the Cherokee Census roll of 1896, and their three children are identified by birth affidavits on file with this Commission.

William D. Douthitt is the brother of said Lula P. Weddle, and was admitted to citizenship in the Cherokee Nation with his said sister on September 13, 1884. He is identified on the Cherokee Census roll of 1896.

Alonzo M. Fishback was married under a Cherokee marriage license and in accordance with the laws of the Cherokee Nation on May 17, 1894, to Lavarna A. Dawson. He had been previously married to the same wife in Texas in 1877, and has lived with her ever since. It appears that Lavarna Fishback was re-admitted to citizenship in the Cherokee Nation by an Act of the Cherokee National Council on December 1, 1894. William A. and Annie B. Fishback are the issue of the said marriage. Alonzo M. Fishback and his said wife and children are all identified on the Cherokee Census roll of 1896, and his wife is also identified on the Cherokee pay roll of 1890.

Florence Morgan, the wife of Elbert L. Morgan, is the daughter of the Kitty Richardson heretofore mentioned and was admitted to citizenship in the Cherokee Nation on December 1, 1894 with the said Kitty Richardson as a member of her family. Clide and Alice A. Morgan are her children by her said husband. The said children are

identified by birth affidavits on file with this Commission.

John E. Fishback is the son of Laverna Fishback, who was re-admitted to citizenship on December 1, 1894, as heretofore stated. He was a minor at the date of his mother's admission to citizenship and he is identified on the Cherokee Census roll of 1896.

George A. Mabry was married to one Edna Dawson in the State of Arkansas in 1884. He claims to have been married under a Cherokee marriage license to his said wife in 1889, but he presents no satisfactory proof of such marriage. Edna Dawson was re-admitted to citizenship in the Cherokee Nation by an Act of the Cherokee National Council on December 1, 1894. Roby and Charley Mabry are her children by her said husband, George A. Mabry. Edna Mabry is identified on the strip payment roll of 1894, and the two children were minors at the date of their mother's admission to citizenship.

The evidence further shows that Alonzo H. Fishback and his wife Laverna A. Fishback have resided in the Cherokee Nation since 1883; that Lula P. Weddle, William D. Douthitt, and John.E. Fishback have resided in the Cherokee Nation since 1884, and that Florence Morgan and Edna Mabry have resided in said Nation since 1894. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

All birth affidavits for the minor children embraced in this decision, and hereinbefore noted, are made a part of this record.

It is contended by the Cherokee Nation that the applicants herein are not entitled to be enrolled by this Commission because they have never been lawfully admitted or enrolled by the Cherokee authorities, and that the judgment of the Cherokee Commission on Citizenship admitting Robert Dawson and his family was obtained by fraud on the part of said Dawson.

In considering the question at issue, it is the opinion of this Commission that it has no power, and that it is not the purpose of this proceeding, to review or to set aside the judgment in the Dawson case, or to determine such questions as were necessarily involved in the issues before the Cherokee Commission, and were passed upon by that Commission. In United States vs. Throckmorton, 98 U.S. Page 61, it is stated, "the doctrine is well settled that the Court will not set aside a judgment because it was founded on perjured testimony or for any matter which was actually presented and considered in the judgment assailed." Only such facts therefore, are considered by this Commission, as were not part of the record in the Robert Dawson case before the Teehee Commission, and which tend to show whether the judgment admitting the Dawsons was a bona fide judgment of the Teehee Commission, or whether such judgment is void because of fraud, and upon this proposition the burden of proof is upon those attacking the judgment.

Briefly stated, the circumstances attending the admission of the Dawsons appear to be as follows:

On September 24, 1881, an application was made to the Cherokee Commission on Citizenship known as the "Teehee Court" for admission to Cherokee citizenship of Robert Dawson and the members of his family above mentioned. The members of that Commission were Thomas Teehee, Alex Wolfe and T. F. Thompson. The first two were full blood Cherokee Indians; they could understand, but could not talk English. One D. W. C. Duncan was the Clerk of the Commission. The Dawson case was continued several times before final decision. J. M. Bryan appears to have been an attorney in the case, and after some delay he notified Francis M. Dawson that the case would be taken up by the Commission at its session in January, 1883, and also informed him that C.H.Taylor would look after Dawson's interests as he, Bryan,

would be in Washington. On receipt of this notice Francis M. Dawson went to Fort Gibson, Cherokee Nation, and made arrangements with his uncle Samuel H. Benge to go to Tahlequah and conduct the case. Benge who is a witness herein testifies that he was connected with the Dawson case when it was commenced in 1881; that it was continued several times for want of evidence, and that in January, 1885, in company with F. M. Dawson he went to Tahlequah and while there secured the testimony of Tosh Rogers, a negro, who knew the Dawson's ancestors, and that after getting his evidence the case was submitted to the Commission. He further testifies that the Commission rendered a decision against the Dawsons and that next morning the Commission reopened the case, but not upon motion of the witness, and rendered a judgment admitting the Dawsons to citizenship. He further states that on his way home to Fort Gibson with Dawson he remarked to the latter, "it was a pretty hard blow when they rendered a decision against us," to which Dawson is alleged to have replied, "yes, but Duncan was the man to reach and he reached him with five hundred dollars."

Dawson denies ever having had such a conversation and says that he did not return to Fort Gibson with Benge but went home to Arkansas by a different route.

C. H. Taylor testifies that he was an attorney in the case and was present when the case was decided. He says there were only two Commissioners present, Tehee and Wolfe. He further testifies that D. W. C. Duncan, the Clerk of the Court asked the witness to let him know when any large citizenship cases came up; that he introduced F. M. Dawson to Duncan on the evening of January 10th, heard part of a conversation between them in which Duncan addressing Dawson said, "there is a hitch in your evidence, if that was straightened out it will be all right." Next morning witness says Dawson told him to call up the case, which he did. That there was no additional

evidence introduced and no argument made, and that the case was then decided in favor of the Dawsons. Witness further testifies that Dawson gave him twenty dollars and said he would send him the balance in a short time, that in the course of ten days he sent him one hundred dollars with directions to pay over half of it to Duncan; that Dawson soon afterwards sent him another hundred dollars with the same instruction to give Duncan half of it.

Dawson denied the matters testified to by Taylor excepting in the matter of paying Taylor money, which he admits in part, but says that the twenty dollars mentioned was sent to Taylor about a year after the decision, and that he instructed Taylor to pay it over to Duncan to pay him for a land claim, and that the other money was in payment of J. M. Bryan's attorney fees which Taylor represented to Dawson he had for collection against him. Taylor's reputation for truth and veracity has been impeached by various disinterested witnesses.

The evidence which may be considered as tending to support the charge of fraud is the testimony of S. H. Denge, C. H. Taylor, Thomas [illegible]. Babcart, J. L. Clinkenbeard, James W. Lewis, C. G. Draught and David Meredith.

S. H. Denge testifies that a judgment adverse to the Dawsons was rendered by the Commission on the evening of one day and without any additional proceedings in the case that judgment was reversed on the morning of the next day.

Even if this were a material fact, there is no other proof that two judgments in the case were ever rendered. The record of the proceedings and judgment in the Commission's docket is all on one page, the entry of the application in 1881 and the first continuance being entered under authority of a former Commission and by a different clerk, and there is no evidence of erasure on that page. It is not an unusual thing for a Court to change its judgment, and this fact, if it is a fact, is not in itself any evidence of fraud.

Thomas B. Babeart testifies that one James Dawson, a man of forty or fifty years of age, in company with Butler, the Commission's interpreter and Jim Smith, solicitor for the Nation, came to the witness in Tahlequah the evening of January 10, 1883, to borrow some money; that Dawson was vouched for by Butler as a responsible party and that Dawson told the witness that he had to have money that night, that his case was to be submitted the next day if he could get some money, that Smith had agreed to submit the case without evidence, and that witness thereupon let Dawson have ten dollars.

Admitting all this to be true and that the influence of these officials was purchased for the sum of ten dollars, the Commission fails to see how these alleged facts show that the Court was imposed upon or misled. Bribery of officials to use their influence with the Commission would not necessarily vitiate the judgment, but it must appear that the fraud, or corruption reached the members of the Commission and tainted the judgment itself. The case was not submitted without evidence as appears from the record, and it is shown that such evidence was carefully considered by that Commission. Furthermore, the evidence shows that there was no such person then in Tahlequah as the James Dawson described by witness.

Clinkenbeard testifies that he had a talk with Elbert Dawson about 1881; that Dawson told him he had only one witness, Dr. Baker of Arkansas, "an old man 85 or 90 years old who did not know straight up" and that he could give Dr. Baker four drinks of Arkansas whiskey and he would swear black was white. Witness further testifies that Dawson told him that money was what made the mare go in Texas, and that he had found out that it goes here too.

Assuming that this Commission can go into thequestion of perjury in connection with evidence in that case, the testimony of Clinkenbeard establishes, if anything, only the facts stated and does not prove that Dr. Baker committed perjury in giving his testi-

mony before the Commission. Further, it is not clear that Dr. Baker was the only witness in the case. Benge stated that Tosh Rogers was a witness, Duncan is under that impression also, and T. F. Thompson, one of the Commissioners, states that he thinks there were three witnesses. The testimony of Dr. Baker, seems, however, to be the only testimony preserved of record As to whether Doctor Baker offered perjured testimony by Dawson's procurement, it is proper to state that the evidence of W. H. Curtis and A. S. McClennon, witnesses for applicants, show that Doctor Baker was a man of integrity and was not addicted to drinking.

The testimony of James W. Lewis is to the effect that he had a conversation with F. M. Dawson about 1883, in which Dawson had told the witness that it had cost him seven hundred dollars to get his rights. Draught also testifies that he was an applicant for citizenship about 1881 or 1882, and that while his case was pending he had a talk with F. M. Dawson who told him that if he (the witness) ever got in, it would cost him seven hundred dollars, and that Dawson told him he had paid one witness three hundred dollars, and made arrangements with the Court to get the Dawsons in at one hundred dollars a family. David Meredith testifies that he had a talk with old James Dawson in 1888, and that the latter told the witness it cost him twelve hundred dollars to get his case through.

It can hardly be urged that such evidence is sufficient to show that the members of the Teehee Commission were corrupted by the fraudulent use of money. So far as these witnesses have been able to testify the money spent by the Dawsons might have been for proper and legitimate purposes. F. M. Dawson gives a detailed statement of what the case cost him and his brother in a legitimate way. The presumption can not be indulged that such moneys were used for fraudulent purposes and the proof to the contrary must be very clear

before this Commission will deny applicants the right to be enrolled upon that ground.

Admitting the truth of all the testimony in this case as to the actual transfer of money by the Dawsons, it appears that Duncan, Butler and Smith were the only beneficiaries of that money. There is no evidence that the members of the Commission received or were offered any of it.

The judgment entered in the Commission's docket shows the signature of the three members of the Commission appended thereto. There is some conflict as to whether Duncan signed Thompson's name, or whether Thompson affixed his own signature. Duncan testified that all three signatures were made by him as Clerk under authority of the Commissioners present, the two full bloods being unable to sign their names. T. F. Thompson testifies that he signed the original transcript of the judgment, which was made on the day of its rendition. The question, however, is not considered to be very material. The signing of judgments by each Commissioner appears to have been a matter of custom only. T. F. Thompson testifies that he remembers the Dawson case and recognizes the judgment therein as the final judgment of the Commission, and that there was no fraud or corruption in the procurement of that judgment by the Dawsons or by any one else so far as he knew.

Much evidence has been introduced by the Cherokee Nation for the purpose of showing that the ancestor, through whom the Dawsons claim, was not a Cherokee, and that other members of the Dawson family, claiming from the same source, have been denied Cherokee citizenship by subsequent Cherokee tribunals, and also by this Commission and by the United States Court. Such evidence, in the opinion of this Commission, is not competent for any purpose in this proceeding. The only question before this Commission is whether there was

fraud in the procurement of the Robert Dawson judgment, and not whether the applicants are Cherokee Indians, or whether they ought to have been admitted to citizenship upon the proof submitted. Those were questions presented, considered and passed upon by the Tehee Commission. If their decision is a valid and regular judgment, it is binding on this Commission. If, on the contrary, the applicants have never been lawfully admitted to citizenship, because the judgment under which they claim is void, for fraud, then the question as to whether they are Cherokees by blood is not material, as this Commission has now no authority to admit them to citizenship.

While it is true, that since 1883, a number of applicants, members of the Dawson family, have been denied admission to citizenship in the Cherokee Nation, no argument derived therefrom is of any force, for it is also true that other members of the same family have been admitted to citizenship, and the action of the Cherokee authorities in admitting them has never been questioned by the Cherokee Nation. Whatever inference, therefore, may be drawn from these facts applies with equal force both for and against the validity of the judgment in question.

The Dawsons have lived in the Cherokee Nation, most of them since 1883; they have exercised the rights of Cherokee citizenship for many years, some of them occupying official positions in the Nation, and no protest seems to have been made against their citizenship until within the last few years. The records of the Cherokee Nation, in the possession of this Commission, show, that since 1883, there have been Commissions on citizenship charged with authority to investigate the judgments of former tribunals alleged to have been secured by fraud, and the Cherokee Legislature has power to order an investigation, and to create a tribunal with authority to set aside a judgment so obtained. No such action appears to have been taken

by the Cherokee authorities with reference to the judgment of the Tesnee Commission in the Robert Dawson case.

After a careful consideration of all the facts in this case this Commission is of the opinion that the evidence fails to establish that the Dawsons secured their admission to citizenship by fraud or that the judgment of the Tesnee Commission as rendered January 11, 1883, was fraudulent as the result of corruption, bribery, or deception upon the part of the Dawsons, or their agents, and that such judgment, and also the judgment of the Spears Commission in 1884, and the Act of the Cherokee National Council of December 1, 1894, which have not been attacked by the Cherokee Nation, being regular on their face, must therefore be accepted by this Commission as the valid judgments of the duly constituted Cherokee authorities.

It is, therefore, the opinion of this Commission that;

(Group I.) Francis M. Dawson, son of Robert Dawson, Lula Dawson, Ray Dawson, Jessie J. Dawson, Jacob L. Dawson, Hugh A. Dawson, Laura A. Dawson, John Dawson, William R. Dawson, Lizzie Atkins, Arthur Atkins, Edna E. Atkins, Edward C. Atkins, George J. F. Atkins, Francis M. Dawson, Jr., son of Francis M. Dawson and grand-son of Robert Dawson,

(Group II.) Samuel R. Dawson, August Dawson, Nate Dawson, Robert Dawson, Albert E. Dawson, Ralph H. Dawson, Alford Dawson, Josephine Bulawsky, Dora Bulawsky, Ida Bulawsky, Annie Bulawsky, Blanche Bulawsky, May Bulawsky, Oscar Bulawsky, John W. Dawson, Katie Newman,

(Group III) John Dawson, Robert B. Dawson, Iola M. Dawson, Lemuel H. Dawson, Rosa B. Dawson, Charles E. Dawson, Hattie J. Dawson, Jennings B. Dawson, James U. Dawson, Vergal C. Dawson, Thomas P. Dawson, Marice J. Dawson, Orle H. Dawson, Burr R. Dawson, James W. Dawson,

(Group IV) Robert Pierce, Myrtle Pierce, Arthur Pierce, Charles E. Pierce, Gus Gray, Cecil Gray, Velton Gray, Effie Akin (formerly

Effie Pierce), Nancy J. Bogle, James E. Bogle, Edna M. Bogle, John H. Bogle, Marvin R. Bogle, Claud Bogle, Nancy Edith Bogle,

(Group V) Joseph R. Dawson, Clarence E. Dawson, Council J. Dawson, Elmer A. Dawson, Cleo Dawson, Purus T. Dawson, Wilborn Dawson, Edgar Dawson, James R. Dawson, Vinnie D. Dawson, Erskine C. Dawson, Edwin C. Dawson, Ancil F. Dawson,

(Group VI) Mollie Moore, Nora Moore, Walter Moore, Clara Moore, Ora Moore, James W. Moore, Edna E. Moore,

(Group VII) Henry A. Blasingame, Vinnie C. Blasingame, Albert L. Blasingame, Ellis T. Blasingame, Earl D. Blasingame, Alexander Blasingame, Jr., Elmer H. Blasingame, James R. Blasingame, William A. Blasingame, George L. Blasingame, Grace D. Blasingame,

(Group VIII) Zona Patterson, Sarah A. Patterson, Martha A. Patterson, Claud A. Patterson, Edgar D. Patterson, Thomas H. Patterson, Virgil V. Patterson, William C. Dawson, Robert L. Dawson, Elbert B. Dawson, Ralph E. Dawson, Richard W. Dawson, Ina E. Dawson, Ella L. Spickerman, Hellen J. Spickerman, William Glenn Spickerman,

(Group IX) Missouri Graham, Tempa V. Graham, Robert S. Graham, Gideon Graham, John W. Graham, Julius E. Graham, Francis W. Graham, Mary E. Graham, Jesse E. Graham, Gracie M. Graham, Florence M. Graham, Laverna A. Painter, Ada R. Painter, Eva P. Painter, John W. Painter, Ray D. Painter, Roberta A. Painter, Roy V. Painter, Florence P. Bradshaw, Myrtle Bradshaw, Claude Bradshaw, Joe E. Graham, William C. Graham, John F. Graham, Edna K. Graham, Robert Lee Graham, Joe Willie Neal, James M. Graham, Marion Graham, Maggie Graham, Luther Graham, Floyd Graham,

(Group X) Ella Jackson, Flora Harmon, Lillie R. Harmon, Claud Harmon

Dwight Harmon, William D. Harmon, Tosaie A. Jackson, Jannie Lenox, Lirtie E. Lenox, Myrtle Lenox,

(Group XII) Texanna Woolley, Irene W. Woolley, Wilburn E. Woolley, Vitty Richardson, Edgar Flournoy, Walter Flournoy, Alice Flournoy, Laura Flournoy, Oscar Flournoy, Claude Flournoy, Edna Flournoy, Fitis T. Richardson, Jasper C. Richardson, Dolia E. Richardson, Etta Brauer,

(Group XIII) Lula Pearl Weddle, Curtis Weddle, Morris O. Weddle, Roy Weddle, William D. Douthitt, Lavsrna A. Fishback, William A. Fishback, Annie B. Fishback; Florence Morgan, Clide Morgan, Alice A. Morgan, John E. Fishback, Edna Mabry, Roby Mabry, and Charley Mabry,

should be enrolled as citizens by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 496), and that

(Group I) Katie Dawson, Andrew C. Atkins;

(Group II) Catherine Dawson, Sarah F. Dawson, August Dulavsky; Nannie Dawson;

(Group III) Sarah J. Dawson, nee Wood,

(Group IV) Nellie Pierce, John S. Bogle,

(Group V) Florence Dawson, Martha A. Dawson,

(Group VI) Charles T. Moore;

(Group VII) Ida Blasingame, Mary A. Blasingame,

(Group VIII) Martin L. Patterson, Alice Dawson, Sarah J. Dawson, nee Jones;

(Group IX) John W. Graham, Elizabeth Graham, Mathew A. Painter, Charles T. Bradshaw, Bessie Graham;

(Group X) James H. Harmon, William C. Lenox,

(Group XII) Millie T. Dawson, Henry T. Richardson; Melissa A. Dawson

(Group XIII) Hiram F. Weddle and Alonzo M. Fishback, should be

enrolled as citizens by intermarriage of the Cherokee Nation in accordance with the provisions of said Section twenty-one of the Act of Congress, and it is so ordered.

It is further the opinion of this Commission that, for the reasons heretofore stated, the applications for the enrollment of Arizona Allred and William C. Allred, (embraced in D 836); Francis M. Dawson, son of Elbert Dawson, (embraced in D 827); Osie Jackson, Lizzie Jackson, Jessie Jackson, Ray Jackson, and Clyde Jackson, the children of William and Lizzie Jackson, (embraced in D 830); James Lowe, May Lowe, Zelma Lowe, Roberta Lowe and Rosa Lowe, (embraced in D 839), as citizens by blood of the Cherokee Nation, and that the applications of Lizzie Jackson, widow of William Jackson, (embraced in D 830), and George A. Mabry (embraced in D 979), as citizens by intermarriage of the Cherokee Nation should be denied, in accordance with the provisions of the law heretofore quoted, and it is so ordered.

As hereinbefore stated William Pierce (D 409) and Cecil Dawson (D 368) and Green W. Jackson (D 395), died prior to September 1, 1902. It further appears from affidavits, made a part of this record that Liddie and Margaret Graham (D 1128) have died since the date of the application for their enrollment and prior to September 1, 1902.

It is, therefore, ordered that the applications for the enrollment of said William Pierce, Cecil Dawson, Green W. Jackson, Liddie Graham and Margaret Graham be, and the same are hereby dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

(Signed) TAMS BIXBY,
Acting Chairman.

(Signed) T. B. NEEDLES,
Commissioner.

Dated at Muskogee, Ind. Ter.,
this Dec. 25, 1902.

(Signed) C. R. BREECKINRIDGE,
Commissioner.

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FEB 1 1903

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February, 1st 1902

Richard V. Dawson,

Talala, Indian Territory,

Sir:-

You are hereby notified that the application of yourself and daughter

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 17th day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Cherokee D-617.

Register.

Yours truly,

Acting Chairman.

COPY.

Cherokee D-324—

Muskogee, Indian Territory, January 24, 1903.

W. W. Hastings,

Attorney for the Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 23, 1902, granting the application for the enrollment of Francis M. Dawson, Lula Dawson, Ray Dawson, Jessie J. Dawson, Jacob L. Dawson, Hugh A. Dawson, Laura A. Dawson, John Dawson, William R. Dawson, Lizzie Atkins, Arthur Atkins, Edna E. Atkins, Edward C. Atkins, George J. F. Atkins, Francis M. Dawson, Jr., Samuel R. Dawson, August Dawson, Mate Dawson, Robert Dawson, Albert E. Dawson, Ralph H. Dawson, Alford Dawson, Josephine Bulawsky, Dora Bulawsky, Ida Bulawsky, Annie Bulawsky, Blanche Bulawsky, Ray Bulawsky, Oscar Bulawsky, John W. Dawson, Katie Berman, John Dawson, Robert E. Dawson, Iola M. Dawson, Lemual K. Dawson, Rosa B. Dawson, Charles B. Dawson, Hattie J. Dawson, Jennings R. Dawson, James U. Dawson, Vergal C. Dawson, Thomas P. Dawson, Maries J. Dawson, Orle H. Dawson, Burr R. Dawson, James W. Dawson, Robert Pierce, Myrtle Pierce, Arthur Pierce, Charles E. Pierce, Oma Gray, Cecil Gray, Velton Gray, Effie Akin, Nancy J. Bogle, James E. Bogle, Edna P. Bogle, John K. Bogle, Marvin E. Bogle,

Claud Bogle, Nancy Edith Bogle, Joseph R. Dawson, Clarence E. Dawson, Council J. Dawson, Elmer A. Dawson, Cleo Dawson, Rufus T. Dawson, Wilborn Dawson, Edgar Dawson, James R. Dawson, Vinnie D. Dawson, Ermine C. Dawson, Edwin C. Dawson, Ancil F. Dawson, Mollie Moore, Dora Moore, Walter Moore, Clara Moore, Ora Moore, James W. Moore, Edna E. Moore, Henry A. Blasingame, Vinnie C. Blasingame, Elbert L. Blasingame, Ellis W. Blasingame, Earl D. Blasingame, Alexander Blasingame, Jr., Elmer H. Blasingame, James R. Blasingame, William A. Blasingame, George L. Blasingame, Grace D. Blasingame, Zona Patterson, Sarah A. Patterson, Martha A. Patterson, Claud A. Patterson, Edgar D. Patterson, Thomas M. Patterson, Vergil V. Patterson, William C. Dawson, Robert T. Dawson, Elbert H. Dawson, Ralph E. Dawson, Richard W. Dawson, Ina E. Dawson, Ella L. Spickerman, Hellen J. Spickerman, William Glenn Spickerman, Missouri Graham, Tempa V. Graham, Robert S. Graham, Gideon Graham, John W. Graham, Julius E. Graham, Francis W. Graham, Mary E. Graham, Jesse E. Graham, Gracie L. Graham, Florence M. Graham, Laverne A. Painter, Ada R. Painter, Eva P. Painter, John T. Painter, Ray D. Painter, Roberta A. Painter, Roy W. Painter, Florence P. Bradshaw, Myrtle Bradshaw, Claude Bradshaw, Joe E. Graham, William C. Graham, John J. Graham, Edna M. Graham, Robert Lee Graham, Joe Willie Neal, James M. Graham, Marion Graham, Maggie Graham, Luther Graham, Floyd Graham, Ella Jackson, Flora Harmon, Lillie R. Harmon, Claud Harmon, Dwight Harmon, William D. Harmon, Tookie A. Jackson, Fannie Lenox, Birtie E. Lenox, Myrtle Lenox, Texanna Woolley, Irene T. Woolley, Wilburn E. Woolley,

Kittie Richardson, Edgar Flournoy, Walter Flournoy, Alice Flournoy, Laura Flournoy, Oscar Flournoy, Claude Flournoy, Edna Flournoy, Minnie T. Richardson, Jasper C. Richardson, Delia F. Richardson, Etta Brauer, Lula Pearl Weddle, Curtis Weddle, Morris O. Weddle, Roy Weddle, William D. Douthitt, Laverna A. Fishback, William A. Fishback, Annie B. Fishback, Florence Morgan, Clide Morgan, Alice A. Morgan, John E. Fishback, Edna Mabry, Roby Mabry and Charley Mabry as citizens by blood of the Cherokee Nation, and for the enrollment of Katie Dawson, Andrew C. Atkins, Catherine Dawson, Sarah F. Dawson, August Bulawsky, Fannie Dawson, Sarah J. Dawson, Nellie Pierce, John S. Bogle, Florence Dawson, Martha A. Dawson, Charles T. Moore, Ida Blasingame, Mary A. Blasingame, Martin L. Patterson, Alice Dawson, Sarah J. Dawson (nee Jones), John W. Graham, Elizabeth Graham, Mathew A. Painter, Charles T. Bradshaw, Bessie Graham, James H. Harmon, William C. Lenox, Millie T. Dawson, Henry T. Richardson, Melissa A. Dawson, Hiram F. Weddle, and Alonzo M. Fishback as citizens by intermarriage of the Cherokee Nation; rejecting the application for the enrollment of Arizona Allred, William C. Allred, Francis M. Dawson, Osie Jackson, Lizzie Jackson, Jessie Jackson, Ray Jackson, Clyde Jackson, James Lowe, May Lowe, Zelma Lowe, Roberta Lowe and Rosa Lowe as citizens by blood of the Cherokee Nation, and for the enrollment of Lizzie Jackson and George A. Mabry as citizens by intermarriage of the Cherokee Nation; and dismissing the application for the enrollment of William Pierce, Cecil Dawson, Green W. Jackson, Liddie Graham and Margaret Graham.

You are hereby advised that you will be allowed fifteen days from date hereof, in which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

(Signed) TAMS BIXBY,

Acting Chairman.

Enc. M-130.

COPY.

Cherokee D-324--

Muskogee, Indian Territory, February 10, 1903.

A. S. McKennon,

Attorney for Francis M. Dawson, et al,

Wewoka, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 23, 1902, granting the application for the enrollment of Francis M. Dawson, Lula Dawson, Ray Dawson, Jessie J. Dawson, Jacob L. Dawson, Hugh A. Dawson, Laura A. Dawson, John Dawson, William R. Dawson, Lizzie Atkins, Arthur Atkins, Edna E. Atkins, Edward C. Atkins, George J.F. Atkins, Francis M. Dawson, Jr., Samuel R. Dawson, August Dawson, Nate Dawson, Robert Dawson, Albert H. Dawson, Ralph H. Dawson, Alford Dawson, Josephine Bulawsky, Dora Bulawsky, Ida Bulawsky, Annie Bulawsky, Blanche Bulawsky, May Bulawsky, Oscar Bulawsky, John W. Dawson, Katie Newman, John Dawson, Robert B. Dawson, Iola M. Dawson, Lemuel H. Dawson, Rosa B. Dawson, Charles L. Dawson, Hattie F. Dawson, Jennings B. Dawson, James U. Dawson, Vergal C. Dawson, Thomas P. Dawson, Marice J. Dawson, Orlo H. Dawson, Burr R. Dawson, James W. Dawson, Robert Pierce, Myrtle Pierce, Arthur Pierce, Charles E. Pierce, Ona Gray, Cecil Gray, Velton Gray, Effie Akin, Nancy J. Bogle, James E. Bogle, Edna D. Bogle, John H. Bogle, Marvin R. Bogle, Claud Bogle, Nancy Edith Bogle, Joseph R. Dawson, Clarence E.

Dawson, Council J. Dawson, Elmer A. Dawson, Cleo Dawson, Ruths T. Dawson, Wilborn Dawson, Edgar Dawson, James R. Dawson, Vinnie D. Dawson, Ermine C. Dawson, Edwin C. Dawson, Ancil F. Dawson, Mollie Moore, Nora Moore, Walter Moore, Clara Moore, Ora Moore, James W. Moore, Edna E. Moore, Henry A. Blasingame, Vinnie C. Blasingame, Elbert L. Blasingame, Ellis W. Blasingame, Earl D. Blasingame, Alexander Blasingame, Jr., Elmer H. Blasingame, James R. Blasingame, William A. Blasingame, George L. Blasingame, Grace D. Blasingame, Zona Patterson, Sarah A. Patterson, Martha A. Patterson, Claud A. Patterson, Edgar D. Patterson, Thomas M. Patterson, Vergil V. Patterson, William C. Dawson, Robert L. Dawson, Elbert L. Dawson, Ralph E. Dawson, Richard W. Dawson, Ina E. Dawson, Ella L. Spickerman, Hollen J. Spickerman, William Glenn Spickerman, Missouri Graham, Tempa V. Graham, Robert S. Graham, Gideon Graham, John T. Graham, Julius E. Graham, Francis W. Graham, Mary E. Graham, Jesse E. Graham, Gracie M. Graham, Florence M. Graham, Luverna A. Painter, Ada R. Painter, Eva P. Painter, John W. Painter, Ray D. Painter, Roberta A. Painter, Roy V. Painter, Florence P. Bradshaw, Myrtle Bradshaw, Claude Bradshaw, Joe E. Graham, William C. Graham, John T. Graham, Edna M. Graham, Robert Lee Graham, Joe Willie Neal, James M. Graham, Marion Graham, Maggie Graham, Luther Graham, Floyd Graham, Ella Jackson, Flora Harmon, Lillie R. Harmon, Claud Harmon, Dwight Harmon, William D. Harmon, Toshie A. Jackson, Fannie Lenox, Birtie E. Lenox, Myrtle Lenox, Texanna Woolley, Irene W. Woolley, Wilburn E. Woolley, Mittie Richardson, Edgar Flournoy, Walter Flournoy, Alice Flournoy, Laura

Fluornoy, Oscar Fluornoy, Claude Fluornoy, Edna Fluornoy, Finis T. Richardson, Jasper C. Richardson, Delia F. Richardson, Etta Brauer, Lula Pearl Weddle, Curtis Weddle, Morris O. Weddle, Roy Weddle, William D. Douthitt, Laverna A. Fishback, William A. Fishback, Annie E. Fishback, Florence Morgan, Clide Morgan, Alice A. Morgan, John E. Fishback, Edna Mabry, Roby Mabry and Charley Mabry as citizens by blood of the Cherokee Nation, and for the enrollment of Katie Dawson, Andrew C. Atkins, Catherine Dawson, Sarah F. Dawson, August Bulawsky, Mannie Dawson, Sarah J. Dawson, Nellie Pierce, John S. Bogle, Florence Dawson, Martha A. Dawson, Charles T. Moore, Ida Blasingame, Mary A. Blasingame, Martin L. Patterson, Alice Dawson, Sarah J. Dawson (nee Jones), John W. Graham, Elizabeth Graham, Mathew A. Painter, Charles T. Bradshaw, Bessie Graham, James H. Harmon, William C. Lenox, Millie T. Dawson, Henry T. Richardson, Melissa A. Dawson, Hiram F. Weddle, and Alonzo M. Fishback as citizens by intermarriage of the Cherokee Nation; rejecting the application for the enrollment of Arizona Allred, William C. Allred, Francis M. Dawson, Osie Jackson, Lizzie Jackson, Jessie Jackson, Ray Jackson, Clyde Jackson, James Lowe, May Lowe, Zelma Lowe, Roberta Lowe and Rosa Lowe as citizens by blood of the Cherokee Nation, and for the enrollment of Lizzie Jackson and George A. Mabry as citizens by intermarriage of the Cherokee Nation; and dismissing the application for the enrollment of William Pierce, Cecil Dawson, Green W. Jackson, Liddie Graham and Margaret Graham.

You have heretofore been furnished with a copy of the record of proceedings had in this case.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest has been furnished both yourself and the principal applicant, by the attorney for the Nation.

The decision, together with the record of proceedings had in this case will be transmitted to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as the Commission is informed of same.

You are requested to forward to the Commission two copies of your printed brief in this case, in order that the same may be included in the record to be forwarded to the Secretary of the Interior.

Respectfully,

(Signed) TAMS BIXBY,

Acting Chairman.

Enc. M-45.

Register.

SJ-617

COPY.

Cherokee D-324.

Muskogee, Indian Territory, February 25, 1903.

The Honorable

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings had in the consolidated case of Francis M. Dawson et al., applicants for enrollment as citizens of the Cherokee Nation, including the Commission's decision, dated December 23, 1903, granting said application as to Francis M. Dawson, Lula Dawson, Ray Dawson, Jessie J. Dawson, Jacob L. Dawson, Hugh A. Dawson, Laura A. Dawson, John Dawson, William R. Dawson, Lizzie Atkins, Arthur Atkins, Edna E. Atkins, Edward C. Atkins, George J. F. Atkins, Francis M. Dawson Jr., Samuel R. Dawson, August Dawson, Nate Dawson, Robert Dawson, Albert H. Dawson, Ralph H. Dawson, Alford Dawson, Josephine Bulawsky, Dora Bulawsky, Ida Bulawsky, Annie Bulawsky, Blanche Bulawsky, May Bulawsky, Oscar Bulawsky, John W. Dawson, Katie Newman, John Dawson, Robert B. Dawson, Iola M. Dawson, Lemuel H. Dawson, Rosa B. Dawson, Charles B. Dawson, Hattie J. Dawson, Jennings B. Dawson, James U. Dawson, Vergal U. Dawson, Thomas P. Dawson, Marice J. Dawson, Orle H. Dawson, Burr R. Dawson, James W. Dawson, Robert Pierce, Myrtle Pierce, Arthur Pierce, Charles E. Pierce, Ona Gray, Cecil Gray, Velton Gray, Effie Akin, Nancy J. Dogle, James E.Dogle, Edna B. Dogle, John H. Dogle, Marvin R.Dogle,

Claud Bogle, Nancy Edith Bogle, Joseph R. Dawson, Clarence E. Dawson, Council J. Dawson, Elmer A. Dawson, Cleo Dawson, Rufus T. Dawson, Wilborn Dawson, Edgar Dawson, James R. Dawson, Vinnie D. Dawson, Ermine C. Dawson, Edwin C. Dawson, Ancil F. Dawson, Mollie Moore, Nora Moore, Walter Moore, Clara Moore, Ora Moore, James W. Moore, Edna E. Moore, Henry A. Blasingame, Vinnie C. Blasingame, Elbert L. Blasingame, Ellis W. Blasingame, Earl D. Blasingame, Alexander Blasingame Jr., Elmer H. Blasingame, James R. Blasingame, William A. Blasingame, George L. Blasingame, Grace D. Blasingame, Zona Patterson, Sarah A. Patterson, Martha A. Patterson, Claud A. Patterson, Edgar D. Patterson, Thomas M. Patterson, Virgil V. Patterson, William C. Dawson, Robert L. Dawson, Elbert B. Dawson, Ralph E. Dawson, Richard W. Dawson, Ina E. Dawson, Ella L. Spickerman, Hellen J. Spickerman, William Glenn Spickerman, Missouri Graham, Tempa V. Graham, Robert S. Graham, Gideon Graham, John W. Graham, Julius E. Graham, Francis W. Graham, Laverna A. Painter, Mary E. Graham, Jesse E. Graham, Gracie M. Graham, Florence M. Graham, Ada R. Painter, Eva P. Painter, John W. Painter, Ray D. Painter, Roberta A. Painter, Roy V. Painter, Florence P. Bradshaw, Myrtle Bradshaw, Claude Bradshaw, Joe E. Graham, William C. Graham, John F. Graham, Edna M. Graham, Robert Lee Graham, Joe Willie Neal, James M. Graham, Marion Graham, Maggie Graham, Luther Graham, Floyd Graham, Ella Jackson, Flora Harmon, Lillie R. Harmon, Claud Harmon, Dwight Harmon, William D. Harmon, Toshie A. Jackson, Fannie Lenox, Birtie E. Lenox, Myrtle Lenox, Texanna Woolley, Irene W. Woolley, Wilburn E. Woolley,

Kittie Richardson, Edgar Flournoy, Walter Flournoy, Alice Flournoy, Laura Flournoy, Oscar Flournoy, Claude Flournoy, Edna Flournoy, Finis T. Richardson, Jasper C. Richardson, Delia F. Richardson, Etta Brauer, Lula Pearl Weddle, Curtis Weddle, Morris O. Weddle, Roy Weddle, William D. Douthitt, Laverna A. Fishback, William A. Fishback, Annie B. Fishback, Florence Morgan, Clide Morgan, Alice A. Morgan, John E. Fishback, Edna Mabry, Roby Mabry and Charley Mabry as citizens by blood of the Cherokee Nation, and Katie Dawson, Andrew C. Atkins, Catharine Dawson, Sarah F. Dawson, August Pulawsky, Nannie Dawson, Sarah J. Dawson, Nellie Pierce, John S. Fogle, Florence Dawson, Martha A. Dawson, Charles T. Moore, Ida Blasingame, Mary A. Blasingame, Martin L. Patterson, Alice Dawson, Sarah J. Dawson (nee Jones), John W. Graham, Elizabeth Graham, Mathew A. Painter, Charles T. Bradshaw, Bessie Graham, James H. Parmon, William C. Lenox, Millie T. Dawson, Henry T. Richardson, Melissa A. Dawson, Hiram F. Weddle, and Alonzo M. Fishback as citizens by intermarriage of the Cherokee Nation; rejecting the application for the enrollment of Arizona Allred, William C. Allred, Francis M. Dawson, Osie Jackson, Lizzie Jackson, Jessie Jackson, Ray Jackson , Clyde Jackson, James Lowe, May Lowe, Zelma Lowe, Roberta Lowe and Rosa Lowe as citizens by blood of the Cherokee Nation, and for the enrollment of Lizzie Jackson, and George A. Mabry as citizens by intermarriage of the Cherokee Nation; and dismissing the application for the enrollment of William Pierce, Cecil Dawson, Green W. Jackson, Liddie Graham and Margaret Graham.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest is enclosed.

Respectfully,

(Signed) TAMS BIXBY,

Chairman.

Enc. M-135.

Through the

Commissioner of Indian Affairs.

COPY.

Cherokee D-324.

Muskogee, Indian Territory, February 28, 1903.

W. W. Hastings,

Attorney for the Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

You are hereby advised that there has this day been transmitted to the Secretary of the Interior, for review, the record of proceedings had in the matter of the application of Francis M. Dawson, et al., for enrollment as citizens of the Cherokee Nation, together with the Commission's decision in said case, and the protest of the Cherokee Nation against said decision, dated February 6, 1903.

The action of the Secretary will be made known to you as soon as the Commission is informed of same.

Respectfully,

(Signed) TAMS BIXBY,

Chairman.

COPY.

Cherokee D-324.

Muskogee, Indian Territory, February 25, 1903.

A. S. McKennon,

Attorney for Francis M. Dawson, et al.,

Wewoka, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision in the matter of the application of Francis M. Dawson, et al., for enrollment as citizens of the Cherokee Nation, has this day been transmitted to the Secretary of the Interior for his review and decision.

The action of the Secretary will be made known to you as soon as the Commission is informed of same.

Respectfully,

(Signed) TAMS BIXBY,

Chairman.

COPY.

Cherokee D-617.

Muskogee, Indian Territory, February 25, 1903.

Richard W. Dawson,

Talala, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 23, 1902, in the consolidated case of Francis M. Dawson, et al., granting, among others, your application for the enrollment of yourself and minor child, Ina E. Dawson, as citizens by blood of the Cherokee Nation. There has heretofore been furnished your attorney, A. S. McKennon, Wewoka, Indian Territory, a copy of the record of proceedings, together with a copy of the Commission's decision.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest has been furnished both your attorney and the principal applicant by the attorney for the Nation.

The decision, with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Tams Bixby.

Enc. E-34.

Acting Chairman.

Register.

(COPY)

Refer in reply to the following:
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DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,
Washington, Oct. 16, 1906.

COPY

ENROLLING DEPARTMENT.

Francis M. Dawson, et als.

GROUP VIII.

The Honorable,
The Secretary of the Interior.

Sir:

Referring to office report of even date transmitting Group I of the consolidated case of Francis M. Dawson, et al., applicants for enrollment as citizens of the Cherokee Nation, there is enclosed herewith the record relative to the applicants parties to Group VIII,---

D-435, Group VIII, page 1.

Martin L. Patterson applies for the enrollment of himself as an intermarried citizen, and for the enrollment of his wife, Anna, and their minor children, Sarah A., Martha A., Glenda A., Edgar B., Thomas M. and Virgil V. Patterson, as citizens by blood. Virgil V. was born subsequent to the date of his original application and is identified by birth affidavit.

D-436, Group VIII, page 11.

William S. Dawson applies for the enrollment of himself as a citizen by blood, and for the enrollment of his wife, Alice Dawson, as an intermarried citizens

D-437, Group VIII, page 12.

Robert. L. Dawson applies for enrollment as a citizen by blood.

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R.[illegible], Group VIII, page 12.

Albert E. Dawson applied for the enrollment of himself and his minor child, Ralph E. Dawson, as citizens by blood. The child was born subsequent to the date of his original application, and is identified by birth affidavit.

R.[illegible], Group VIII, page 12.

Sarah J. Dawson applies for the enrollment of herself as an intermarried citizen.

R.[illegible], Group VIII, page 12.

Richard W. Dawson applies for the enrollment of himself and his minor child, Ima E. Dawson, as citizens by blood, and for the enrollment of his wife, Luella Dawson, as a citizen by intermarriage. The Commission states that Luella Dawson is differently classed and is not enrolled in its decision.

R.[illegible], Group VIII, page 12.

Ella L. Spickerman applied for the enrollment of herself and her minor child, Helen J. Spickerman, as citizens by blood, and for the enrollment of her husband, John J. Spickerman, as a citizen by intermarriage. She also applies for the enrollment as a citizen by blood of her child, William S. Spickerman, who was born after her original application. This child is identified by a birth affidavit. The Commission states that John J. Spickerman has been differently classed and is not enrolled in its decision.

R.[illegible], Group VIII, page 12.

Francis M. Dawson applies for the enrollment of himself as a citizen by blood.

The record in this case shows that Martin L. Patterson, (Group VIII, page 1), was married July 13, 1880, to Zona Patterson nee Dawson, daughter of Hibert Dawson, who was admitted by the Tahlo Court, January 11, 1883. The marriage was performed in accordance with the laws of the Cherokee Nation. Zona Patterson nee Dawson was a minor when her father was admitted. Zona Patterson's name appears on the 1896 census roll, as does the names of Martin L. Patterson, Sarah A., Martha and Claude (A.) Patterson. Edgar B., Thomas M. and Virgil V. Patterson are identified by birth affidavits.

William C. Dawson, (Group VIII, page 11), is a son of Hibert Dawson, who was admitted January 11, 1883. He was a minor when his father was admitted. He was married to Alice Dawson, November 16, 1884. He is identified by the 1894 and 1896 rolls of the Cherokee Nation. From the record it does not seem that the name of his wife is found on any of the rolls of the Cherokee Nation.

Robert L. Dawson, (Group VIII, page 18), is a son of Hibert Dawson who was admitted January 11, 1883. He was a minor when his father was admitted.

Hibert B. Dawson, (Group VIII, page 16), is the son of Hibert Dawson who was admitted January 11, 1883. He was a minor when his father was admitted. February 14, 1894, he was married to Cora Wright, a non-citizen. His name appears on the 1894 roll, but is not on the 1896 roll.

Sarah J. Dawson, (Group VIII, page 19), is the widow of Hibert Dawson, who was admitted January 11, 1883. The applicant's husband is identified by the 1894 pay-roll of the Cherokee Nation. It does not appear from the record that her name is on any roll of the Cherokee Nation.

Richard W. Dawson, (Group VIII, page 34), is the son of Hibert Dawson who was admitted January 11, 1883. He was a minor when his father was admitted to citizenship. He was married to Luella Mason, a white woman, January 24, 1900.

Nila L. Spickerman, (Group VIII, page 37), is the daughter of Hibert Dawson, who was admitted in 1883. She was a minor when her father was admitted to citizenship. Sept. 7, 1897, she was married to John J. Spickerman, a white man. She is identified by the 1896 roll.

Francis M. Dawson, (Group VIII, page 41), is a son of Hibert Dawson, who was admitted January 11, 1883. He was of age when his father was admitted, and it does not appear that he was admitted to citizenship. From the evidence it does not seem that Francis M. Dawson's name is found on any roll of the Cherokee Nation. He claims to have lived in the Cherokee Nation since 1881. It appears that he and the members of his family were refused enrollment by the Cherokee tribal authorities in 1896.

It is known that Rena Patterson, William S. Dawson and Richard W. Dawson, have resided in the Cherokee Nation since 1884. Robert L. Dawson, Hibert B. Dawson, Sarah J. Dawson and Nila L. Spickerman, have resided there since 1881. Alice Dawson has resided in the Nation since 1886 and Martin L. Patterson since 1894.

The Commission in its decision of December 21, 1902, held that all of the parties in this group, except Luella Dawson and J. J. Spickerman, who are differently classed, and Francis M. Dawson (Group VIII, page 41), were entitled to enrollment as citizens of the Cherokee Nation--Martin L. Patterson, Alice Dawson and Sarah J. Dawson, as citizens by intermarriage and the others as citizens by blood.

[illegible]

For the reasons set forth in office report of even date, transmitting Group I of this consolidated case, the approval of the Commission's decision is recommended, except in so far as it relates to Martin L. Patterson, Alice Dawson and Sarah J. Dawson, who apply for enrollment as intermarried citizens. The question submitted to the Court of Claims not having been passed upon by the Court, their applications should not be considered at this time. The right of Francis M. Dawson to enrollment as a citizen by blood will be discussed herein.

August 31, 1905, Perry S. Kimball and W. H. White, attorneys for this city, filed a brief on behalf of applicant Francis M. Dawson, for enrollment as a citizen of the Cherokee nation. In their letter it is said that a copy of this brief has been forwarded to the attorney for the Cherokee Nation, W. W. Hastings, Esq. Kimball & White in their brief state that Francis M. Dawson is the son of Hibert Dawson, who was admitted to citizenship in the Cherokee Nation, January 11, 1883, and that he was at that time about 22 years of age. They claim that his father applied for readmission February 24, 1880, and that Francis M. Dawson was at the date of this application less than 21 years of age that he has resided in the Cherokee Nation from the time of his father's admission, and they take the position that the only reason the Commission gives for refusing his enrollment is that he was more than 21 years of age at the time of his father's admission. The statement is made by them "his name appears upon every roll since his father's admission. He drew his share of the Strip money and has resided nowhere except in said Nation." They claim that under Section 8, of the Amendments to Article 3, of the Constitution, and the opinion of the Assistant Attorney General in the James V. Shirley case of June 11, 1903, Francis M. Dawson is entitled to enrollment as a citizen of the Cherokee Nation.

From the record it does not appear that the name of Francis M. Dawson is found on any rolls of the Cherokee Nation. The Commission, in what is understood to be its field decision or field note, says: "He is not identified on any roll since that time," meaning the date of his father's admission. In this decision or note it is also said: "The application for admission is shown by the document cited to be dated January 4, 1841, and giving the applicant the benefit of the opinion that the date of admission would date from the application, he was a minor at that time.

In the brief of Kimball & White it is alleged that Hibert Dawson applied "for admission February 24, 1840." There seems to be considerable doubt as to the exact date Hibert Dawson made application for admission for citizenship in the Cherokee Nation, but from the records it appears the true date is September 24, 1841. By the supplemental testimony it is shown that the application of Hibert Dawson et al., for admission to citizenship was "filed September 24, 1841."

Francis M. Dawson, October 17, 1900, (Group VIII, page 21), testified among other things that he was 58 years of age "on the last day of December last," meaning December 31, 1899. If this be true, and if the correct date of the application of his father, Hibert Dawson, is September 24, 1841, Francis M. Dawson was 20 years 3 months and 24 days old at the date of his father's application. The office believes that the date of admission should be held to relate back to the date of the application. There is nothing in the record which shows that Hibert Dawson, or any of the other applicants of 1841, were asked in 1843 whether any of their children had arrived at the age of majority.

In view of the foregoing, it is respectfully recommended that

the decision of the Commission be to Promote M. Bonsai be not approved, and that the Commission be directed to enroll him as a citizen of the Cherokee nation by blood, unless there be some reason which does not appear in the record why the same should not be done. There seems to be no question but that he is of Cherokee blood.

Very respectfully,

W. A. Jones,
Commissioner.

S.A.W.-L.C.

(XXX)

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DEPARTMENT OF THE INTERIOR,
WASHINGTON.

J.W.M.
J.P.
WEB

LRS

March 31, 1934.

Commission to the Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

February 15, 1934, you transmitted the record in the matter of the application of Francis M. Dawson et al., for enrollment as citizens of the Cherokee Nation.

In your decision of December 11, 1933, you disposed of the applications in the Dawson case by groups. Group VIII, as disposed of by you, includes the applications of those persons who claim enrollment by virtue of their descent from Hibert Dawson, who was admitted to Cherokee citizenship by decree of the Tahee Court dated January 11, 1855. These applications are designated by you as D.433, D.434, D.435, D.436, D.439, D.617, D.438, and D.437.

It appears that the principal applicants in this group, claiming enrollment by blood, viz: Rena Patterson, formerly Dawson, William C. Dawson, Robert L. Dawson, Hibert R. Dawson, Richard W. Dawson, Ella L. Spielsman, formerly Dawson, and Francis M. Dawson, are the children of the said Hibert Dawson. All of them except the said Francis M. Dawson were minors at the time of their father's admission to citizenship.

The application of Martha L. Patterson, D.433, was for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Rena Patterson, and his six minor children, Sarah A., Martha A., Claude A., Edgar P., Thomas M., and Virgil V. Patterson, as citizens by blood of the Cherokee Nation. The said Martin L. Patterson was married July 12, 1930, in accordance with the laws of the Cherokee Nation, to the said Rena Patterson, nee Dawson. He has resided in the

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nation since his marriage, and the six children named above are the issue of said marriage. His name, and the names of his three elder children, are on the Cherokee census roll of 1896. The three younger children are identified by birth affidavits. Zona Patterson, nee Dawson, is also identified on said roll, and he resided in the Cherokee Nation since 1894.

William C. Dawson, D.604, applied for the enrollment of himself as a citizen by blood, and for the enrollment of his wife, Alice Dawson, as a citizen by intermarriage of the Cherokee Nation. He is identified upon the strip payment roll of 1894, and has resided in the nation since 1894. He was married November 16, 1898, to the said Alice Dawson, nee Alexander. She has resided with him since their marriage.

The application of Robert L. Dawson, D.605, was for the enrollment of himself as a citizen by blood of the Cherokee Nation. He is identified on the strip payment roll of 1894, and has resided in the nation since 1881.

The application of Hibert E. Dawson, D.606, was for the enrollment of himself and his minor child, Ralph E. Dawson, as Cherokees by blood. Said Hibert E. Dawson is identified upon the strip payment roll of 1894. His son is identified by a birth affidavit. The father has resided in the nation since 1888. On February 16, 1896, he married Sara Wright, a non-citizen, who is the mother of said child. It appears, however, that no application was made for her enrollment under this title.

The application of Sarah J. Dawson, D.609, was for the enrollment of herself as an intermarried citizen of the Cherokee Nation. In 1884 she married the said Hibert Dawson, and lived with him as his wife until his death in February, 1898. Since then she has not married. She has resided in the nation since 1884.

The application of Richard W. Dawson, D.617, was for the enrollment of himself and his minor child, Ina E. Dawson, as citizens by blood and for the enrollment of his wife, Lucile Dawson, as a citizen of said nation by intermarriage. The latter is differently classified and is not embraced in this decision. Said Richard W. Dawson is identified upon the 1896 strip payment roll, and has resided in the nation since 1884. January 24, 1898, he married Lucile Mason. Ina E. Dawson, who is identified by a birth affidavit, is the issue of that marriage.

The application of Mila L. Spickerman, D.624, was for the enrollment of herself and her minor children, Helen J. and William G. Spickerman, as citizens by blood, and for the enrollment of her husband John J. Spickerman, as a citizen by intermarriage of the Cherokee Nation. His application is differently classified and will not be considered herein. The said Mila L. Spickerman, nee Dawson, is identified on the strip payment roll of 1896, and has resided in the nation since 1884. Said children are identified by birth affidavits.

The application of Francis M. Dawson, D.627, was for the enrollment of himself as a citizen by blood of the Cherokee Nation. His case is distinguished from that of the other principal applicants who claim by blood, in that he was not a minor at the date of his father's admission to citizenship. It appears, however, that the petition for the enrollment of his father, Elbert Dawson et al., was filed when he was a minor. The exact date when said petition was filed is uncertain. The Indian Office finds that the date of the petition was September 24, 1881. You find that the petition bears a still earlier date. It is claimed by this applicant and by his attorneys that his name is borne upon various tribal rolls. It does not appear from the record, however, that such is the fact. He states that he has resided in the nation ever since 1884, and that he drew strip money for himself

In his report of October 14, 1905, relative to this group, the Commissioner of Indian Affairs calls attention to that portion of the evidence which shows that the applicant was a minor when the petition for the enrollment of his father was filed, and expresses the opinion that the admission of his father (construed as including his minor children living with him) should be considered as having effect from the date the petition was filed.

In your decision of December 26, 1906, in which you refused to enroll this applicant, you make no reference to this aspect of the case. It is observed, however, from the field notes as they appear in connection with the record in this case, that the examiner was then of the opinion that the date of the father's petition might possibly affect the rights of the applicant.

The attorney for this applicant and for the Nation have filed briefs. The attorneys for neither, however, have discussed the rights of the applicant from this standpoint.

It is considered that both parties should be furnished with a copy of the Commissioner's letter relating to this group, and be allowed to be heard in reference to the matter.

From a letter addressed to the Assistant Attorney General for this Department, from Mitchell & White, attorneys for Francis M. Benson, Jr., dated February 13, 1904, it appears that under date of January 13, 1904, you wrote said attorneys as follows:

> "You are advised that the 1894 pay roll does not contain the name of such a person as Francis M.Thompson. There does appear upon that roll, however, the name of one Marion Benson, and it is possible this is the same person."

Although not addressed to the Department, it was considered that your letter should be received as authentic evidence of the matters stated therein. It is believed, in view of the statement contained in

said letter and from the testimony of Jeremiah Morgan Morgan, referred to above, that a consideration of his case upon the record as it now stands would be unfair and inadvisable.

In your decision of December 26, 1906, you held that all of the applicants are entitled to enrollment except Francis M. Dawson. The Commissioner of Indian Affairs concurred in your conclusion in regarding these applicants entitled thereto, except as to Dawson, and also recommended his enrollment. As to these applicants claiming by intermarriage the Commissioner recommended that no action be taken at present.

The Department concurs in the recommendation of the Commissioner as to all of the applicants, except Francis M. Dawson. The record in his case is herewith returned for further investigation in accordance with the suggestions herein contained.

The attorney for the Cherokee Nation protests against the enrollment of these applicants, claiming that their enrollment was obtained through fraud. In this connection see opinion of the Assistant Attorney General of February 15, 1904, relating to the Dawson case, a copy of which was sent you February 24, 1904.

A copy of Indian Office letter of October 16, 1903, relating to this group, is also inclosed.

Respectfully,

(signed) Thos Ryan

Acting Secretary.

2 inclosures.

(HWE)

COPY

Cherokee D-617.

Muskogee, Indian Territory, April 12, 1904.

Richard W. Dawson,

Talala, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated December 23, 1902, granting, among others, your application for the enrollment of yourself and your minor child, Ina E. Dawson, as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on March 31, 1904.

Respectfully,

Commissioner in Charge.

Cherokee D 324, et al.

Muskogee, Indian Territory, April 12, 1904.

A. S. McKennon,

Attorney for Francis M. Dawson, et al.,

South McAlester, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision dated December 23, 1902, in the consolidated case of Francis M. Dawson, et al., granting the applications for the enrollment of Francis L., Lula, Ray, Jessie J., Jacob L., Hugh A., Laura A., John, William R. and Francis M. Dawson, Jr., Lizzie, Arthur, Edna E., Edward C., and George J. F. Atkins, John W., Albert H., Ralph H., Alford, Samuel R., August, Nate and Robert Dawson, Katie Newman, Josephine, Dora, Ida, Annie, Blanche, May and Oscar Bulawsky, John, Robert B., Iola M., Lemuel H., Rosa B., Charles B., Hattie J., Jennings B., James U., Vergal C., Thomas P., Marice J., Orle H., Burr R. and James W. Dawson, Ella Jackson, Flora, Lillie R., Claud, Dwight and William D. Harmon, Toshie A. Jackson, Fannie, Birtie E. and Myrtle Lenox, Missouri, Tempa V., Robert S., Gideon, John W., Julius E., Francis T., Mary E., Jesse E., Gracie A. and Florence M. Graham, Laverna A., Ada R., Eva P., John W., Ray D., Roberta A., and

Roy V. Painter, Florence P., Myrtle and Claude Bradshaw, Joe E., William C., John F., Edna M. and Robert Lee Graham, Joe Willie Neal, James M., Marion, Maggie, Luther and Floyd Graham, Mollie, Nora, Walter, Clara, Ora, James W., and Edna Edith Moore, Richard W. and Ina E. Dawson, Ella L., Nellen J. and William Glenn Spickerman, Elbert B., Ralph E., Robert L., and William G. Dawson, Zona, Sarah A., Martha A., Claud A., Edgar D., Thomas M. and Virgil V. Patterson, Joseph R., Clarence E., Council J., Elmer A., Cleo, Rufus T., Edgar, Wilborn, James R., Minnie B., Ermine C., Edwin C. and Ancil E. Dawson, Etta Brauer, Kitty, Delia E., Finis T. and Jasper Cecil Richardson, Edgar, Walter, Alice, Laura, Oscar, Claude and Edna Flourney, Texanna, Irene W. and Wilburn E. Woolley, Laverna A., William A. and Annie B. Fishback, Lula P., Curtis, Morris O. and Roy Weddle, Florence, Clide and Alice A. Morgan, John E. Fishback, Edna, Roby and Charley Mabry and William D. Douthitt, as citizens by blood of the Cherokee Nation, and dismissing the applications for the enrollment of Cecil Dawson, Liddie and Margaret Graham as citizens by blood of the Cherokee Nation, they having died prior to September 1, 1902, was affirmed by the Secretary of the Interior on March 31, 1904, and that the Commission's decision rejecting the applications for the enrollment of James, May, Zelma, Roberta, and Rosa Lowe, Cale, Lizzie, Jessie, Ray, and Clyde Jackson as citizens

by blood of the Cherokee Nation, was reversed by the Secretary of the Interior on the same date.

Respectfully,

(SIGNED) E. B. Merritt

Commissioner in Charge.

Cherokee D 304, et al.

Muskogee, Indian Territory, April 12, 1904.

W. W. Hastings,
Attorney for the Cherokee Nation,
Tahlequah, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision dated December 23, 1902, in the consolidated case of Francis M. Dawson, et al., granting the applications for the enrollment of Francis M., Eula, Ray, Jessie J., Jacob L., Hugh A., Laura A., John, William R. and Francis M. Dawson, Jr., Lizzie, Arthur, Edna E., Edward C., and George J. F. Atkins, John T., Albert M., Ralph H., Alford, Samuel R., August, Nate and Robert Dawson, Katie Newman, Josephine, Dora, Ida, Annie, Blanche, May and Oscar Bulawsky, John, Robert B., Iola M., Lemuel M., Rosa B., Charles B., Hattie J., Jennings B., James U., Vergal C., Thomas P., Mariee J., Orle M., Burr R. and James W. Dawson, Ella Jackson, Flora, Lillie R., Claud, Dwight and William D. Harmon, Toshie A. Jackson, Fannie, Birtie E. and Myrtle Lenox, Missouri, Tempa V., Robert S., Gideon, John W., Julius E., Francis V., Mary E., Jesse E., Gracie M. and Florence M. Graham, Laverna A., Ada R., Eva P., John V., Ray D., Roberta A., and

Roy W. Painter, Florence P., Myrtle and Claude Bradshaw, Joe E., William C., John F., Edna M. and Robert Lee Graham, Joe Willie Neal, James L., Marion, Maggie, Luther and Floyd Graham, Mollie, Nora, Walter, Clara, Ora, James W., and Edna Edith Moore, Richard W. and Ina E. Dawson, Lila L., Hollen J. and William Glenn Spickermon, Wilbert E., Ralph E., Robert L., and William C. Dawson, Zona, Sarah A., Martha A., Claud A., Edgar D., Thomas M. and Virgil W. Patterson, Joseph R., Clarence E., Council J., Elmer A., Cleo, Rufus T., Edgar, Wilborn, James R., Vinnie D., Ermine C., Edwin C. and Ancil F. Dawson, Etta Brauer, Kitty, Delia F., Finis T. and Jasper Cecil Richardson, Edgar, Walter, Alice, Laura, Oscar, Claude and Edna Flournoy, Texanna, Irene W. and Wilburn E. Woolley, Laverne A., William A. and Annie B. Fishback, Lula P., Curtis, Morris O. and Roy Weddle, Florence, Clide and Alice A. Morgan, John E. Fishback, Edna, Roby and Charley Mabry and William D. Douthitt, as citizens by blood of the Cherokee Nation, and dismissing the applications for the enrollment of Cecil Dawson, Liddie and Margaret Graham as citizens by blood of the Cherokee Nation, they having died prior to September 1, 1902, was affirmed by the Secretary of the Interior on March 31, 1904, and that the Commission's decision rejecting the applications for the enrollment of James, May, Zelma, Roberta, and Rosa Lowe, Osie, Lizzie, Jessie, Ray, and Clyde Jackson as citizens

y blood of the Cherokee Nation, was reversed by the Secretary of the Interior on the same date.

Respectfully,

Commissioner in Charge.

Cher 10725

Ella L. Spickerman

Trans. from D626

Cher 10725

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskogee, I.T., October 17,1900.

In the matter of the application of Ella L. Spickerman for the enrollment of herself and child as Cherokees by blood and her husband as a Cherokee by intermarriage; being sworn and examined by Commissioner Breckinridge, she testified as follows:

Q Give me your full name? A Ella L. Spickerman.
Q How old are you? A 25.
Q What is your post office? A Talala.
Q Do you live in Cooweescoowee District? A Yes, sir.
Q.Who is it you want to have enrolled? A Myself and baby.
Q Have you got a husband? A Yes, sir.
Q Do you want him enrolled? A Yes, sir.
Q Do you want to apply for him? A Yes, sir.
Q Are you a Cherokee by blood? A Yes sir.
Q What is your husband? A He is a white man.
Q How long have you lived in the Cherokee Nation? A 15 years.
Q Were you admitted by the Cherokee Commission? A Yes, sir.
Q Give me the name of your father? A Elbert Dawson.
Q He is dead, is he? A Yes, sir.
Q Give me the name of your mother? A Sarah Jane Dawson.
Q She is alive, isn't she? A Yes sir.
Q When were you married? A September 7,1897.
Q Were you ever married before? A No,sir.
Q Was your husband ever married before? A No, sir.
Q Have you lived in the Cherokee Nation, you say, for the last fifteen years? A Yes, sir.
(The applicant presents a duly authenticated certificate of admission to Cherokee citizenship showing that on the 11th day of January, 1883, Elbert Dawson was admitted to citizenship.)
Q That was the name of your father? A Yes, sir.
Q And you claim admission through him? A Yes, sir.
Q You were a minor at the time he was admitted? A Yes, sir.
Q Give me the name of your husband? A. John J. Spickerman.
Q.How old is he? A 27.
Q Have you his marriage license and certificate? A Yes, sir.
(The applicant presents a license issued by the Clerk of Cooweescoowee district September 7,1896, authorizing marriage between herself and her husband as stated by her, and the certificate shows that the ceremony was performed on the same date by the Clerk of the district. This is filed herewith)
Q Your husband has lived with you ever since he married you and in the Cherokee Nation? A Yes sir.
Q Give me the name of your child? A Hellen Julia, 15 months old.

The applicant applies for the enrollment of herself, her husband and one child. She shows by the certificate of admission cited in the testimony and returned to her that her father was admitted to citizenship in 1883. She states that she has lived in the Cherokee Nation for the past fifteen years, her change of name is established by the marriage license and certificate filed herewith, she is not identified on the roll of 1896, and it has been developed in the case of other applications by the members of this family that the Cherokee representatives refused them enrollment at that time owing to objections arising to the character of their admission. She will be listed now as a Cherokee by blood on a doubtful card for further consideration. When she supplies a certificate of the birth of her child, this child will also be listed for enrollment on a doubtful card for further consideration.

Her husband is shown to have married her in accordance with Cherokee law in 1896, neither of them was ever married before. His marriage is too late to entitle him to enrollment at this time under

the Cherokee law, and the application for his enrollment will be rejected.

---o---

Bruce C. Jones, being duly sworn says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript thereof of his stenographic notes thereof.

Bruce C. Jones.

Sworn to and subscribed before me this 18th day of October, 1900.

C.R. Breckinridge,
Commissioner.

C.L. Mielenz, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he correctly copied the testimony in the above case and the foregoing is a true and complete copy thereof.

C. L. Mielenz

Sworn to and subscribed before me this 10th day of April, 1902.

Rudolph Riggs
Notary Public.

0626

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
OCT 17 1900

Acting Chairman

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 17 1900 1900.

Name Talala Ct.

District Year Page No.

Citizen by blood ~~Yes~~ Mother's citizenship Cherokee

Intermarried citizen ~~Yes~~

Married under what law Date of marriage

License Certificate

7 ~~26~~ Wife's name Ella L. Spickerman

District Year Page No.

Citizen by blood Yes admitted Mother's citizenship Albert Dawson — 2

Intermarried citizen No. Sarah " " — 2

Married under what law Date of marriage 1876

License Certificate

Names of Children:

2 Helen J. Dawson Dist. Year Page No. Age 1

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Dist. Year Page No. Age

Cherokee

2 Affidavit to be supplied

IN RE

Application for Enrollment of

INFANT CHILD

Ellen J. Spickerman

as a citizen of

Cherokee Nation.

Approved Nov. 6 1900

T. B. [illegible]

Commissioner.

BIRTH AFFIDAVIT.

8670

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

IN RE APPLICATION FOR ENROLLMENT, as a citizen of the Cherokee Nation,

of Helen J. Spicherman, born on the 25 day of June, 1896

(Give full name of child)

Name of Father: John G. Spicherman a citizen of the Cherokee Nation.

Name of Mother: Ella L. Spicherman a citizen of the Cherokee Nation.

Postoffice Talala, Ind. Ter.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern DISTRICT.

I, Ella L. Spicherman, on oath state that I am 25 years of age and a citizen, by blood, of the Cherokee Nation; that I am the lawful wife of John G. Spicherman, who is a citizen, by marriage, of the Cherokee Nation; that a female child was (Male or Female.)

born to me on 25 day of June 1896; that said child has been named Hellen J. Spicherman, and is now living.

Ella L. Spicherman

X

WITNESSES TO MARK:

(Must be Two Witnesses) F. A. Cromer
Eunice Crawford

Subscribed and sworn to before me this 16 day of October 1900.

My Com. Expires
March 15, 1901.

G. N. Cramer
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN OR MID-WIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY, Northern DISTRICT.

I, E. Y. Bass, a physician on oath state that I attended on Mrs. Ella L. Spicherman wife of John G. Spicherman on the 25th day of June, 1896 that there was born to her on said date a female (Male or Female.)

child; that said child is now living and is said to have been named Hellen J. Spicherman

E. Y. Bass. M.D.

WITNESSES TO MARK

(Must be Two Witnesses) F. A. Cromer
F. S. Wilson

Subscribed and sworn to before me this 16 day of October 1900.

My Com. Expires
March 15, 1901

G. N. Cramer
Notary Public.

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee I.T. Dec 26 1902

Received of the Commission to the Five Civilized Tribes one copy of the testimony in the matter of the application of Ella S. Breckenridge et al for enrollment as [redacted] of the Cherokee Nation.

Citizen.

A. S. Brewster.
Atty for applicants.

No. C.N. 174

AFFIDAVIT.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT } ss.

In the matter of the application of, Citizen
Ella R Sherman for enrolment as a Cherokee Freedman.

No. [illegible] Ella R Sherman.

, of lawful age, being duly sworn on oath states that on the 6th day of March, A. D. 1902 he registered to Ella R Sherman whose postoffice is Vinita Indian Territory, a notice, a true copy of which is attached to this affidavit, and he hereto attaches the receipt of the Postmaster at Tahlequah Indian Territory; and that on the 13th day of March, 1902 he received the return card which is hereto attached, signed by the said Ella R Sherman showing that he had received said notice Arthur Evans.

Subscribed and sworn to before me on this the 13 day of March A. D. 1902

J C Starr
Notary Public.

C. D. 626

E

0626

INDIAN TERRITORY,
CHEROKEE NATION.

I hereby certify that I served the within notice on .....

.....

by delivering a true copy thereof on the .....day of ..... A. D. 190..

Given under my hand this ..... day of ..... A. D. 190

.....

Marshal for the Cherokee Nation.

I, the undersigned attorney for the within named applicant, hereby accept service of the within notice on this the ..... day of ....., 190..

.....

Attorney for applicant.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT. } S. S.

I do solemnly swear that I delivered a true copy of the within notice to .....

.....

on the ..... day of ..... A. D. 190...

.....

Subscribed and sworn to before me this .....

.....

Notary Public.

NOTICE!

IN THE MATTER OF the application of Ella R. Speckerman,
for enrollment as Cherokee citizens:
Case No. D 626.

To Ella R. Speckerman, Talala, I. T.

You are hereby notified that the Cherokee Nation will present before the United States Commission to the Five Civilized Tribes testimony on behalf of the Cherokee Nation tending to disprove your right to be enrolled as a Cherokee citizen at the office of the United States Commission to the Five Civilized Tribes in the town of Muskogee, I. T. Indian Territory, on March 17, 1902. or from day to day thereafter until the same can be heard by said Commission during the usual business hours of said Commission for the taking of testimony both for and against applicants for enrollment as Cherokee citizens.

In testimony whereof, the undersigned representatives of the Cherokee Nation have hereunto set our hands this March, 10, 1902.

W. W. Hastings

Attorneys for the Cherokee Nation.

C-626
10725

20

IN RE

Application for Enrollment of

INFANT CHILD

William Glenn Bickerman

as a citizen of

Cherokee Nation.

Approved Mar. 8 1907

C. F. [illegible]

Commissioner

BIRTH AFFIDAVIT.

1626

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

BIRTH APPLICATION FOR ENROLLMENT as a citizen of the Cherokee Nation,
of William Glenn Spickerman born on the 10th day of September 1901
(Mother must not name child)
Name of Father: John G. Spickerman a citizen of the U.S. Nation.
Name of Mother: Ella L. Spickerman a citizen of the Cherokee Nation.
Postoffice Salola I. T.

AFFIDAVIT OF MOTHER.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Northern DISTRICT.

I, Ella L. Spickerman on oath state that I am 26 years of age and a citizen, by Blood of the Cherokee Nation; that I am the lawful wife of John G. Spickerman who is a citizen, by U.S. of the U.S. Nation; that a male (Male or Female) child was born to me on 10th day of September 1901; that said child has been named William Glenn Spickerman and is now living.

Ella L. Spickerman

WITNESSES TO MARK:

(Must be Two Witnesses.)

Subscribed and sworn to before me this 5th day of September 1902

My Commission Expires Dec 17. 1904

John E. Pendleton
Notary Public.

AFFIDAVIT OF ATTENDING PHYSICIAN, OR MID-WIFE.

UNITED STATES OF AMERICA, INDIAN TERRITORY,
Northern DISTRICT.

I, Mrs. D. A. Brown a midwife on oath state that I attended on Mrs. Ella L. Spickerman wife of John G. Spickerman on the 10th day of September 1901 that there was born to her on said date a male (Male or Female) child; that said child is now living and is said to have been named William Glenn Spickerman

Mrs. D. A. Brown her X mark

WITNESSES TO MARK

(Must be Two Witnesses) C. F. Hagmaier
Wm C. Fahrman

Subscribed and sworn to before me this 5 day of September 1902.

My Commission Expires Dec 17. 1904

John E. Pendleton
Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
VINITA, I. T., SEPTEMBER 17th, 1900.

IN THE MATTER OF THE APPLICATION OF Francis Marion Dawson, wife and children for enrollment as citizens of the Cherokee Nation, and he being sworn by Commissioner, C. R. Breckinridge, testified as follows:

Q What is your full name? A Francis Marion Dawson.
Q What is your age? A I am fifty eight years old.
Q What is your Postoffice? A Oocoma.
Q What District do you live in? A Delaware.
Q Who is it you want to have enrolled? A Myself and family.
Q Your wife? A Yes, sir.
Q How many children? A Six.
Q Do you apply for enrollment as a Cherokee by blood? A Yes, sir.
Q Is your wife a Cherokee by blood? A No, sir: she is a white woman.
Q How long have you lived in the Cherokee Nation? A Since 1883.
Q Were you admitted by the Cherokee Commission? A Yes, sir.

The applicant presents a duly authenticated certificate of admission to citizenship, showing that on the 11th day of January, 1883, certain persons were admitted by the Commission on citizenship, and among them appears the name of F. M. Dawson.

Q That is your name is it? A Yes, sir.

This is recognized as satisfactory evidence of the facts stated.

Q Have you lived in the Cherokee Nation ever since your admission?
A Yes, sir; in Delaware District ever since.
Q Give me the name of your wife? A Katie Dawson.
Q How old is she now? A Forty five.
Q Was she admitted with you? A No, sir.
Q Have you married her according to Cherokee law since your admission? A No, sir.
Q You have not remarried since your admission? A No, sir; it was not necessary.

The applicant presents a duly authenticated marriage license and certificate, showing that he was married to his wife, as stated by him, in 1880, by the Reverend H. F. Goudelock, in Carrol County, Arkansas, the license being issued by the Clerk of that County.

These papers are filed herewith.

Q Your wife was not admitted by the Cherokee Commission, when you were? A No, sir.
Q Or at any other time? A No, sir.
Q By act of the Commission or Council? A No, sir: she was placed on the rolls.
Q On the census rolls? A Yes, sir.
Q Give me the names of your children, please? A Lula.
Q How old? A Seventeen.
Q Next child? A Roy.
Q How old? A Fifteen.
Q Next child? A Jessie Jane.
Q How old? A Fourteen.
Q Next child? A Jacob Levy.
How old? A Ten.
Q Next child? A Hugh A.
Q How old? A He is eight I believe.

Q Next child? A Laura.
Q How old is that child? A She is four years old.
Q Is that all? A Yes, sir: six of them. I have others, but they are not at home.
Q Are they married? A No, sir.
Q Are they over age? A Yes, sir.

(1896 Roll, Page 461, #902, Francis Marion Dawson, Delaware.
(1896 Roll, Page 509, #135, Katie Dawson, Delaware District.
(1896 Roll, Page 461, #903, Lula Dawson, " "
(1896 Roll, Page 461, #904, Ray Dawson. " "
(1896 Roll, Page 461, #905, Jesse James Dawson, Delaware Dis't.
(1896 Roll, Page 461, #906, Jacob Levy Dawson, " "
(1896 Roll, Page 461, #907, Hugh A. Densmore Dawson," "
(1896 Roll, Page 461, #908, Laura Albertie Dawson, " "

Q Is this Lula or Luly? A Luly.
The applicant applies for the enrollment of himself, wife and six children:
Q Were these children all born since you were admitted into the Cherokee Nation? A Yes, sir.

The applicant is shown by the certificate of admission, cited in the testimony, to have been admitted to Cherokee citizenship, by the Commission on Citizenship, January 11th, 1883; he is identified on the roll of 1896, but the representative of the Cherokee Nation desires to make inquiry into the methods of that time, and for that reason, the application of the applicant will at present be placed on a "Doubtful Card." He has lived in the Cherokee Nation ever since his admission to citizenship. His wife was married to him under United States law, and was married prior to his admission: she has never been remarried according to Cherokee law: She has lived with him ever since his admission to citizenship, and she is identified on the roll of 1896. The application for her enrollment will be placed on a "Doubtful Card".

Their six children, as enumerated in the testimony are identified on the roll of 1896: They are living at this time, all having been born since his admission (Applicant's) . These children will be placed with him on a "Doubtful Card". The applicant's marriageto the mother of these children is established by the marriage license and certificate filed herewith. If any additional papers, adverse are developed in this case, he will be given timely notice thereof.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

(Signed) R. R. Cravens.

Subscribed and sworn to before me
this 16th day of September, 1901.

(Signed) T. R. Brockinridge,

Commissioner.

BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the enrollment of F. M. Dawson and others as Cherokee citizens.

Depositions of sundry persons in behalf of the applicants for enrollment mentioned in the title, taken before me, Lewis T. Martin, a Notary Public in and for the Northern District of the Indian Territory, duly appointed, qualified and acting as such, at the office of G. B. Denison in the Gray-Halsell building in the town of Vinita, Indian Territory, on Thursday the fourth day of October 1900, between the hours of one and a half o'clock and six o'clock in the afternoon of said day, in accordance with the agreement to take testimony, entered into between the applicants and the Cherokee Nation, by their respective attorneys, which agreement is hereto attached.

F. F. Thompson, being produced by the applicants, being first duly sworn to testify to the truth, the whole truth and nothing but the truth, testified as follows:

DIRECT EXAMINATION BY G. B. DENISON:

Q State your name, age, residence and occupation?
A T. F. Thompson, 53 years old, I live near Vinita, Cherokee Nation, I. T. I am a farmer.
Q How long have resided in the Cherokee Nation? A All my life.
Q Are you a citizen of the Cherokee Nation as now constituted?
A Yes, sir.
Q Upon what is that citizenship based, blood or otherwise?
A Blood.
Q What, if any official position have you held in the Cherokee Nation, and at what time?
A I was elected to the Cherokee Council in 1870 some odd, I don't remember the exact year, I was also on the Commission Court.
Q Do you remember when that was? A Some time in 1880 or 1881, I think, it may have been earlier.
Q Did that Commission or Court have anything to do with admission to citizenship in the Cherokee Nation? A Yes, sir.
Q State, if you remember, how many members of that Commission or Court, there were, and who they were besides yourself?
A There were three, Tehee, Wolf and myself, Tehee was President of the Court.
Q Where were the sessions of that body held? A Tahlequah, Cherokee Nation.
Q Had you have a Clerk? A Yes, sir.
Q Do you remember who that was? A D. W. C. Duncan.
Q Do you know whether the members of that Commission beside yourself, are living or dead? A Yes, sir, they are both dead.
Q Can you recollect now what period of time that Commission lasted?
A About two years I think, two, sessions, and there was one session each year.
Q Were the sessions of that body held in Tahlequah, open to the public at all times when it was in session?
A Yes, sir.
Q Were the cases coming before that body heard in open session?
A Yes.
Q Witnesses examined orally? A Yes, sir.

Q Judgments of the Court or Commission pronounced in open session?
A In case of decisions I think they both had secret sessions, yes, the judgments of the Commission were pronounced openly.
Q What you intended to convey by you answer to the former question was that after hearing the proof the Commission or Court deliberated in secret session upon the testimony taken before reaching a decision or announcing it? A After hearing all the testimony we went into secret session.
Q I will present you with a paper which the Notary will mark exhibit "A" and a copy of which he will attach to your deposition, and will ask you if with the exception of the certificate of record by M. L. Bragdon, Clerk, and John L. Adair Asst. Ex. Secretary, you recognize it as a paper you have ever seen before?
A I recognize the signature to it, but don't remember the instrument.
Q Which signature on that paper do you recognize? A My own.
Q That signature is in your own handwriting? A Yes, sir.
Q Do you know whether Th mas Tehee, president of the Commission could write in English or not? A No, I don't think he could.
Q How as to Alexander Wolfe, a member of the Commission?
A I don't think he could write either, I don't think either of them ever wrote except by touching the pen.
Q Were you, and are you familiar with the handwriting of D. W. C. Duncan, the Clerk of that Commission?
A Tolerably well, but it has been a long time since I saw any of it.
Q Will you look at the paper again and say whether you recognize his signature attached thereto?
A Yes, that is his signature to the best of my knowledge.
Q Do you preserve any personal recollection of the application before that Commission of F. M. Dawson and other members of the Dawson family, to be admitted as citizens of te Cherokee Nation by that Commission?
A I remember F. M. Dawson and his brother, that is about the only ones I remember.
Q The question was not as to the personal recollection of the individuals, but as to the claim being presented by the Dawsons for admission?
A Yes, there was such a claim before the Commission.
Q Can you state as to the citizenship of Thomas Tehee, whether he was a citizen of the Nation by blood or not?
A Yes, sir, he was always recognized as such, full blood besides.
Q What is your knowledge of Alexander Wolfe?
A About the same, he was also a full blood and recognized as a Cherokee.
Q Judge Thompson, if you possessed or had, or have now any knowledge of any corruption or bribery of the court or commission, or any member f it by F. M. Dawson or any of the Dawson family or anybody connected with the presentation of their claim for citizenship, state it fully?
A None whatever as far as I was concerned, and I don't think there was by the balance of the Court.

CROSS-EXAMINATION BY W. T. HUTCHINGS:

Q Do you mean to say Mr. Thompson that your name attached to the certificate shown you is in your handwriting?
A Yes, sir.
Q That Mr. Duncan certified that this is a transcript of the decision in [illegible], he is mistaken, that is the original?
A No, I don't know, that may be the original, if that is not the original I did not sign it, if it is the original I signed it.
Q You state that the witnesses were examined orally before the Court, don't you know that in almost every case you took ex parte

affidavits of witnesses when these witnesses were not present?
A I think we ruled ex parte evidence out, as well as I remember.
Q Did you have any stenographer or anybody to copy the evidence?
A Mr. Duncan did all of the copying.
Q Was the evidence copied and preserved?
A Yes, sir, I think it was.
Q What was done with that evidence, where was any of it ever put?
A I suppose it is at Tahlequah in the office of the Treasurer or Secretary.
Q When you went into secret session did you have Mr. Duncan read the evidence to you?
A Yes, sir, we went over the evidence thoroughly.
Q Did you allow the applicants or their attorneys admission to any of your secret sessions?
A No.
Q When you got ready to render your decisions did you then send for the applicants or their attorneys?
A No, Sir.
Q And you rendered them in secret also, did you? A Yes, sir.
Q Have you any recollection who testified in the Dawson case, as to their claim? A No, sir, I have not.
Q Have you any recollection as to who they claimed their Cherokee ancestors were? A Yes, sir, they claimed the Rogers.
Q Did they claim relationship with any of the present families of Rogers residing in the Cherokee Nation?

The applicant objects to this question as tending to elicit testimony wholly incompetent and irrelevant to the issue, and not cross-examination of this witness.

A I don't know that they did, particularly.
Q Has your court determine when they claimed descent through some Rogers family, that that family was of Cherokee blood?

The applicant objects to the question upon the same grounds as their objection to the previous question.

A By the evidence they produced.
Q Didn't you make them prove that that family was well known at one time to be connected with the Cherokee Nation, and were citizens thereof? A Yes.
Q Who was the attorney for the Dawsons? A Old man Houston Benge.
Q Could either Tehee or Wolfe speak English? A They could understand, but they never spoke English, they had an interpreter.
Q Did you ever talk to either of them as to whether they got anything for deciding this case? A No, sir.
Q How long were you considering the case altogether?
A I could not say as to that, I think we were on it two or three days anyway. I could not say positively now, they were a long time hearing the testimony.
Q There were only two or three witnesses examined all told, were there?
A Two or three I think, they had quite a lot of affidavits, I did not consider them.
Q The Court was a good while arriving at its conclusion after the case was closed?
A Yes, quite a good while, I don't remember the exact time.

RE-DIRECT EXAMINATION:

Q You were asked who the interpreter the Commission had during the hearing of the Dawson case.
A Thomas Rogers, I forget his given name.

Q Do you know whether he is living or dead?
A I don't know, he commenced to be ill last month at the time we had the case up, I think they sent all about him to me and Mr. Dawson.
Q What was he, a [illegible]?
A He was considered a Cherokee by blood.
Q Do you know where he lived at that time?
A No, sir, he lived in the South part of the Nation though, I think in Sequoyah.

(Signed) T. F. Thompson.

Copy of Ex. 'A' to T. F. Thompson's testimony.

CERTIFICATE OF RECORD.

United States of America,
Indian Territory,
Northern District.

I, Marshall L. Bragdon, Clerk of the United States Court in the Indian Territory, hereby certify that the instrument hereto attached was filed for record in my office the 9 day of March, A. D. 1893, at 10-30 o'clock A. M. and duly recorded in book C. Misl Record Wrtg. & Liens, Page 339,

Witness my hand and seal of said court at Muscogee, in said Territory this 16 day of March, A. D. 1893.

(SEAL) M. L. Bragdon,

Clerk.

Transcript to which this is attached, endorsed on back as follows:

"No. 102, Robt. Dawson et al, VS the Cherokee Nation, Transcript of Judgment, Filed Mar. 9, 1893 10-30 A. M. Marshall L. Bragdon, Clerk.,

OFFICE OF COMMISSION ON CITIZENSHIP,
TAHLEQUAH, CHEROKEE NATION, JANUARY 11th, 1893.

Robt. Dawson, F. M. Dawson, Elbert Dawson, Jasper Dawson, John Dawson, Josephine Dawson, Joseph Dawson, Jane Dawson, Molly
No. 102 Dawson, Wilburn Dawson, James Dawson, Mial Dawson,
VS,
The Cherokee Nation.

And now on this, the 11th day of January, A. D. 1893, this case coming on for final hearing and all the evidence produced in the case being carefully read and duly considered by the Commission, it was adjudged and determined by the Commission on Citizenship, that the claimants, Robt Dawson, F. M. Dawson, Elbert Dawson, Jasper Dawson, John Dawson, Josephine Dawson, Joseph Dawson, Jane Dawson, Molly Dawson, Wilburn Dawson, James Dawson, and Mial Dawson, are Cherokees by blood; and that they are entitled to all the rights and privileges of Cherokee citizens within the Cherokee Nation, and that they should be, and they should be, and they are hereby

entitled to the full and complete enjoyment of the same in all respects as native born Cherokees.

D. W. C. Duncan,) Thomas Tehee, President of Com.
Clerk of Commission.) Alex Wolf,) Commissioners.
T. P. Thompson,)

I hereby certify that the above is a correct transcript of the decision of the Commission on Citizenship in the above entitled case as appears of the record in my office.

D. W. C. Duncan,
January 11th, 1883. Clerk of Commission.

Executive Department,
Tahlequah, Cherokee Nation,
January 11th, 1883.

I hereby certify that the within named Commission on Citizenship, composed of Thomas Tehee, President, Alex Wolf and T. P. Thompson, are now and were at the time the within named persons were admitted to Cherokee Citizenship, a duly authorized and Commissioned Commission on Citizenship, and that their actions as such are legal and binding.

Witness my hand the
Witness my hand and the seal of the Cherokee Nation, on the date above written.

John L. Adair,
Asst. Ex. Secretary.

United States of America,
Indian Territory,
Northern District,

I, Lewis T. Martin, a Notary Public in and for the Northern District of the Indian Territory, duly appointed, qualified and acting as such, do hereby certify that the above and foregoing two pages, consisting of this one and the preceding one which is attached hereto, is a true, complete, and perfect copy of the transcript of the judgment of the Commission on Citizenship as the same was presented to me during the examination of T. F. Thompson as a witness, and identified by me at the time by writing thereon "Exhibit A" to testimony of T. P. Thompson, L. T. M. - N. D. Oct. 4, 1900. The foregoing copy having been carefully compared by me with the said original.

Given under my hand and seal of office as such Notary Public, this 4th day of October, A. D. 1900.

(SEAL) (Signed) Lewis T. Martin.

Notary Public.

My commission expires Feb 3rd. 1902.,

D. F. C. Duncan being produced by the applicants after being sworn to testify to the truth, the whole truth and nothing but the truth testified as follows:

DIRECT EXAMINATION BY C. B. DENISON:

Q Please state your name, age, residence and occupation?
A My name is D. F. C. Duncan, my age is 70 years, my residence is Vinita, Indian Territory, my occupation is a farmer.
Q How long has that been your place of residence? A Since 1874.
Q Are you a member of the Cherokee Nation as it is now constituted?
A Yes, sir.
Q Upon what is your citizenship based, a Cherokee by blood?
A Yes, a Cherokee by blood.
Q In January 1883, did you hold any official position in the Cherokee Nation, if so, what was it?
A About that time I held the position of Clerk of the Citizenship Court or Commission.
Q If you remember the names of themembers of that Commission or Court, please give them?
A The President of the Commission was Tehee I believe, and a member by the name of Wolfe whose first name I don't recollect, and Mr. Thompson here.
Q T. F. Thompson?
A Yes.
Q Do you know whether these three members of that Commission were recognized citizens of the Cherokee Nation, and whether their citizenship was based upon blood or not?
A They were supposed to be citizens of the Cherokee Nation and their citizenship was based upon their blood.
Q Will you please look at the paper now handed you which the Notary has marked exhibit "A" to the deposition of Mr. T. F. Thompson, and a copy of which he will attach to Mr. Thompson's depositions, and state whether with the exception of the certificate of M. L. Bragdon, Clerk, and of John L. Adair Asst. Ex. Secretary, you recognize the paper as one you have ever seen before?
A Yes, I think I have seen this before.
Q When, and where, if you remember, did you first see that paper?
A This is a paper I drew up at the time I was acting as Clerk of the said Citizenship Court.
Q Looking at its date, was it drawn at you at the time it bears date?
A To the best of my recollection it was drawn at the date specified.
Q Do you recognize the signature to the certificate attached to that paper?
A Yes, that is my signature.
Q State if you know, in whose handwriting the body of the paper is?
A It is in my handwriting.
Q And at that time you were Clerk of that Commission? A Yes.
Q Will you please look at the signatures of the members of the Commission as they appear on that paper, and state if you can, by whom they were written?
A I think the first two is my handwriting, the last I recognize that as T. F. Thompson's.
Q Explain please, how you came to write the signatures of Thomas Tehee and Alex Wolfe to that paper?
A Thomas Tehee and Alex Wolfe were full bloods and could not write, and in their presence, and at their request I wrote their signatures.

Q ...e that the usual manner of certifying to the action of the ...mission to applicants as to the decision of their application ...r citizenship, where admitted?
A ... all instances where it was necessary for the Court to sign ... paper of any kind it was adopted by that Court for the Clerk ... sign Tehee's and Wolf's names and T. P. Thompson to sign his ... name.
Q You didn't catch exactly my idea, but perhaps that answered it, ... I intended to call you attention to, was whether when ...plicants had been admitted to citizenship a paper of this kind ... shown you, signed by the judges as you have explained, and ...lled by you as a transcript of the proceedings was issued?
... My recollection is that a transcript of the judgment was issued ... the applicant when they were admitted at their request, the ... was entered upon the record when they were admitted and ... the judges, and whenever the transcript was delivered ... parts I think it was signed by the judges.
... you had any knowledge at the time the application of the Dawson ... M. and others whose names are mentioned in tht paper, ...ding before that Commission, or before or after, of any ...rruption or bribery, or attempted corruption or bribery of the ... or any of its officers, by F. M. Dawson, or any person connected ... manner with the clair of the Dawsons to citizenship in the ... nation, state it fully?
A I never heard a thing of the kind, I know nothing of the kind, ... that I have ever heard about a question of hat kind is what has ...ccurred recently, since the enrollment business has been ...vestigated.

CROSS-EXAMINATION BY W. T. HUTCHINGS:

... as you certify, this paper was a transcript of the record, ... did you have the judges sign it?
A I know no reason further than that was the practice at that time, ... members of the Court being present I presume it was thought ... would be as good or better than the signature of the Clerk.
Q Examine that signature of Mr. Thompson, examine the first T in ... name and the T in Tehee's name and see if it is not all your ... handwriting?
A No, I would not call that mine, there is a resemblance between the letters but I am satisfied it is a mere fortuity, accidant.
Q How was the evidence taken in those cases?
A It was taken by the witness being present and detailing his knowledge of the case, I wrote it down sentence by sentence as it was delivered.

... you know whether that evidence is in existance or not?
A ... not, the last I saw of it was when I turned the records ... to the executive office at Tahlequah, and I have not seen it ...
Q You say you never heard any talk about this being an improper ... and very recently?
A ... that would depend upon what you mean by recently, I don't ... I ever heard of it prior to three years ago, I can safely say that did not.

Q Do you remember through what ancestor they claimed their right to citizenship here?

Objected to by applicants because the question tends to elicit testimony which is wholly incompetent and irrelevant, and because it is not proper cross-examination.

A They claimed their right of citizenship through a man by the name of Rogers, I don't recollect his first name.
Q Do you know how many Rogers families there are who have citizenship in the Cherokee Nation?
A I do.

(Signed) D. W. C. Duncan.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT,

I, LEWIS T. MARTIN, a Notary Public in and for the Northern District of the Indian Territory, do certify that the foregoing depositions of T. F. Thompson and D. W. C. Duncan were taken before me at the time and place named in the action mentioned in the caption, and said T. F. Thompson and D. W. C. Duncan, having been first by me sworn that the evidence they should give in this matter should be the truth, the whole truth and nothing but the truth, and that their statements were reduced to writing by me on the typewriter in their presence; the claimants being present in person and by their attorney C. H. Jennings, and the Cherokee Nation being represented by W. T. Hutchings, Esq., its attorney,.

Given under my hand this 4th day of October, A. D. 1900.
(SEAL)

(Signed) Lewis T. Martin,

Notary Public.
My commission expires 3/3/1902.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., April 8, 1903.

In the matter of the application of Francis Marion Dawson et al for enrollment as citizens of the Cherokee Nation,. He being sworn and examined by the Commission, testified as follows:

Q What is your name? A Francis Marion Dawson.
Q How old are you? A Soon will be sixth years old.
Q What is your postoffice address? A Afton now, it used to be Oseuma.
Q What was the name of your wife? A My first wife was Julia Ann Howard.
Q She was a white woman? A Yes, sir.
Q When were you married to her? A I think it was the 8th of January, 1864.
Q Where were you living at that time? A In Arkansas.
Q Who married you? A A man by the name of Dave Sturdy.
Q Was he a preacher? A Yes, sir.
Q A Minister of the Gospel? A Yes, sir.
Q Did you and she live together as husband and wife up to the time of her death? A Yes, sir.
Q Did you have any children by her? A Yes, sir.
Q What are their names? A William R. Dawson.
Q The next one? A Francis Marion Dawson Jr.
Q The next one? A Johnnie.
Q The next child? A Elizabeth.
Q The next one? A Arizona Allred.
Q Those are all the children you had by your first wife? A Yes, sir.

Joseph R. Dawson, being sworn and examined by the Commission, testified as follows:
Q What is your name? A Joseph R. Dawson.
Q How old are you? A I will be 51 the 13th day of June.
Q Are you related to the applicant here in this case, Francis M. Dawson? A Yes, sir.
Q How are you related to him? A Brother.
Q Did you know his former wife, Julia? A Yes, sir.
Q Is she living or dead? A She is dead.
Q Was she a Cherokee or white woman? A I couldn't say what: She they married in the states.
Q Do you know when he was married to her? A Yes, sir.
Q When was it? A About the close of the war.
Q Who married them? A Parson Sturdy.
Q Were you present when they were married? A Yes, sir.
Q Did they continue to live together as man and wife up until the time his wife Julia died? A Yes, sir.

John K. Stevens, being sworn and examined by the Commission, testified as follows:
Q What is your name? A John K. Stevens.
Q How old are you? A 56 years old.
Q What is your postoffice address? A Afton.
Q Are you acquainted with the applicant here in this case, Francis M. Dawson? A Yes, sir, as we call him, Mud Dawson.
Q How long have you known him? A My first acquaintance with him was in '61.
Q Did you know his first wife, Julia? A Yes, sir.

Q Do you know whether or not they were married? A Yes, sir, they were married.
Q Were you present at the marriage? A No, I wasn't present at the marriage.
Q Did you see them soon after their marriage? A Yes, sir.
Q Did you continue to know them for any length of time afterwards? I knowed them as long as she lived.
Q During the time you knew them did they live together as husband and wife? A Yes, sir.
Q Were they recognized in the community as such? A Everybody recognized them.

This testimony will be filed with and made a part of the record in the following Cherokee cases:
Arizona Allred et al D-585, John Dawson, D-580, William R. Dawson D-581, Lizzie Dawson D-584 and Francis M. Dawson Jr. D-588.

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I, the undersigned stenographer to the Commission to the Five Civilized Tribes, do hereby certify that I recorded the proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

(Signed) E. C. Rothenberger.

Supl.-C. D. #324.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 17, 1902.

SUPPLEMENTAL TESTIMONY in the matter of the enrollment of FRANCIS M. DAWSON, ET AL., as citizens of the Cherokee Nation:

The case having been set for final hearing March 17, 1902, the following proceedings are had:

APPEARANCES:
Mr. A. S. McKennon, of counsel for applicants;
Mr. W. T. Hutchings, of counsel for Cherokee Nation.

Mr. Hutchings: Comes now the Nation on the calling of this case and announces that it is ready for trial, provided permission is given to hereafter examine before the Commission, either at this place or Fort Gibson, the witness S. H. Benge, who has been regularly summoned to attend at this day and time but who is too sick to travel at this time and probably will be for some time to come. As evidence of a good faith of the Nation we hereby present an affidavit of the facts sought to be proven by the said Benge. If the applicant's counsel are willing to concede that the witness if present would testify to the facts herein set forth, the Nation is ready to proceed to trial without reservation of any kind. If they are not it desires to reserve this privilege of hereafter, either tomorrow or otherwise, this case being set for to-day and tomorrow, of examining before the Commission, or its authorized officer, this witness as above set forth.

Mr. McKennon: Applicants object to the introduction of the paper presented and do not admit that the witness, Samuel H. Benge if present would testify to the facts therein stated. They consent and desire that the testimony of said Benge be taken before the Commission at its office in Muskogee but not elsewhere, and protest against it being taken at any other place, with the understanding, however, that when taken we have opportunity to introduce any evidence we may desire in rebuttal.

Mr. Hutchings:
The Nation will pay all the expenses of the opposing Counsel, their client and Commission officers in taking the deposition at Fort Gibson.

Commissioner Brookinridge: The allegations of this witness are material in their character and are quite tangent. The Commission of its own volition would acquire information of that character if it knew of its existance anywhere. While the functions of the Commission, as well known are in many respects judicial, yet it is bodied with somewhat complex powers, such as Congress creates from time to time to do business of certain character, and it is ordered to make a correct roll, which is a duty largely independent of hearing simply what is brought before them; it must be the architect and constructor of that roll and if evidence is not brought before before the Commission it must go out and get it, to be uniform on that construction of the law. The Commission, therefore, desires this information independent of any counsel on either side both with respect to the applicant and to the Nation, and if this witness is

is not able to come one of the Commissioners will go to Fort Gibson and to his bed-side, or make a proper official, if necessary to take his testimony. The only matter to consider, therefore, is one of convenience with respect to getting this testimony. Now, I understand that this witness is an extreme sufferer from Bright's Disease he is an old man and he may never be able to get out of the house, and it may be an injustice to him to subject him to a trip here, and therefore it seems to me better that counsel for plaintiff submit to a form of taking a deposition or else accompany an official of this Commission over to Fort Gibson and let his testimony be taken there.

After consultation with the attorneys upon the two sides it is found to be agreeable that the parties start to Fort Gibson tomorrow morning at half past eight o'clock, and it is agreed then and directed with an official of the Commission with a stenographer leave from the office of the Commission for Fort Gibson at 8:30 tomorrow morning.

FRANCIS M. DAWSON, the applicant, re-called for additional cross-examination on part of the Cherokee Nation:

MR. HUTCHINGS:

Q What is your name? A Francis M. Dawson.
Q Where do you reside? A In Afton.
Q You have been examined in this case heretofore, have you?
A I don't know which case it is.
Q In your own case? A Yes, sir.
Q Are you the one that is commonly called Bud Dawson? A Yes, sir.
Q You made the original application in the Dawson family for admission to citizenship in the Cherokee Nation, didn't you? No, sir; my brother.
Q What was his name? A A. F. Dawson.
Q You and Robert Dawson and Elbert Dawson and others applied September 24, '81, about that time? A Yes, sir.
Q And you were admitted about thelth of January '83? A Yes, sir.
Q There were other members of your family that applied and were admitted after that time? A Yes, sir.
Q Do you or not remember the evidence offered in theirs to substantiate their cases was the relationship between yourself and Robert and others and the evidence of your admission by the Tehlequah Court. In all the subsequent admissions I mean the only evidence offered was the fact that you and your brothers had been admitted before and that they were kin to you; that was the only evidence offered in any subsequent cases, wasn't it; so far as you saw?
A That is afterwards?
Q Yes, afterwards? A I think there was some other evidence introduced.
Q Don't you know that there was never any evidence offered in any other case except evidence of Dr. Baker of Arkansas? A Yes, sir.
Q Who else? A Oliver Miller.
Q Who was Oliver Miller; the people in this case have been somewhat confused and mutilated? A Oliver Miller lived in Arkansas.
Q What was he, who was he? A He is no kin to me at all.
Q Well, what station in life did he occupy; was he a farmer?
A Yes, sir, farmer.
Q Were you present when he testified? A Yes, sir.
Q Were you present when Dr. Baker testified? A Yes, sir.

Q Have you a fair recollection of the testimony of those two men?
A No, not at all.
Q You don't read do you, Mr. Dawson? A No, sir, I dont read nor write; I can barely write my name.
Q Do you think you would remember the testimony of Dr. Baker if your mind was refreshed on it? A Part of it I think.
Q Were you present when you were admitted? A I was not in the room.
Q You were in Tahlequah at the time? A I was in the town of Tahlequah at the time.
Q I will read this paer to you and desire for you ro say whether or not it was the testimony of Dr. Baker in your case:
(Affidavit of Dr. Arthur Baker read to witness, and asked to be copied in the record later.)
Q Is that the correct transcript of the testimony? A It has been so long ago, I could not say; a part of it is, I could not remember it all.
Q Does that state the facts as to the family history correctly so far as you know about it? A So far as I know.
Q Now, you were a son of what Dawson? A Robert Dawson.
Q How many children did Robert Dawson have, and give me their names?
A Elbert Dawson, the oldest; Lila, Jesper, Francis Marion-
Q That is yourself? A Yes, sir; Elizabeth Dawson, Josephine Dawson, John Dawson, Joseph Dawson, Jane Dawson, James Dawson, Edna Dawson, Mollie Dawson, Filburn Dawson.
Q Thirteen? (No response.)
Q Now, Rober Dawson's father was whom? A Sam Dawson.
Q Who was Sam Dawson's wife, your grandmother? A I have been told.
Q By family history is all you know? A She was called Polly Dawson.
Q Who was Anna Pruitt? A I don't know.
Q Never heard of anybody in the family by the name of Anna Pruitt? A No, sir; that was away back in the old country; I have heard talk about it, old Dr. Baker talked about it.
Q Your grand-mother's name was Polly Dawson? A Yes, sir; I don't remember seeing her but once, she died when I was small, died in Texas.
Q Pollie Dawson? A Yes, sir.
Q And she was known to be Pollie Rogers, her maiden name? A Yes, sir.
Q Daughter of Captain John Rogers? A Yes, sir.
Q Now, she died in Texas what time? A I don't remember.
Q Can't you guess at it? A Oh, I could guess.
Q Give your best recollection? A About '58 or '59, or no, '46 or '49; I don't say positive, just guessing at it.
Q How old a boy were you then? A I was born in '42.
Q Have you any distinct recollection of her? A No, sir.
Q Have you any recollection of all the children of Sam and Pollie Dawson; that is, your father, uncles and Aunts? I didn't see all of them.
Q Do you know by family history the names of all of them? A Yes, sir.
Q Will you give them to me?
A Betsy Ann Dawson, I believe her name was.
Q Did she marry a Petty? A Yes, sir; the next is Robert Dawson.
Q Your father? A Yes, sir.
Q Next one? A I think the next was James Dawson, and I think the next one was a girl, Edna Dawson.
Q Did he have two daughters? A Yes, sir.
Q Well sir? A The next one was Joe Dawson: I never saw him; Riley Dawson.

Q That is Samuel P. Dawson, Riley Dawson? A Yes, sir.
Q Any other one? A That is all I know anything about.
Q Did he have any child by the name of John? A Yes, Jack.
Q Didn't you get Jack misplaced with Joe? A No, it was Joe; I have heard my father speak of him.
Q Then they have seven children? A I never saw them all.
Q How many of them did you ever see? A I seed uncle Riley Dawson and James Dawson and Jack Dawson and Betsy Ann Petsy; I don't think I saw but one of Pa's sisters and brother, they went to Mississippi I think.
Q Do you know what your family history says that the mother of your grandmother, Pollie Rogers' name was? A We have no history.
Q Well, as it was brought down to you; did you ever hear anybody say what your great grandmother's name was? A No, I don't remember.
Q What is that other man, Oliver Hillerthat testified in your case? A He testified in James Dawson's case; he never testified in my father's case.
Q Well, didn't anybody testify in your case but Dr. Baker?
A Yes, sir, several other witnesses.
Q Who were they? A I don't remember; my mother got them witnesses around Tahlequah, old people.
Q Were you present? A No, sir.
Q You were only present when Dr. Baker testified? A Yes, sir.
Q Now, do you find any mistakes in Dr. Baker's statement there? A I could not say all of them was correct or not, part of it is correct.
Q What part is correct? A My about knowing the family over there.
Q Who is Buck Dawson? A My brother.
Q What is his name? A We always called him Buck, it is Elbert, E. Dawson.
Q Who went with you the first time you went up to make application for citizenship do you remember? A With my brother.
Q The first time? A I met my brother in Texas.
Q Which one? A E. Dawson.
Q That is Elbert or Buck? A Yes, sir.
Q You were living in Arkansas? A Yes, sir.
Q And he was living in Texas? A Yes, sir, and another one of little brothers, Dr. Dawson now:
Q Dr. Dawson now? A Yes, sir.
Q What is his name? A James.
Q And you three went there? A Yes, sir.

Mr. McKennon: Applicants by their counsel object to all the statement of this witness relating to the testimony introduced before the Cherokee Citizenship Commission, and the history of the family as detailed by him, because the same is incompetent and irrelevant, and cannot be used for the purpose of impeaching the integrity of the judgment of said Commission, or either of the Commissioners in admitting members of the Dawson family.

Commission: The objection of the Attorney for the applicants to the testimony above will be noted. The same will be filed and noted for what it is worth.

(Attorney for applicants waives examination.)

C. H. TAYLOR, being duly sworn, testified as follows on part of the Cherokee Nation:
MR. McKENNON:

Q State your name? A C. H. Taylor.
Q Where do you reside, Mr. Taylor? A Near Coffeyville.
Q Were you an attorney before various citizenship Courts along in '21 to '8' in the Cherokee Nation at Tahlequah? A Yes, sir.
Q Were you attorney for F. M. Dawson commonly known as Bud Dawson? A Yes, sir.
Q Were you present at the taking of testimony in that case? A No, sir; I wasn't present.
Q Do you know who composed the court that decided the case at that time? A Yes, sir.
Q Who were they? A Tom Tehee and Alex Wolfe and Tommy Thompson.
Q Do you know whether or not they were all there when the case was decided? A No, sir, there were only two of them present.
Q Which two? A Tehee and Wolfe.
Q Who was the Clerk of the Court at that time? A Mr. Duncan, D. W. C. Duncan.
Q Do you know what witnesses were used in the case of Bud Dawson? A No, sir; now I was the attorney in the case and the evidence had already been filed before the Court.
Q When were you made attorney? A I was only called in as an attorney at the— Well, Mr. Duncan came down there, and Mr. Bryant had the case and several other attorneys had the case and he employed me.
Q Did you read the evidence in this case? A No, sir.
Q Did you deliver any money? A Now, I was the attorney in the case and I don't think it would be right for me to make any statement.
Q Now, you have claimed your privilege, I ask that you answer the question? Did Dawson ever send you any money with the direction to pay it to either member of the Court or the Clerk of the Court, D. W. C. Duncan, and if so state the amount? A I had a heap of trouble over this matter.-

Commission: Just answer the question, Mr. Taylor.

A Again, the attorney I don't believe it is right for me to answer that question.

Commission: Do you refuse to answer? A Yes, sir.

Q Did the matter to which you object to testifying occur prior to the rendition of the decision admitting to citizenship or afterwards? (No response)

COMMISSIONER BRECKINRIDGE:

Q Do you decline to reply to the last question? A I don't think it is right; I was attorney in the case.
Q Mr. Taylor, do you object to answering that question? A Yes, sir.
Q You refuse to answer that question, do you? A I had rather not answer it.

Q Either answer it or say you won't answer it? A I had rather not answer it.
Q Mr. Taylor, you have answered a number of questions down to this point, but it is at this point that you prefer to plead your privileges, as an attorney, do you? A Yes, sir.

Com'r Breckinridge: The power in regard to these matters is lodged in the United States. The Court is clothed with special power with reference to matters with arise through this Commission. Of course the Commission desires and the Government needs for the making of a correct roll the fullest information possible, but it is subject to the limitation of law, and it is not for this Commission to decide of the law in a matter of this character with any authority as I understand it at this time, but to report the matter to the United States Court and let the Court pass judgment.

Under Section 21 of the Curtis law as it is commonly called Act of June 28, 1898, the Members of the Commission shall in performing all duties required of them by law, have authority to administer oaths, examine witnesses and send for papers and persons, and the court is clothed with authority to enforce obedience. The law having enumerated certain powers goes on to say so far as all others are concerned to enable said Commission to make rolls as herein required, and to punish anyone who may in any manner or by any means obstruct said work. Now, the Commission will report the facts to the United States Court and let the Court decide whether or not you are with in your lawful privilege. It seems that you refuse to answer questions, or at least one question, which tends to establish as to whether or not you are claiming what what is commonly considered a matter of privilege--according to an authority referred to by an attorney, but the enforcement of an answer seems clearly to be a matter for the Court to deal with.

Q Now, Mr. Taylor, in regard to the last question asked you by Mr. Hutchings, one of the Counsel for the Cherokee Nation, I direct that you make answer, and if you refuse I shall report the matter to the United States Court: do you refuse? A Yes, sir.
Q Now, you have read to you, Mr. Taylor, the first of the two questions propounded to you by Mr. Hutchings, and which you declined at the time to make answer; viz; as to whether Mr. Dawson sent you money to pay to the Court or to any officials of the Court, it seems to come to the question as to whether there was any collusion between you and Mr. Dawson and any member of the Court; now, I understand that you refuse to answer that question upon the grounds that you were Mr. Dawson's attorney? A Yes, sir.
Q Now, I require that you answer that question, do you refuse? A Yes, sir.
Q I shall also report that refusal to the United States Court as it seems to come under the provision of law, relating to conspiracy between you and Mr. Dawson which apparently considered a privilege matter, and you base your refusal now, not upon the ground that you are incriminating yourself, but that you were counsel for Mr. Dawson. I will report the matter to the Court and you will be informed at the time of any proceedings in the matter I caution you not to talk with Mr. Dawson or may of the applicants in this case.

Mr. McKennon: Applicants do not object and have not objected to the witness answering on account of his privilege as an attorney or for any other cause whatever, they only want to object to the incompetence and irrelevancy of the testimony, with the privilege of cross-examining upon any testimony given by the witness.

COM'R BRECKINRIDGE:
Q You still refuse having the consent of the attorneys in the case to make answer? A I will just ask your Honor to let the matter go over until morning.

Commissioner Breckinridge: It will rest until in the morning at its present status; it is after business hours now.

As for the objection made by Captain McKennon, Counsel for the applicant, it will be taken into consideration, but will not be granted at the present.
(The Commission adjourns until 1:30 P. M. to-morrow afternoon, March 13, 1902.)

Supl.-C. D. #324.

Department of the Interior,
Commission to the Five Civilized Tribes,
Fort Gibson, I. T., March 18, 1902.

SUPPLEMENTAL TESTIMONY in the matter of the enrollment of FRANCIS M. DAWSON ET AL., as citizens of the Cherokee Nation:

Appearances:
Mr. A. S. McKennon, of Counsel for applicants.
Mr. W. T. Hutchings, of Counsel for Cherokee Nation.

SAMUEL H. BENGE, being duly sworn, testified as follows on part of the Cherokee Nation:
MR. HUTCHINGS:

Q State your name? A Samuel H. Benge.
Q Where do you reside? A Fort Gibson.
Q How old are you? A I am 70 years old, going in 71.
Q Are you a citizen of the Cherokee Nation? A Yes, sir; Cherokee by blood.
Q State what official position you have held in the Cherokee Nation and what your general connection with the Nation officially in the last 40 years? A Well, I had several; I have been Sheriff, Councilman, Senator, Delegate to Washington; had a hand in making the treaty of 1866, I am the only one living that signed that treaty; President of the National Council of different tribes of Indians.
Q Were you acquainted with F. M. Dawson, commonly called Bud Dawson? A Yes, sir; I knew him.
Q State you connection with and what you know about his citizenship case before what is known as the Thomas Tehee Citizenship Court? A Mr. Dawson come down, I was living down below here, he come and employed me to tend to his case and we went to Tahlequah, I believe if I ain't mistaken in 1881 and filed his case there; we went several times and continued his case on for the want of evidence, and finally while we was up there we run across one old darkey by the name of Tosh Rogers; we got his testimony and after we got that testimony we concluded that it was sufficient to go into the trial with. Tosh lived here at Fort Gibson, he was a horse trainer down here and stayed here; he claimed that he knew the Rogers and belonged to one of them and after that we thought we had sufficient evidence we submitted our case to the Court for trial, and the Court went to work and rendered a decision against Mr. Dawson. I told Mr. Dawson right there that "our cake is dough", just made that remark, and he just made the remark "never mind", and next morning they taken up his case again and they rendered a decision in his favor. I filed no motion nor any evidence at all whatever; I give the case up right there and the decision was then given in his favor, and on our way back from Tahlequah, why we got to talking about the case and I told him: "it was a pretty hard blow when they rendered that decision against us." He said: "yes, but Duncan was the man to reach", but he reached him with five hundred dollars.
Q What position did Duncan occupy? A He was Clerk of the Court.
Q Duncan an educated man or—? Yes, sir; he was an educated man.
Q Who were the members of the Court? A Tom Tehee, Alex Wolfe and Tom Thompson.
Q How many of these could speak English at all? A One.
Q Which one? A Thompson.
Q Who was the Attorney that represented the Nation in those cases?
A Wm Sanders.

Q What was his given name? A Wilson Sanders; was it Wilson Sanders?
A Wilson Sanders.
Q Was he an educated man, or could speak English well? A No, sir.
Q Did Mr Dawson say anything about the matters having cost him a good deal of money? A He said it had cost him a right smart.
Q Was any remark made on the way back about the opening up of the case, and if so, what? A He asked me if I thought the case was ever investigated eventially and I told him I didn't know.

MR McKENNON:

Q Were you ever a witness in the Dawson case, Judge, in any of those investigations that have been made since that time? A I don't know that you might call it a witness; that young man come to me once at Tahlequah, and asked me to help him up there that the case was going against him, him and his mother and all was about knocked out and I interceded and done what I could there befo e the Committee. I was not a witness but that is at I don't for him.
Q That was Mr. Graham, wasn't it? A Yes, sir.
Q Have you had conversations with Mr. Grahar since that time about it? A Now, I might, I don't recollect, I might have had conversations with him.
Q Well, after the Dawes Commission began taking a census of the Cherokees and when they we about Sallisaw down here, did you have a conversation with him here in Fort Gibson about the matter?
A Now, I just can't tell you; I have seen him on several occasions, but the conversations we might have had I can't state.
Q To refresh your memory I will ask you if he did not tell you that they were making a fight on the Dawson farily and he wanted to know of you whether that judgment in favor of Robert Dawson's family was fairly rendered, and did you not then tell him that it was all right, that it was fairly obtained? A Not as I recollect of; all he said; that is as I have stated he talked to me in regard to his mother, himself and probably his brothers and sisters, I don't recollect how many there were, but he told me they were rejected, that is just the words he used.
Q When? A It has been sometime ago.
Q Was it in Fort Gibson? A Well, that is I saw him here in Fort Gibson. Sometimes I saw him in Tahlequah.
Q Well, did he here in Fort Gibson ask you particularly about the Robert Dawson judgment, as to whether it was fairly obtained or not?
A He said; he was basing his claim on the Dawson case, that is the way.
Q That is the principal Dawson family? A Yes.
Q When was this other written statement here made, when was this made by you? (referring to affidavit heretofore referred to.)
A Yesterday I reckon.
Q Who came to take this? A Mr. Starr.
Q Who else was present when this was taken? A No, sir.
Q Who had you told about this matter, Judge? A No one as I know of.
Q Do you know how it was that they knew that you knew this?
A No, sir.
Q You never made any statement? A Never made any statement that I recollect of except I might have talked with Scales, he and him talked about these cases a good many times; if I ever made a statement it was to Joe Ab Scales.
Q How did Mr. Starr know? A I could not tell you how Mr. Starr knew.

Q He came alone here as a Notary Public? A He came alone here as a Notary Public. All he said when he come, he says "we understand that you know something in regard to these cases", I said " what case," and he went to work and named Shoemake case and Dawson case.
Q And thereupon you made this tatement? A He said he wanted to qualify me.
Q Are you certain Judge that after the rendition of tat judgment Mr. Dawson came back here to Fort Gibson with you?
A Yes, sir; we was together.
Q Let me ask you if it was not a very cold day when he came here and he went over ahead of you and you went over to Tahlequah the next day or two after he left? A My recollection was he and I went together.
Q And returned here together? A Yes, sir.
Q Did he not leave you there and go back direct to Arkansas?
A No, sir, we came here together. If my memory serves me right, I might be mistaken but then I don't believe I am, he came from Webbers Falls up here to my house, that is according to his statement.
Q What amount of fee did they pay you? A I don't know as that is in connection with the case whatever the money they paid me.
Q How didthey pay you? A Paid me the money.
Q Who paid it to you? A Dawson there and that fellow, young fellow paid me some.
Q Mr. Grahan? A Yes.
Q At the same time? A Oh, no, he wanted me to intercede for him at Tahlequah and paid me to do something for him which I did.
Q I will ask you if Mr. F. M. Dawson here did not obtain two copies of the judgment one of which you sent in a letter in which you wrote to his brother living in Texas and that brother in Texas, the one they called Buck, didn't send you $50 that they paid you? A No, if I ever got a letter of Buck whatever you might call him, I don't recollect it and if I ever got a nickel from him I don't recollect it. Old man paid me what money I got from it. I don't know nothing about his brothers; he told me he had an uncle living over in Arkansas, but not living down in Texas, I don't know about it.
Q Where did he pay you the money? A Paid it here at home.
Q Before you went out? A He paid me fifty dollars before we went up and when we went up yonder he paid me fifty dollars more; if you want to know what I got, I got one hundredn dollars.
Q You were acting as his attorney in the case? A Yes, sir.
Q How many judges were there present when the judgment was rendered? In his case?
Q Yes, sir. A Well, according to my recollect there was all there, but if they were not all there, Tom Thompson was sick. Tehee and Wolfe.
Q Don't you remember that they were all present? A No, I think they were present though.
Q Who else was present at the time? A Oh, I could not tell you, there were several people in the house; could not tell you at all.
Q Were there several in the house the evening before the judgment was rendered against them as you say? A Yes, there were several in the house.
Q And several in the house when the judgment was rendered the next day? A I don't know how many there was.
Q Do you remember the names of any of them? A Why not exactly, mostly full bloods.
Q How long didyou remain out at Tahlequah on that trip?
A I guess I was there about three days.

Q Tending to this case alone, or did you have other cases? A no, sir.
Q Do you know of your own knowledge that the judges received any money (this question asked at the instance of Mr. Graham present) A I don't know whether the judges received nay or not.

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I, J. O. Rosson, do hereby certify upon my official oath as stenographer to the Commission to the Five Civilized Tribes that I correctly recorded the testimony had this day in the above case, and that the foregoing is a true and complete transcript of my stenographic notes thereof.

(Signed) J. O. Rosson.

March 18, 1902. Commission convened pursuant to adjournment.

Appearances:
Mr. A. S. McKennon, of counsel for applicants.
Mr. W. T. Hutchings, of Counsel for Cherokee Nation.

C. H. TAYLOR takes the stand and continues his testimony.
BY MR. HUTCHINGS:

Q Mr. Taylor, you said you would consider the matter yesterday and let us know whether you would answer those questions today; have you decided what you would do about the matter? A Well, it is like this, of course I don't want to be held as in contempt of the Court.
Q You would be held in contempt and the other Court would make you answer? A That being he case of course I would make a statement.
Q Are you acquainted with D. W. C. Duncan, the Clerk of what is known as the Tehee Citizenship Commission Court? A Yes, sir.
Q Did you ever have any conversation with him about letting him know of the different character of cases that would come up before the Court that you knew of, whether they were good ones or bad ones? A No, the only thi g that ever come up in that respect; he asked me if whatever large cases that would come up befor the Court to let him know.
Q Did you have any talk with him about the Dawson case during the progress of its trial or before and ever introduced Mr. P. M. Dawson to him, or carry him to him? A I spoke to him when Mr. Dawson came to Tahlequah to see about his case, and he said that he would take the papers over to his room, the Dawson papers.
Q Did you see him again that night? A Yes, sir; after supper I went down to his room.
Q Did he ask you about the Dawsons or Dawson case? A He asked me where Dawson was.
Q Which Dawson are you referring to now, P. M. Dawson, known as Bud Dawson? A Bud Dawson.
Q Well, what didyou reply to him? A I told him that I thought he had gone to church.
Q Did you find Dawson after church? A Yes, sir, he told me to come and bring Dawson down and I did so; Dawson was in church.
Q You carried Dawson to him? A Yes, sir.

Q ... you remain during the conversation? A Only a minute.
Q What was said if anything while you were present? A Mr. Duncan ... Mr. Dawson and says "there is a hitch in your evidence."
Q ... and state what else he said? A He said "if that was straightened out it would be all right," and I turned and went away, I says, "gentlemen, I will go home."
Q Did you know of their having any other conversation or communication after that? A No, sir.
Q You left them there together yourself? A Yes, sir.
Q ... Mr. Dawson give you any directions the next morning about ... the case? A Yes, sir, he asked me to call it up the case.
Q ... next morning? A Yes, sir.
Q ... there any additional evidence offered? A No, sir; ... additional testimony offered.
Q ... next morning to call up the case? A Yes, sir.
Q ... and submitted the next morning? A Yes, sir.
Q ... the members of the Court were there present that ... ? A There were only two, two full-blood Indians.
Q ... speak english at all? A Tehee could talk a little, ...
Q ... have open sessions all the time or what is called ... sometimes? A Well, I don't remember about ... generally when the case was submitted to attorneys would ... parties would go out and they would determine the case.
Q ... did they go out to that sort of executive session the ... morning on the Dawson case? A Well, we went out when the ... was submitted.
Q ... was the decision rendered that morning in their favor?
A Yes, sir.
Q ... notified you of the decision of the Court? A Why, Mr. Dawson.
Q ... you remember whether he went out with you or was in there during the consideration of the case? A I think he went out with me.
Q ... at any time thereafter receive any money, checks or other evidence money from Mr. Dawson with direction to turn it in part over to D. W. C. Duncan, the Clerk of that Court? A Mr. Dawson gave me $50 dollars and said he would send the balance in a short time ... he would send some more money in a short time.
Q ... did he send any money afterwards? A Yes, sir, in the course of ten days or two weeks he send a hundred dollar check, ...
Q What did he direct you to do with it? A He directed me to give D. W. C. Duncan half of it.
Q Did you give him half of it? A Yes, sir.
Q Did he send you any at any other time after that? A Well, in the course of a couple of weeks he sent me a hundred dollars more.
Q Did he direct you to turn any of that and if so how much, to D. W. C. Duncan? A He told me to give him half of it,
Q ... give him half of it? A I did, sir.
Q ... remember whether or Dr. Arthur Baker was the principal ... in behalf of the Dawson case? A No, sir, I don't because I ... had any connection with the case, but I heard that he was ... in the case.
Q ... argument was made when you submitted the case? A No, sir.
Q ... just submitted it on the testimony? A Yes, sir.

MR. McKENNON:

Q Are you a citizen of the Cherokee Nation? A Yes, sir.
Q Were you born and reared in the Cherokee Nation? A No, sir: I ... born in the old Nation.

Q When did you come to the Cherokee Nation? A Come here in 1895.
Q How long have you been practicing law in the Cherokee Nation?
A I think since '88.
Q You have done a great deal of citizenship business haven't you?
A Yes, sir.
Q You were in the United States Court at Fort Smith on charges in regard to the citizenship business? A Yes, sir.
Q Were you convicted there? A Yes, sir; I was convicted there on this very case.
Q And served a term of what length? A I was sent to the jail hospital for sixty days and I stayed in about 38 or 39 days, and I was released.
Q When was that? A I don't remember how long ago it has been.
Q You say it was in regard to this case? A Yes, sir; this case was the bone of contention; Clem Rogers and the Chief, they are the ones that had me arrested, carried to Fort Smith.
Q Well, now, were you charged with an offense against the law in this case, or was it in regard to some other case? A Well, it was in regard to using the mail for fraudulent purposes.
Q Sending out propositions and obtaining case for citizenship for people [illegible] Cherokee Nation? A No, sir, it was for answering correspon[illegible].
Q Not relating to this case at all? A Well, this was the main charge, Clem Rogers went before the Court there and stated that I had got in at least three hundred Dawsons, that they were white people and not entitled to citizenship and that was the main trouble.
Q Well, now, was the charge based upon that or was it based upon your letters you sent out to other people? A That was the charge for using the mail for fraudulent purposes.
Q The use of the mails for fraudulent purposes not in connection of this case was it? A Not particular of this case.
Q Then the trouble you had was the prejudice of Clem Rogers and others caused by your connection with the Dawson case; that is what you mean to say? A Yes, sir.
Q Why did you say because you were charged with an offense based upon this case? A Well, the prejudice grew out of this case.
Q Now, then, you had full conversation with the representatives of the Cherokee Nation as to your testimony in this case, did you not before you came on the stand? A Yes, sir.
Q You had told them of these particulars before you came on the witness stand did you not? A Yes, sir.
Q Yet when you came on the stand you assumed to have conscientious scruples as to answering as to matters which occured between you and your client, Bud Dawson, in relation to this matter and declined to answer claiming your privilege as an attorney did you not? A Yes, sir; I didn't want to make a statement at all in the matter.
Q You had voluntarily made a statement to the representatives of the Cherokee Nation? A Yes, sir; I had stated to Mr. Hastings; he summoned me and I come down here and I didn't want to make a statement to him but he insisted.
Q He had no power to compel you to make a statement? A No, sir.
Q You could then make it very freely and your conscience did not hurt you, but when you came on the stand you were very conscientious about it? A I didn't want to make a statement at all unless I I would be put in jail here if I didn't.
Q But you had armed them with information by which they could ask you these questions when you came on the stand? A I had told Mr. Hastings.

Q You knew when you gave him that information that you would be brought on the stand as a witness, did you not, by reason of that?
A No, I didn't know that I would be compelled to make a statement in the matter, a sworn statement.
Q You thought you would not be compelled to answer?
A I didn't think the law would compel me to make a statement.
Q Why then did you make a statement to him about it? A Oh, he was asking me about it, and I told him that I didn't want to make a statement, and I didn't for quite a while after I came down here.
Q When the enrollment division of the Dawes Commission was in Tahlequah, in the winter of 1900, did you not there meet F. M. Dawson and did you not then and there say to him "I told Shoemake I would be for him if he would employ me in his case and if he didn't I would be against him, and the same to you?" A No, sir; I said to him this; I says that if there is not something done that I will likely be summoned against you and Mr. Shoemake both.
Q What did you mean by that? A Well, I just meant this, I just left the matter with him to say what he wanted to do in the matter; I only spoke a word or two about it. I was going out of town just as he came in.
Q When you told him if something was not done you would be summoned as a witness against him; what did you mean by that? A Well, I just meant that the chances were that the Nation would summon me against him.
Q What did you mean by the expression "if there was not something done" that you would be summoned as a witness?
A Well, I meant this, if I was re-employed in the matter if he was to have a case and I was re-employed I would not be required.

Q You could be required to make a statement as to declarations made to you by your client to you on one instance, but if a little more money was put up you could not be required to make a statement; is that what you meant? A I didn't think I could be forced to make a statement at all in the matter.
Q Why did you make that expression to him "if something wasn't done you might be summoned as a witness" if you believed you could not be made to make a statement? A I meant if I was employed in the case.
Q If he would put up you would not testify? A That they could not force me to testify.
Q About the month of February, 1901, in the town of Wagoner, Indian Territory, did you not send your son to get Graham to come to the hotel at night, and did you not then and there say to Gid Graham; "you people are on the doubtful list and if you will give me $500. I will make it all right and see that you are enrolled and if you don't I will see that you don't get on"? A No, sir; I got a letter from Gid Graham in which he asked me to certify that the case was all right and after I met him I told him that I could not do it, that the case was crooked, he then said to me, he says, "I will give you a hundred dollars", he says "will you take a hundred dollars," I said "no, sir." I didn't make any bid, that is I didn't set no price with him.
Q You did not say to him then what I have embraced in that question there? A No, sir.
Q You did have a conversation with him about that time and at that place, did you not? A Yes, sir.
Q You say you didn't make any bid or set any price? A No, sir; he offered me a hundred dollars.
Q Why did you send for him to come to the hotel? A In answer to his letter.

A Did you not on yesterday morning on the street in Muskogee, Indian Territory, in a conversation with E. M. Shoemake say to him: "You have made a great mistake in not keeping in your employment and so have the Dawsons and it will go hard with you but you will see it"? No, sir; I says to Mr. Shoemake, I says: "Who have you employed in your case," and he says "Judge Tansil and Mr. Owen." I said "It might have been a advantage to you if you had retained me in your matter;" Well, he says "there was nothing wrong in my case" and I says "no, there is nothing wrong on earth in your case that I know of." He said all he wanted was justice and I said "I don't know a thing on earth against you," and I says "there is not a thing on earth wrong in your case as I know it came up fairly and squarely and decided in your favor."

Q You said nothing to him about the Dawson case? A Yes, I said to him "it might have been well if the Dawsons had retained me in their case." I said "I am summoned on the part of the Nation and I don't want to make a statement and I want if I can possible avoid it."

Q Was that before or after you talked with Mr. Hastings, the representative of the Nation? A It was afterwards.

Q You meant by that if you had refused to answer you could have gone to jail? A No, sir; if they had employed me before hand I would not now.

Q You mean that if they had employed you before hand you would not have given this information to Mr. Hastings? A I would not be required, being the attorney.

Q Were you required to give him the information; did you know that you had to give him any information? A Who do you mean.

Q Mr. Hastings. A I did refuse him and he insisted.

Q Well, he no authority to compel you to do it? A No, sir; I don't know whether he did or not.

Q As a lawyer you knew that he did not have authority to compel you to make a statement to him? A I told him tht I was an attorney in the case and I didn't want to make any statement at all.

Q Why did you do it? A Well, he intimated to me it would go no further. He said to me "I will not make this matter — I will not use it;" that is, what I stated to him was part in confidence.

Q And he pledged you his word that it would not be used? A Well, told him I could make a statement in confidence, and that I didn't want to make a statement before the Court.

Q Well, what did he reply, as you said just now? A Oh, he says make the statement and then I told him—I regretted very much to do it, and I regret very much to make a statement here. I tried to avoid it yesterday.

Q You stated just now that he said it would not be used; did he say so or not? A Well, something to that amount: oh, he says it won't make any difference or something to that effect.

Q Now, don't you know that Mr. Hastings did not intimate to you that the statement he was asking you to make would not be used? A Well, I didn't think that I would be forced to make a qualified statement before the Court here, because I thought my license would protect me in that matter.

Q Yet it did not protect you or prevent you from making a statement to the attorneys for the Nation? A No, sir.

Q Now, in this conversation with Shoemake to which I before referred did you not ask him to again employ you and tell him if he would you would make it all right for him? A No, sir; I didn't say that; no, I said if he had employed me in the matter "maybe it would have been better for you." Now, he offered me when I was down here last week, he offered me five dollars to go down and talk to his lawyers on the matter, I didn't go I was busy.

Q That was not your price? A No, no, I had nothing to say in his case that would be to his advantage; I knew nothing against him.
Q Now, then, you say that your were present on the morning that the judgment was rendered in favor of the Dawsons? A I was not in the Court house.
Q You were present in Tahlequah? A Yes, sir.
Q How long had you been at Tahlequah? A I was living there at that time.
Q When were you first employed by them? A By Dawsons?
Q Yes, sir. A The evening before the case was tried.
Q You say that after he judgment was rendered Dawson handed you $20? A Yes, sir.
Q And told you to hand to Duncan? A No, sir.
Q What was your statement? A That he paid me $20 and says "I will send you some more in a short time, week or so.
Q And then he sent you $100? A Yes, sir.
Q And wrote you to give D. W. C. Duncan $50 of it? A Yes, sir.
Q And then sent you another $100 and told you to give him half of it? A Yes, sir.
Q How much did they pay you? A Well, that was the agreement, was that he would pay me $50 a family.
Q How much did he pay you? A I think there was $250; now I am not sure about the $50, but it appears to me like there was a $50 sent, and Mr. Duncan asked me, as well as I remember, says "have you got a letter from Dawson," I told him "yes, sir." It was either that or the $100, and he says "I would like to have some money", and I went to Stapler's and got it changed— I won't be sure about it being $50 or $100--I went to Stapler's and got him to cash the check and give him his part of it.
Q How much did they pay you for your services? A That is all I got.
Q How much? A I think it was $100, $120.
Q What did you do for them? A Didn't do a thing only called up the case and submitted it; never read the evidence.
Q Submitted it without remarks? A Yes, sir.
Q And for that you say they paid you $120? A Yes, sir; $120.
Q Was Houston Benge present when that was one? A No, sir; I don't think he was.
Q Did you see him then at that time in Tahlequah? A I don't remember.
Q Were you associated with him in any manner in connection with the case? A No, sir.
Q You had a great deal of business of that character, have you before the Courts? A Yes, sir.
Q Were you paid like fees in other cases for like services? A Yes, sir.
Q In many of them? A Yes, sir, good many.
Q All like cases? A Oh, citizenship cases.
Q When was it you were in jail at Fort Smith? A I don't remember: Mr. Mellette can remember, he was there, he was my attorney.
Q Was it about 1883? A It was somewhere along there, along in 1890 somewhere.
Q That has been your principal business as a lawyer, has it not? A Yes, sir.
Q You have never practiced much in any other way have you? A Very little.
Q Were you in the habit of working your cases through in the same manner in which you state you worked this through? A No, sir.

Q This was an exception was it? A I never worked this case through. I simply called the case up by request of Mr. Dawson. I read the evidence; don't know what proof there was in it; he just asked me to call the case up.
Q And he agreed to pay you $50 a family for doing that? A Yes, sir.
Q Was that what you required of him? A That is what he agreed to pay. I says "what will you give?" He says "I will give you $50 a family."

MR. HUTCHINGS:

Q At the same time that the attorney for the Nation was talking to you about the Dawson case he also made inquiries about the Shoemake case didn't he? A Yes, sir.
Q And you told him at that time before you knew anything about whether you would be made or compelled to testify that so far as you knew there was nothing you knew detrimental to the Shoemake case? A Yes, sir; that is what I said.
Q You told him at the same time that you not only expected to claim you privilege as an attorney in the case, but that you told him, Mr. Hastings, with the full belief that the Court would sustain your position? A Yes, sir.

Mr. McKennon: That is very leading.

Q Now, did you think that the re-employment, being the attorney in the pending case would strengthen your position or weaken it, when you spoke to Mr. Dawson? A What I thought in the matter was before ever I would be summoned in the matter, a long time ago, that if I had been employed in the matter of course my position would have been such that I would not have been required or could not have been forced.
Q Did you think under those circumstances that Mr. Hastings would approach you about the subject? A No, sir; I don't think I would be forced to, having license to practice law.
Q Did Mr. Hastings tell you at the time that he was going to put you on the stand? A Yes, sir.
Q And let the Court decide? A Yes, sir.

MR. McKENNON:

Q Now, have you a license to practice in the United States Courts? A Yes, sir.
Q In the Territory? A Yes, sir.
Q And also in the Indian Courts? A Yes, sir: do you want to see them?

JAMES W. LEWIS, being duly sworn, testified as follows on part of the Cherokee Nation:

MR. HUTCHINGS:

Q State your name please? A J. W. Lewis.
Q James W. Lewis? A Yes, sir.
Q Where is your postoffice, Mr. Lewis? A Afton.
Q How old are you? A 73 years old.
Q What is your business ? A I work at the tin business and gun work.
Q Do you know one James Dawson, the brother of F. M. Dawson and the other Dawsons? A I know old man James Dawson.
Q That is the one I mean, old man James Dawson? A Yes, sir; I know him.
Q How long have you known him? A Well, some four or five years, I guess.
Q How long? A Four or five years I think.

Q When did you come to the country? A I have been in the country 70 odd years.
Q Well, when did he come to the country, do you know? A Along about somewheres in eighty if I recollect right, might have been later than that.
Q How did you happen to be acquainted with? A He lived right close by me and I built a house for him.
Q Did you have any conversation with him at the time you built that house? A Yes, several different times.
Q About how he became a citizen of the Cherokee Nation, about the circumstances? A Yes, sir.
Q Did he make any statement to you about the use of money in getting his citizenship, and if so, state what he said?
A Well, he told me that it cost him $700 to get his rights.
Q Didn't tell you to whom he paid it? A No, he didn't and I didn't ask any questions.

MR. McKENNON:

Q How old was he at that time, do you know? A I do not know exactly, must have been somewheres near about 70 years old, he might have been older than that, I don't know.
Q He was a very old and feeble man? A Yes, he was old and feeble.
Q He seldom ever got out away from his house? A No, sir, only short distance.
Q When you first knew him he was that kind of man? A Yes, sir.

J. L. CLINKENBEARD, being duly sworn, testified as follows on part of the Cherokee Nation:

MR. HUTCHINGS:

Q State your name? A J. L. Clinkenbeard.
Q What is your post office address? A Vinita.
Q How old are you? A 56.
Q Were you ever an applicant for citizenship before the Tehee Citizenship Court in Tahlequah? A Yes, sir.
Q About what time was that? A September '81, I think.
Q Did you meet there about that time, one Elbert or Buck Dawson?
A Yes, sir.
Q How did you happen to meet him? A He and I stopped at the same place, man's by the name of Sharbow.
Q You and he stopped there, did you, board there? A Yes, sir.
Q Well, did you have any talk about citizenship cases, yours and his? A
Yes, sir.
Q Where did he state that he was from? A Texas.
Q Well, state what you can remember of the conversation between you two time to time about citizenship in the Cherokee Nation?
A Well, we were there on the same business and we talked about it at different times, all in talking about the evidence we had there I, of course, told him how many witness I had and what I could prove and so on, and he said that he didn't have but one witness, Mr. Baker from Arkansas, a man that was 85 or 90 years old, he said, and he hadn't come and said he'd like to have get him there, but he hadn't come.
Q Well, what did he say about the doctor's knowing anything?
A Well, he said he was 85 or 90 years old and didn't now straight off.
Q Well, did he say anything about giving him whisky?
A Well, he said he could give him four drinks of Arkansas whiskey and he would swear that black was white.

Q Did he say anything about what money would do in Texas or Indian Territory? A Well, in talking about the evidence, he said that money was what talked here down in Texas and he said "I came to get the lay of the land" and he says "I found out it goes here," or words to that effect.
Q Did he say what he had to spend on the question? A Well, he said that he could stand a thousand dollars on it and not be hurt very much; finally he said he could stand more than that.
Q What did he tell you what he thought about the necessity of witnesses anyhow? A Well, I don't know as he said as to that, but I understood from what he said that he thought money would beat witnesses.
Q Well, where did he go from there? A He and I left there together; he came to Muskogee by way of Fort Gibson and there we parted.
Q Did you ever see him after that? A I saw him about two years or something like that afterwards.
Q Where? A Vinita.
Q Did you refer to the citizenship matter? A I asked him how he come out and he said all right.
Q Was he deformed in any way this man? A He had a crippled hand or stiff finger; I don't remember just what it was now.

MR. McKENNON:

Q Your first conversation with him was in '01 was it? A Yes, sir.
Q What time in '01? A September.
Q You were then an applicant for citizenship? A Yes, sir.
Q Were you admitted? A No, sir.
Q You are still an applicant? A No, sir.
Q You are still working to get in as a citizen of the Cherokee Nation? A No, sir; haven't quit it entirely.
Q What business are you in now? A I am running a dairy in Vinita.
Q When did you make these statements now to the representative of the Cherokee Nation? A Well, sir, I haven't; I saw Mr. Hastings I believe here last Saturday the first time.
Q How did they ever know that you had had these conversations with Mr. Dawson? A I don't know.
Q You don't know how they found that out? A No, sir.
Q You say you saw Mr. Hastings here last Saturday? A Yes, sir.
Q How, did you approach him or did he approach you? A He approached me.
Q You know why? A No, sir; I suppose somebody I have told something at some time about this, I don't know when or who. I don't remember of having talked to anyone about it. I have saw Mr. Hastings for years.
Q Now, you say—how was that expression about his giving Dr. Baker three or four drinks of liquor? A He said the old man; he said that Dr. Baker, he was expecting him there and he didn't come, and he said he didn't care where he did or not; he said he was 85 or 90 years old; he said he didn't know straight up; said he could give him three or four drinks of Arkansas whiskey and he would not know black or white.
Q Now, he said that did he? A Yes, sir.
Q You are just as positive of that as you are of any other statement he made are you? A Yes, sir.
Q You say you next saw Dawson at Vinita? A Yes, sir.
Q How long afterwards was that? A About two years, I think something near that.
Q Did he move to the Territory? A Yes, sir he lived at Vinita at one time.

Q You speak about having a dairy business there at Vinita, to what extent? A I am only milking about four cows now, I sent the others to the country.
Q Do you run a dairy wagon there? A No, sir.
Q You serve on the jury a good deal? A I have been serving on the Petit jury there this winter.
Q Generally? No, sir.
Q Are you a kind of a professional juror? A No, sir; I was on the regular Petit jury, I was on the regular panel and served.

C. C. BRAUGHT, being duly sworn, testified as follows on part of the Cherokee Nation:

EXAMINATIONS:

Q [illegible] name? A C. C. Braught.
Q [illegible] age? A 62 29th day of last January.
Q [illegible] post office? A Fairland.
Q [illegible] been living in the neighborhood of Fairland?
A [illegible] there 19 years.
Q [illegible] one Bud Dawson or F. M. Dawson as his name is?
A [illegible]
Q [illegible] have you known him? A About 13 years.
Q [illegible] do you live from him? A Half a mile of him.
Q [illegible] still own that place? A I think he does.
Q [illegible] an applicant for citizenship along about '81 or '2 at Tahlequah? A Yes, sir.
Q Did you have at any time a conversation with Bud Dawson about his and your citizenship cases? A Yes, sir.
Q State what he stated to you of citizenship cases in general and about his own in particular, you can state the time that you had these conversations as near as you can? A Well, I think it was in '83, he told me if I ever got in I would have to put up; he said it cost him $700 to get in; he said he paid one witness three hundred dollars.
Q Did he state the name of that witness? A No, he did not.
Q Who did he say he made arrangements with? A He said he made arrangements with the Court; that is, heads of families to get them in at one hundred dollars apiece.
Q Do you know what time of the year tht was, whether it was in the summer or not? A I think it was in June.
Q Did he make any other statements to you at any other time?
A [illegible], I don't think he has in regards to that matter.
Q You have been a living neighbors with him? A Yes, sir.

CROSS EXAMINATION:

Q You say that was about June of '83? A I think it was in June, I won't be positive whether it was June or not.
Q [illegible] an applicant; were you admitted? A No, sir.
Q [illegible] been admitted? A No, sir.
Q [illegible] an applicant? A Yes, sir.
Q [illegible] get in? A Yes, sir.
Q [illegible] this conversation had? A Had at Bud Dawson's house.
Q [illegible] of the premises? that is, in his residence?
A [illegible]
Q [illegible] house? A Yes, sir.
Q [illegible] present? A There wasn't anybody present; he just built the house and there wasn't anybody there.
Q [illegible] more than one room? A I won't be positive but I don't think there was but one room, log house.
Q Just one room? A Yes, sir.

Q And in that room he made this statement to you? A Yes, sir.
Q He and you are enemies are you not? A No, I don't think we are enemies.
Q You are not friendly at all? A Friendly part of the time, and part of the time we ain't.
Q Haven't you had considerable trouble about the lands between your farms? A No, sir; we ain't had any trouble.
Q Didn't you have his little boy arrested recently for a difficulty?
A Yes, sir.
Q And you say that you are not on bad terms with him?
A Why we speak, have conversation, have right right along all the time.
Q Is it not a fact now that you and he have been all the while at outs? A No, sir.
Q You don't have any unkind feeling towards him? A No, sir.
Q What were your other remarks? A I said no, sir, I didn't have any unkind feeling towards him.

(It being 5 o'clock, the Commission adjourns until 8:30 o'clock to-morrow Morning.)

March 19, 1902.
Commission convened pursuant to adjournment.

Appearances:
Mr. A. S. McKennon, of Counsel for Applicants.
Mr. W. T. Hutchings, of Counsel for Cherokee Nation.

C. C. BRAUGH, re-called, further testified:

A.S. McKENNON:

Q Mr. Braught, you were a claimant under the Watts family are you not? A Yes, sir.
(witness excused.)

CHARLES D. KENNEY, being duly sworn, testified as follows on part of the Cherokee Nation:
MR. HUTCHINGS:

Q State your name? A. Charles D. Kenney.
Q What is your post office? A Dawson now.
Q Are you a citizen of the Cherokee Nation? A Yes, sir; supposed to be.
Q Recognized as such are you? A Yes, sir.
Q How old are you? A There is no family record, my parents died when I was young, I just guess at my age, I am somewheres between 44 and 45 years old.
Q Were you personally acquainted with one Elbert or Buck Dawson?
A I knew Buck Dawson when I saw him.
Q Did you know him in the state of Texas, if so state what time?
A I knew Buck Dawson, knew him and saw him at different dates in Texas.
Q Well, in the year '81 in Clay County, Texas, did you ever see him?
A It was in '81 or 82, I think I knew him in both years.
Q Did you ever have any conversation with him in the presence of Bill Smith, Jiles Flippin and Joe Pleston about his application for citizenship in the Cherokee Nation? A Mr. Dawson and Flippins were talking in regard to grass down there before we one time and

it was mentioned, I was going up on the strip and Buck Dawson says "he an Indian" and Jiles said "yes, he is an Indian", and "By God," I believe is the way he spoke, "if I was an Indian I would not be punching cattle, I would have stock eating my grass."
Q What did he say about making application? A He said he was going to the Chickasaw Nation and prove up and get him some grass.
Q Who was that? A Buck Dawson.
Q Well, did anybody suggest about his going to the Cherokee Nation? A Yes, sir, I told him, I says "why don't you go to the Cherokee Nation, why don't you go up home" I believe is the way I spoke it, "up amongst God's people;" and he says "are they all white like you?" and Jiles spoke up and says "majority of them."
Q Well, what did he say to Jiles then? A He says "let's go up Jiles", just in a whole crowd of cow punchers, and Mr. Flippin says "Hell, I am going; brother John is getting ready to go now."
Q Well, then what did he say to you? A He says "Who are your best lawyers up there, Kenney," and I told him "Hooley Bell was counted the brainiest man in our country."
Q Well, do you know whether he claimed to have any Indian blood in what he was claiming in that country, whether white man or Indian? A No, sir, I could not say what he was; he was generally known over there as Buck Dawson, a citizen of the State of Texas, that is all I know of him.

Mr. McKennon: The applicants object to all of the testimony of this witness because it is wholly incompetent and irrelevant.

Mr. McKennon:
Q Were you born and reared in the Cherokee Nation? A I can't tell you where I was born; I was raised here part of the time and in Hunt County, Texas. B. F. Alberty was my guardian.
Q Were you admitted to citizenship by the Council or Court? A I think both of them passed on me; I can't tell you the date.
Q About what time? A It was sometime in '80 though.
Q What tribunal first? A I don't know; I don't know either when I was admitted, I was re-instated at Council.
Q When? A I think it was in '87 or '88.
Q Haven't you been arrested for crime and charged with crime? A Well, I didn't know that I was on trial; I have been arrested a hundred times I guess from here to the Rio Grande.
Q For what offense? A For gambling, stealing; if I am on trial I have had lots of them, I have been on the road.
MR. HASTINGS, of Counsel for Cherokee Nation:
Q Were you ever convicted? A No, sir.
Mr. McKennon: Applicant makes further objection to the testimony of this witness on account of his criminal character stated by him.

THOMAS B. BABBART, being duly sworn, testified as follows on part of the Cherokee Nation:
MR. HUTCHINGS:

Q State your name, please? A Thomas B. Babbart.
Q What is your post office? A Melvin.
Q What is your age? A 48.
Q Are you a Cherokee by blood? A Yes, sir.

Q Did you know one James Dawson? A Well, yes; I did; I have seen him time or two.
Q Were you in Tahlequah about the time he had an application before the Sneers or Snake Party Citizenship Court? A Yes, sir; I was there about the time the case was settled.
Q Did you know Aaron Butler? A Yes, sir.
Q Who was he? A He was a Cherokee Interpreter for the Court.
Q Do you know James Smith? A Yes, sir.
Q Who was he? A He was the Nation's attorney before the Court.
Q Well, did you about that time have a conversation with either Aaron Butler of Jim Smith in company with Mr. James Dawson? A Yes.
Q State the full particulars of it? A About that time this man Dawson and Butler come to me while they were all together, all three of them, and Butler come and called me off to one side, that was down at a colored church, it was after dark, and they called me off there and this man Dawson borrowed some money from me, he said he had to have it that night, his case was going to be submitted the next morning.
Q Well, did he say anything about whether he could get his case submitted if he had more money? A Well, from the language to me and Butler, he wanted this money; Smith had agreed to submit the case without further evidence in the matter.
Q Well, did you let him have the ten dollars? A Yes, sir.
Q Where did they go then? A They walked off up towards town.
Q Did they go together, those three? A Yes, sir.

MR. McKENNON:

Q Was that James Dawson, the leading applicant in that case?
A Yes, best of my recollection that was.
Q How old a man was he? A I don't know; I could not tell you; he looked, I don't know, he might have been—could not tell you just about how old he was.
Q Well, about how old was he, 25, 30 or 40? A Yes, he was older than that, from my judgment I guess he must have been 45 or 50 years old.
Q Is he living or dead? A I don't know.
Q Where have you been living? A I have been living down here near Tahlequah.
Q That was the man's name, Dawson's name? A Jim Dawson I think.
Q You are certain of that? A Yes, sir; I am pretty certain.
Q They came to you with Smith, the Prosecuting Attorney, and Butler, the Interpreter? A Yes, sir.
Q Dawson took you off to one side? A Butler took me to where Dawson was and introduced me to Dawson and vouched for Dawson being all right for the money.
Q When did you first make a statement of this matter to anybody?
A I guess—I don't remember when.
Q How long have you been in Muskogee this time?
A I have been here since, I was summoned here last Friday.
Q Did you ever make any statement to anybody about this before that time? A Yes, I talked to Butler about it.
Q When? A Oh, about, first I remember it has been about two years ago, and Butler was talking to me about it; it was at my house.
Q Were you born a citizen? A Yes, sir.
Q You weren't admitted to citizenship by the Courts or Council?
A No, sir.
Q You have been living in the Cherokee Nation all your life?
A Well, I was born and raised here; ; I haven't been here all the time; I have been out and in.

Q You have never seen that man Dawson since? A If I have I have never known it, but I seen him the next day.
Q You saw him and took a good look at him, and know about what kind of man he was? I saw him around there about several times,
Q You think he was about 35 or 40 years old? A That would be my guess at it, my recollection.

Mr. McKennon: Applicants object to the testimony of this witness, all of it, because it is wholly incompetent and irrelevant.

DELIA A. BREWER, being duly sworn, testified as follows on part of the Cherokee Nation.

MR. HUTCHINGS:

Q State your full name? A My husband's name was O. P. Brewer, but generally I sign my name Mrs. D. A. Brewer.
Q What was your full maiden name? A Delia A. Vann; well it was really Delilah but I never was called by that name, it was De altogether in my young days.
Q What was your father's name? A His name was Joseph Vann.
Q Was he called by any nicknames and if so how many, and what?
A None but the Cherokees, the full-bloods called him Joe Aney.
Q What does that name mean when you talk English? A Rich Joe.
Q Did any of them call him Big Joe Vann? A I don't know; he was a large man; larger than the other Joe Vann.
Q There was another Joe Vann? A Yes, sir.
Q Did your father have any sisters and brothers? A He had quite a number of sisters.
Q Did he have a half sister? A Had two half brothers.
Q Did he have a half sister? A Had several half sisters.
Q Who did they marry? A Different persons; I knew the names of all of them but I have a bad memory, but I know that there was one, a Mrs. Ibbie Wolfe, and Mrs. Lamer, she was first a Mrs. Nicholson and she became a Mrs. Lamer and lives in Alabama and never come to this country, but she has grandchildren in this country.
Q Well, did any of your father's sisters or half sisters ever marry a Rogers? A No, sir.
Q Never had any Rogers kin-folks? A No, sir, I certainly would have heard of them through my family, there was a great many of the kin-folks I never saw, but I heard of them.
Q The Dawson case was talked of here for many years, they claiming kin?
A I never knew until I understood they claimed to be kin to the Vanns, and I flatter myself that my family was prominent enough that they never claimed kin.
Q They never claimed kin at all? A No, sir.
Q Did your father ever had a sister or half sister by the name of Annie, Anna or Alsey? A No, sir.

Mr. McKennon: Applicants object to all the testimony of this witness because it is incompetent and irrelevant.

SAMUEL TOLLIVER DAWSON, being duly sworn, testified as follows on part of the Cherokee Nation.

MR. HUTCHINGS:

Q State your name? A Samuel Tolliver Dawson.

Q What relationare you to the Dawsons? A Well, I am not acquainted with none of these Dawsons, I guess I am cousin, that is what he told me.
Q Who was your father? A Samuel Riley Dawson.
Q What did you say your fa her's name was? A Riley Dawson.
Q Do you know what his full name was? A Samuel Riley Dawson.
Q What children had your father? A Why, he has got, you mean his first children or his whole family?
Q I want all of his children? A I don't know, I will have to count a while on them, there was nine or ten of them.
Q Just one or two of them I care for: is Mrs. Lewis your sister?
A Yes, sir.
Q Your full sister? A Yes, sir.
Q Was she a daughter of S. R. Dawson, Jr.? A Yes, sir.
Q Now who were the parents of your fat er, , Samuel Dawson?
A Why Sam Dawson was his father.
Q Sam Dawson was his father? A Yes, sir.
Q What was Sam Dawson's wife, if you know their family history, what your father said or what your grandfather said? A I have heard that she was a Pruitt, my father said; of course I don't know.
Q What was her given name? A Annie.
Q Did you ever s e your grandfather, Samuel Dawson? A Yes, sir.
Q Saw him? A Yes, sir.
Q Do you know about how old he was when he died? A He was somewhere up about 90.
Q About how old were you when your grandfather died? A I don't remember exactly how old I was, I must have been somewhere near 12 years old when my grandfather died.
Q Was your father his youngest child? A Yes, sir.
Q Do you know about when your father was born? A Well, no, I don't, he died in '90 and he was 67 years old.
Q He died in about '90 and was about 67 ye rs old when he died?
A Yes, sir.
Q And he was the youngest child? A Yes, sir.
Q Now, do you know how many children your grandfather had , that is brothers and sisters of your father? A I heard him say seven.
Q Well, did you ever hear your father or grandfather speak of whether or not your grandmother was a white woman or an Indian?
A Well, I heard my father speak about it, I don't know that I ever heard my grandfather say anything about it.
Q Well, what did he say about it? A I have heard him say his mother was not an Indian.
Q Did you fathercome here and a ply nce for citizenship?
A Yes, sir.
Q Was he admitted? A I think not.
Q Did you hear him make any statements about he ground he expected to get in? A He said his brothers had proved their rights here and if his brothers had any rights he did, but I don't know.
Q Well, in t at connection didhe say whether his mother was an Indian or white woman? A Never heard him say that his mother was a white woman in speaking about that, I don't know whether he said anything about that or not; I have heard him say his mother wasn't no Indian.

Mr. McKennon: Applicants object to the testimony of this witness because it is wholly irrelevant and incompetent.

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(Taking of testimony continued by Stenographer M. D. Green)

I, J. O. Rosson, do hereby certify upon my official oath as stenographer to the Commission to the Five Civilized Tribes that I correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

(Signed) J. O. Rosson.

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(Continued from testimony taken by Steno. J. O. Rosson.)

March 10th. 1908, at Muskogee, I. T.

Appearances:
Mr. A. S. McKennon and Mr. Mellette, attorneys for the applicants.
Mr. F. T. Hutchings, and Mr. W. W. Hastings, attorneys for the Cherokee Nation.

ELLA BRASHIERS, being first duly sworn, and being examined testified as follows:

EXAMINATION BY MR. HUTCHINGS:

Q State your name? A Ella Brashiers.
Q What was your maiden name? A Ella Dawson.
Q What was your father's name? A Samuel Riley Dawson.
Q What was his father's name? A Samuel.
Q What was your grandmother's name? So far as you know from family history? A Her maiden name was Annie Pruett.
Q Then your father, if I understand you, was the son of Samuel Dawson and Annie Dawson, nee Pruett? A Yes, sir.
Q Did your father have a brother named Robert, and a brother named James? A Yes, sir; that is what I was told.
Q And had a sister named Mrs. Petty? A Yes, sir.
Q And another one named Mrs. McGee? A Yes, sir.
Q And another brother named John? A Yes, sir.
Q What relation are you to Mrs. A. S. Lewis? A Sister.
Q Did you ever see your grandfather, Samuel Dawson? A Yes, sir.
Q You have a distinct recollection of him? A I, yes, I can recall him, but I was small.
Q About how old were you you suppose when your grandfather died?
A About 6.
Q Was your father's birth recorded in the family Bible? A Yes, sir.
Q You know whether your grandfather's record of marriages and deaths were recorded in any Bible or not? A I was, but we haven't it.
Q What became of it? A Got burned.
Q Well, about what year do you remember that your father, Samuel Dawson was born? A I believe it was '23.
Q In 1823? A Yes, sir.
Q And how old was he when he died, if you recollect? A He was between 64 and '7.
Q Did you ever hear your father speak of his relations, his father and Lotty, as to whether they were white people or Indians?
A Yes, sir, they were white people.

Q. You know whether in the family you grandmother was spoken of by the name of Annie, always? A Yes, sir.

BY MR. McKENNON: Applicants object to the testimony of this witness because it is wholly irrelevant and incompetent.

ALEX S. LEWIS, being first duly sworn and being examined, testified as follows:

BY MR. HUTCHINGS:

Q State your name? A Alex S. Lewis.
Q What is your post-office? A Dawson, Indian Territory.
Q How old are? A 59 years.
Q What was your wife's maiden name? A Elizabeth Parales Dawson.
Q Who was your wife's father and mother? A Her father was Samuel P. Dawson and her mother was the wife of Samuel P. Dawson, did you know her maiden name?
Q Well, if you know the maiden name of your wife's mother, state how you know it? A Well she was called Margarett, Margarett Queen was her maiden name.
Q The maiden name now of your wife's father's mother? A Why the maiden name of my wife's father's mother?
Q Yes, sir? A From what her husband and my father-in-law told me it was Annie Pruett.
Q What was the name of your wife's father's father? A My wife's grandfather on her father's side, Samuel Dawson.
Q And his wife's maiden name was Annie Pruett? A Yes, sir.
Q Did you know the old gentleman, Samuel Dawson, your wife's grandfather? A Yes, sir.
Q Personally? A Yes, sir.
Q What opportunities had you to get acquainted with him? A He lived with his youngest son, my father-in-law, and visited me, my wife and I, after we were married, at and with us quite a while; I lived near my father-in-law and he visited very often.
Q When did he die? A '74.
Q Have you any particular method of recalling that date? A Well, I was away from the house when he was taken sick, and they sent for my wife and myself, and so when I got home my wife had gone to her father's to see her grandfather, he was sick, and I remember my wife was a baby at that time.
Q At whose home was your first child born? A He was born December, '73.
Q How do you know how old your wife's father was when he died? A Why he was up in 60, but I don't remember his age.
Q Did the old original Samuel Dawson ever tell you his age? A Yes, sir, several times.
Q How old was he at the time of his death? A He was passed 94.
Q Did he ever tell you whether or not his wife Annie Pruett had any sister or brother? A Told me she only had one brother named Bob Pruett.
Q Have any of the members of the family named their children after her? A Make it a little plain, it is a little long; my wife's oldest brother was a particular favorite of his grandfather, and he always took this boy with him everywhere, and he had named one of his,- eldest child for this brother-in-law who was a particular favorite of his grandfather; named it for him I understood.
Q No, what is his name? A Of course I don't know why he named it, but he gave him the name of Robert Pruett, and I understood it was on account of his grandfather thinking so much of Robert Pruett.
Q Did you ever hear the old Samuel Dawson speak of his brother-in-law? A Yes, sir; I have heard him say that he wished he knew what had become of Bob Pruett, he never had heard of him for a long

time; didn't know where he was, or whether he was alive or not.
Q Now, I want the children of Samuel Dawson and Annie Pruett, how many of them did you know, first? A How many did I know personally?
Q Yes, sir? A John James, and Samuel R. Those were the only ones of his children that I remember personally.
Q Well, remember what you know of the family, what other children did he have? A Well he had two girls, as I understand the family history, he had two girls, first, and John Dawson was the third child, and the oldest boy was John Dawson.
Q Was John Dawson the oldest boy? A Yes, sir.
Q Which was the oldest girl? What is she known by now? A I think it was Mrs. Petty, nee Bettie Dawson.
Q And John Dawson was the oldest boy? A Yes, sir.
Q And Samuel R. Dawson was the youngest boy? A Yes, sir.
Q You know anything about the time John Dawson was born, have you any way of coming at it, the oldest boy? A Yes, sir, I know what the oldest son and his wife told me.
Q What was that? A They said he was born in 1811.
Q Who was his oldest son? A Toliver H. Dawson; told me his father was born in 1811.
Q Do you remember now whether the old man had occasion to say whether his wife, Annie Pruett was an Indian or white woman, or ever said anything about it? A I know what the old man said that one time, I don't know that I ever heard the question approached in that way, I have heard him speak as to her blood, but it was in a kind of a way that he reached it.
Q What blood did he say she was? A Well he said that she was the daughter of Mrs. Pruett, a white woman; and that her father was Captain John Rogers, a white man who lived with the Cherokee Indians, and traded with them.
Q Did he say who Captain John Rogers afterwards married? A Said he had a wife in the Cherokee Nation.
Q Not that Annie Pruett was not her child? A No, sir, she was the child of Mrs. Pruett.
Q A white woman? A Yes, sir, that was the half sister of Bob Pruett.

BY MR. McKENNON:

Applicants object to all of the testimony of this witness, because it is wholly incompetent and irrelevant.

Q Now, you apply for citizenship here? A Yes, sir; for my wife.
Q When? A My father-in-law made the application, I don't know exactly when it was, I think probably about '96, I couldn't say as to the date.
Q Before the Cherokee authorities? A Yes, sir.
Q Did he file an application before the Dawes Commission in 1896 also? A Him.
Q Yes, sir? A I don't think he did, no sir.
Q Did you? A I did.
Q In behalf of your wife? A Yes, sir.
Q Did you make affidavit to that application? A No, sir.
Q Who did? A I don't know, don't remember now.
Q You applied for your wife as an Indian by blood didn't you not? A Yes, sir.
Q Are you still an applicant? A No, sir.
Q Is she? A No, sir.
Q She was denied was she? A Yes, sir.
Q Was there an appeal taken from that? A Application was filed if I remember, before the Dawes Commission, and they rejected the case, and then I appealed it to the District Court, and it was rejected there and then I stopped.

Q Have you ever been arrested for any crime? A Yes, sir.
Q What? A Charge of murder.
Q Anything else? A No, sir.
Q Committed on the train? A Yes, sir.
Q In a train robbery? A Yes, sir, in a train robbery.
Q How long did you remain in jail? A Appealed the case to the Supreme Court, and it was reversed and sent back, and I was acquitted on that charge.
Q That all the crime you were ever charged with? A Yes, sir.
Q Haven't you been having some trouble with the Dawson family? A Well no personally I have no trouble with any of them, there is one of my boys and one of W. A. Dawson's sons-in-law had one trouble.
Q You are not friendly with the Dawson family? A That son-in-law Mr. Wooley, and myself, don't speak, and I don't think his wife speaks to me either.
Q Well you are claiming some sort of lease on the Wooley farm, aren't you? A No, sir, I don't claim any lease on the Wooley farm.

B. W. ALBERTY, being first duly sworn, and being examined, testified as follows:
BY MR. HUTCHINGS:
Q State your name? A B. W. Alberty.
Q What is your post-office? A Tahlequah.
Q What is your present official position in the Cherokee Nation? A Assistant Executive Secretary of the Cherokee Nation.
Q As such have you charge of the citizenship records and books etc. of the Nation? A Yes, sir.
Q Have you made search recently for the original records in the various cases of the Dawson family before citizenship courts in Council? A Yes, sir.
Q Have you got what records you found with you? A I find what's supposed to be the original papers in the case, all that I could find. (Produces papers and hands to Nation's attorney.)
Q Where did you find these papers? A I found them in the desk in which papers of that character are filed away in the Executive Office at Tahlequah. (Applicant's attorneys examine papers produced by witness.)
BY MR. HUTCHINGS: The Nation here introduces in evidence an envelope marked No 108, the names on the back of it are Robert, Albert, Jasper, John, Frances, Marion, Josephine, Joseph, Jane, Mollie, Wilburn, James, Real Dawson, versus the Cherokee Nation; the envelope and its contents.

BY MR. McKENNON: To the introduction of all of which the applicants object, because it is wholly incompetent and irrelevant

The envelope above introduced by the Cherokee Nation is indorsed as follows:
"No. 108, Rob. Dawson, Albert Dawson, Jasper Dawson, John Dawson, Francis Marion. Josephine Dawson, Joseph Dawson, Jane Dawson, Molly Dawson, Wilburn Dawson, James Dawson, Real Dawson, vs Cherokee Nation, Petition for Citizenship, filed Sept. 24, 1881. Admitted Jan 11th, 1883, D. W. C. Duncan, Clerk."
In pencil: "Robt Dawson."

The said envelope contains a document as follows:

"Office of Commission on Citizenship,
Cherokee Nation, Tahlequah, January 19th, 1882.

C. 102 Robert Dawson, "et al."
vs.
Cherokee Nation.

Testimony for Claimants.

Witness:

Dr. Baker sworn testifies as follows. My name is Arthur Baker I reside at Berryvill, Arkansas, Carroll County. My a[ge] is 77 years, I am not a Cherokee, I lived in the Cherokee N[ation] about three years when I first came to Arkansas I have been acquainted with him since he became a citizen of Carroll County some thirty five years (line drawn through the last three words.) 35 years at my mother's house near Calhoun I became acquainted with the claimants Robt Dawsons grand mo[ther] on mother's side, she was frequently at my mother's house; though she A ma Pruit lived in the Nation side. She claimed to be a half sister to Big Joe Vann, also claimed to be half Cherokee; the first time she brought the claimant's mother to my mother's house she the claimant's mother was about [illegible] years old, when I was a lit le boy she called her daughter Polly Rogers said Capt John Rogers who was a boat up the river [illegible] the mother of the child; I saw the girl frequently there at my mother's and there at Louis Rogers Store I saw her occasionally until I was 15 or 16 years old and I think then Old Capt John Rogers took her off to school. I saw her no more from the time Old Capt. John Rogers took her off till I saw her here in Arkansas the wife of Old Samuel Dawson. I showed all [illegible] were and we and I had a talk over our old acquaintance, and I asked her [illegible] she became acquainted with Dawson and she said at the time she was going to school. And she said after she left school that Dawson followed her home to the Nation and they were married. I have told that precisely in the words she used.

Capt John Rogers claimed to be one fourth Cherokee, the claimant is the son of Polly Rogers and I know Polly Rogers to be the daughter of Anna Pruet, and I know the claimant to be the son of Polly Dawson Capt Rogers then resided in the Cherokee Country about twelve miles from Calhoun on the Hiwassee River.

Anna Pruet resided in the Cherokee Nation as long as I stayed there the Dawsons when I got acquainted with them Arkansas were recognized where they were as Cherokees, Robt Dawsons children is Buck, John, Marion, and two girls; the children named in the petition I recognize as being the claimants.

Question by Solicitor:
Ques. 1 How many children did Polly Rogers have?
Ans. 1 Five, I think that's all.
Ques. 2 Did you say something about no, some being married twice?
Ans. 2 The claimant was married twice.
Ques. 3 Could Anna Pruet speak Cherokee?
Ans. 3 Yes she could speak it well
Ques. 4 Did Polly Rogers speak Cherokee?
Ans. 4 She could when she was young.
Ques. 5 How far do you live from Anna Pruet?
Ans. 5 Just across the river about 3/4 of a mile.
Ques. 6 Was Calhoun in the Cherokee Nation?
Ans. 6 It was on both sides of the river, part in the Nation and part out in the State.

Ques. 7 Which Harnage was it went to Texas?
Ans. 7 George went first then John went they were the sons of old Man Harnage that lived up here near the line.
Ques. 8 Did the claimant go to Texas?
Ans.8 No the claimant didn't go to Texas.
Ques. 9 What connection was claimant and Polly Rogers?
Ans. 9 The claimant is the son of Polly Rogers Marion here is the grandson of Polly Rogers.
Ques. 10 Where does claimant now live?
Ans. 10 He lives in Carroll County, Arkansas.
Ques. 11 Do you know what relation old Captain John Rogers was to Charlotte Rogers here in Cooweescoowee?
Ans. 11 They claimed kin but what kin I dont know there were two Capt. John Rogers' in the Nation I am speaking of the time when I first came to this 1830 Country about the year 1830.
Ques. 12 Was Anna Pruet the maiden name of Claimant's grandmother
Ans. 12 Yes that was her maiden name the Indians called her Sinee.

his
(signed) Arthur. A. x Baker.
mark

Witness' hand paralyzed is the reason he signs by a mark thus "X". "

The above document is indorsed on back as follows:

"Certified copy of Affidavit, Arthur A. Baker in Dawson case, Dobt," Decided by the Tehee Court in 1883. A. Riley Dawsons Step daughter a white woman married a white man, named August Bulanka."

BY MR. HUTCHINGS: We further introduce envelope N. 131, of E. Dawson for his grand-children, versus the Cherokee Nation, and its contents, to-wit: The Petition and affidavit of F. M. Dawson, and the testimony of Joseph Dawson.
(Hands papers referred to to applicant's attorneys.)

BY MR. McKENNON: To the introduction of all of which the applicants object, because it is wholly incompetent and irrelevant.

The envelope above introduced is endorsed as follows:
"No.131. E. Dawson vs the Cherokee Nation. For his grand children. Petition for citizenship. Filed Sept. 14th, 1883, [illegible] C. Duncan, Clerk of Com. Decided Sept.13, to be Cherokees.

The contents of said envelope are as follows:

"Office of Commission on Citizenship.
Tahlequah, Cherokee Nation, Sept. 14, 1883.

E. Dawson,
No.131. vs for his grand children,-
Lulu Dauthett,
Dallas Dauthett,
F. M. Dawson for Claimant introduced sworn and in open Court testified as follows:
My name is F. M. Dawson. Am Cherokee by blood reside in the Cherokee Nation am 30 (40 written over it) years old.

I saw the Claimants, Lulu Dauthet and Dallas Dauthet in Vinita, and know them to b the grandchildren of my brother E. Dawson who is a recognized Cherokee by blood. L. M. Dauthet, the father of the Claimants, Lulu and Dallas is a white man Dauthet's wife the mother of Lulu and Dallas was a Cherokee, the daughter of my brother E. Dawson, she is now dead. The oldest of these applicants is about 9 years old. I have known them alout 8 years. These children is now living with their father. One is a girl and the other is a boy. I had been acquainted with her mother all her life. If she had been now living she would have been about 25 years old - - She has been dead about 4 years as well as I can recollect, She was about 17 yc rs old when she was married.

his
(signed) F. M. x Dawson,
mark

Office of Co ission on Citizenship,
Tahlequah, Cherokee Nation, Sept. 14, 1903.

No.181 E. Dawson
for his grand children
Lulu Dauthett
Dallas Dauthett.

Joseph Dawson introduced for claimants, sworn in open Court testified as follows:

Jos. Dawson, am a Cherokee live in the Cherokee Nation, am 71 years old.

Lulu Dauthett and Dallas Dauthett, the Claimants are Cherokees. Fannie Dawson was their mother. Fannie Dawson was a Cherokee, that is what I was always told. Her father was E. Dawson. E. Dawson was my brother. Mrs. Dauthett is not living now: the last time I saw Lulu and Dallas Dauthett, they were in Texas. But I have heard since that they are in the Cherokee Nation. E. Dawson recognized them as his grandchildren and I have known them ever since they were born.

By Solicitor:

Lulu is about 10 years old. The Dallas is about 5 or 6 years old. I heard that their father is now at Vinita Cherokee Nation, E. Dawson is Elbert Dawson. The applicants' mother has been dead about three or four years. She died at Hillsboro, Texas.

I was not present when their mother and E. Dawson had eight children to the best of my recollection, or 9. Fannie, Francis, Carmenas, Annie, Bob, Smith, Forum, Bert, Ella. All living but two, Fannie and Smith. They were all living in Texas when I left there. I am a brother to E. L. Dawson, we are full brothers. My father was been admitted to Cherokee Citizenship by this Court.

his
(signed) Joseph x Dawson,
mark

To the Commission on Citizenship,
Tahlequah, C. N. Sept. 12, 1903.

E. Dawson for grandchildren,
Lulu Dauthett,
Dallas Dauthett,
vs
Cherokee Nation.

Now comes E. Dawson petitioning for the Cherokee rights of his grandchildren, Lulu Dauthett & Dallas Dauthett, by virtue of their Cherokee blood, which was derived from the

Dawson family, who is acknowledged Cherokees by admission of your Hon. Court, at its last session in January, 1883, in view of the facts ask your Hon for a speedie and favorable consideration of our claims.

(signed) E. Dawson for grand children,
By C. H. Taylor."

This last document is indorsed on back as follows: "No. 181, Petition of Lula, Dawthett & Dallas Douthitt, for Citizenship Filed Sept 14, 1883, D. F. C. Duncan, Clerk."

BY MR. HUTCHINGS: Now we desire to introduce the judgment in the case of S. R. Dawson, and others, of the Commission on Citizenship, found on page 20, of Record Book B, of the Citizenship cases in the Cherokee Nation, said book having been turned over to and now in the custody of the Commission; the judgment being dated April 26th, 1889.

BY MR. McKENNON: To the introduction of which the applicants object, because it is wholly incompetent, irrateriral and irrelevant.

Record above introduced is as follows:

"Office of Commission on Citizenship,
Tahlequah, C. N. August 11th, 1887.

Docket No.	Names,	Age	Sex	Post Office,	Attorney
1	S. R. Dawson,	66		Catoosa,	
2	Parlee Dawson,	44	female		
3	America J. Dawson,	35	"		
4	Katharine J. Dawson,	22	"		
5	J. G. Dawson,	31	male		Bell &
6	Elias F. Dawson,	29	"	Applicant for	Bryant.
7	Toliver Dawson,	27	"	Cherokee Nation.	
8	Emma Dawson,	20	female		
9	Fanny Dawson,	18	"		
10	John Riley Dawson,	11	male	R.	
11	Robert E. Dawson,	9	"		
12	Claud Dawson,	7		Ancestor	
13	Cleveland Dawson,	3		John Rogers	

-- Filed August 11th, 1887."

Red ink written along Age column is the following: "Rejected April 26, 1889."

"Now this day comes the above case for final examination, Samuel R. Dawson, bases his application for re-admission to citizenship in the Cherokee Nation upon the ground that he is the son of Samuel Dawson a white man, Polly Rogers the alleged daughter of Captain John Rogers and Chilsey Pruitt, said to be a sister of Joseph Vann, commonly known as Rich and who was of Cherokee blood. It is admitted that John Rogers and Chilsey Pruitt died before the roll upon which their names would appear if living at the time and specified in the 7th section of the Act of December 6th, 1886, creating the Commission on Citizenship, were made but in support of the application it is urged that certain members of the Dawson family and full brothers of the applicant were re-admitted to citizenship by the Commission on Citizenship commonly known as

"The Tehee Court", and the "Spears Court"; and are now residing as citizens in the Cherokee Nation. In the opinion of this Commission the sufficiency of the considerations which determined the decision of those Commissions of the testimony now introduced to authorize the admission of the present applicant is not relivent to the issue now pending. The 7th section of the Act of December 8th, 1886, before named provides, that "The Commission shall give a hearing to any person applying for citizenship in the Cherokee Nation upon the ground of Cherokee blood or descent, but such applicant must be a person, or the lineal descendant of a person whose name appears upon the census rolls of Cherokees taken by the United States," As are hereafter enumerated. Neither the name of the applicant nor that of the person of whom he claims to be a lineal descendant appearing upon eitherof said rolls the Commission adjudge and decree that Samuel R. Dawson and family are not entitled to re-admission to citizenship in the Cherokee Nation as Cherokees by blood. This opinion includes the cases of Andrew J. Dawson, James K. P. Dawson, Jounnah Barber nee Jounnah Dawson and Jane Queen, nee Jane Dawson, and their families, as enumerated in their respective applications.

(signed) Will P. Ross,
Chairman.

This April 26th, 1889.
(signed) D. L. Williams,
Cl'k Com'n."

(signed) R. Bunch, Commissioner,
John E. Gunter, Com'nr.

BY MR. HUTCHINGS: The Nation now introduces the envelope in the case of James K. P. Dawson, and the contents, being the original testimony in the case of E. Dawson; also the judgment in said case, found on page 116, in book C., containing the records of the Citizenship Commission of the Cherokee Nation, the date of said Judgment being April 26th, 1889; this book being also in the custody of this Commission.

BY MR. McKENNON: To the introduction of all of which the applicants object, because it is wholly incompetent, immaterial and irrelevant.

The envelope above introduced is indorsed on back as follows:

"Name, James K. P. Dawson, APPLICANT FOR CHEROKEE CITIZENSHIP. Address, - - - Age, - - Years, - - Roll of 1833, Ancestor, Riley Dawson, filed the 5 day of Oct. 1887, Docket 989, Book C Page 116, Testimony on Journal - - Page - - - Decision of Commission Rejected 26 day of April 1889 Rejected."

The contents of said envelope are as follows:

"A. J. Dawson, et al.,) Office Com. On Citizenship,
(vs) (Tahlequah, I. T. Sept. 27th, 1888.
Cherokee Nation.)

E. Dawson, who being duly sworn, upon his oath, deposes and says as follows, to wit:

I am a citizen of the Cherokee Nation and reside in Coowescoowee Dist. and am 53 years old. I am acquainted with the applicant, Andrew J. Dawson, he claims to be a relation of mine. I have known him personally about three (3) years. He said his father was Joe Dawson. I know the party, the applicant, from circumstances, and have no doubt but that he is a realtion of mine.

Joe Dawson, the father of the applicant was my father's brother. Joe Dawson was considered to be a Cherokee, I think he died on the Hiwassee river in Tenn. I think he had four (4) children. I haver saw any of them but Andrew J. Dawson, and Jim Dawson.

-Cross Ex.-

Joe Dawson has been dead about 35 years he lived west of the Mississippi River, I understand. My father had four brothers. I don't know how long Jou Dawson had been living in Tenn. before he died. All that I know of the applicant being the son of my Uncle Jou Dawson, is from what he himself has told me, - My grandfather, Sam Dawson was a white man. The applicant could be of the Dawson name and not be related to me- My grandfather being a Dawson and a white man.

Attest

Connell Rogers,
Clk. Com. on Citizenship."

This document is indorsed on back as follows:
"Testimony of E. Dawson in case A. J. Dawson."

The judgment above introduced, and found on page 116 of Book C of the Dockets of Cherokee Citizenship Commission, reads as follows:

"James K. P. Dawson,
OFFICE COMMISSION ON CITIZENSHIP.

Tahlequah, Ind. Ter., Oct. 5, 1897.

Docket No.	Names	Age	Sex	Post Office	Attorney
1	James K. P. Dawson,-		Male		
2	William A. Dawson,				
3	Richard A. Dawson,				
9					C. H. Taylor.

Applicant for
Cherokee Citizenship,
Census Rolls 1835
Ancestor,
Riley Dawson.

vs.

Cherokee Nation. "

In red ink along one column are the words: "Rejected April 30, 1900."

- - - - - - - - - - - - - -

"Adverse to Claimant.
See decision in this case in the case of S. R. [illegible] in book K (3) Page 20.
Dated April 30, 1900.

D. W. Williams,
Clk Com.

Will P. Ross,
Chairman.
J. R. Carter, Com."

BY MR. HUTCHINGS:

The Nation desires to introduce the original envelope and its contents in the case 196, of Rebecca Dawson, being the application and judgment in the case, also the judgment as copied into the record, Book C, on page 144, the date of said judgment being August 28th, 1889.

BY MR. McKENNON: To all of which the applicants object, because it is wholly incompetent, immaterial and irrelevant.

The envelope just introduced is indorsed on the back as follows:

"196, 1, Name Rebecca Dawson, APPLICANT FOR CHEROKEE CITIZENSHIP. Address Emmet, I. T., Age 48 years, 1835, to 1852, Roll of 18-- Ancestor Maton, Filed the 5 day of Oct 1887, Docket 1017 Book C Page 144, Testimony on Journal- Page - - Decision of Commission, Rejected 28 day of August 1889. Submitted by Mr. Rasmus, Aug. 28, 1889." R"

The contents of said envelope are as follows:

"APPLICATION FOR CITIZENSHIP.

To the Honorable Commission on Citizenship:
Gentlemen:- The undersigned, your petitioner, this day makes this her application for re-admission to citizenship in the Cherokee Nation, in accordance with the Consittution, and with an act of the National Council approved December 8th, 1886, creating your Commission, And respectfully makes the following statement of the grounds for this, her application, to-wit:

That Rebecca Dawson is the Grand Daughter of one Maton, who the undersigned firmly believes was enrolled upon the Census Rolls of Cherokees by blood, citizens of the Cherokee Nation, taken and made in the years 1835,-48 - 51 - 52.

The undersigned hereby presents the above facts as the lawful grounds for this application for Cherokee citizenship by blood, and respectfully awaits the time when Application shall be truly heard and tried in accordance with ho aforesaid law.

Age, 48 years; Postoffice, Emmett, Chic. Na. family with their relationship attached is as follows:

No Name Sex Age Relationship.

In witness of which application I hereto set my hand on this the 4- day of October 1887.

(signed) Rebecca Dawson,

Boudinot & Rasmus,
Attorneys."

- - - - - - - - - - - -

"COMMISSION ON CITIZENSHIP.
Cherokee Nation, Ind, Ter.
Tahlequah, August 28th, 1889.

Rebecca Dawson)
V. S.
Cherokee Nation.) The above case was called and submitted by

Rasmus without evidence the Commission decide that Rebecca Dawson, Age 48 yrs is not a Cherokee by blood & d are not entitled to citizenship in the CherokeeNation. Post Office Emmet Texas - - I. T.

(signed) WILL P. ROSS,
Chairman,
J. E. Gunter, Com."

- - - - - - -

The judgment found in Book C, Records of Commission on Citizenship, Cherokee Nation, page 144, is as follows:

"Rebecca Dawson.
OFFICE COMMISSION ON CITIZENSHIP.
Tahlequah, Ind. T., Oct. 5th, 1887.

Docket No	Names	Age	Sex	Post Office	Attorney.
1	Rebecca Dawson	48	female	Emmett, I. T.	

1017

A.
Boudinot & R.
Applicant for
Cherokee Citizenship.

Census Rolls, 1835,
to 1852.
Ancestor,
Moton.

V. S.
Cherokee Nation.

- - - - - - -

Office Commission Citizenship,
Cherokee Nation, Ind. Ter.,
Tahlequah, Aug. 23th, 1889.

The above case was called and submitted by Attorney Rasmus without evidence. The Commission decide that Rebecca Dawson, aged 48 years is not a Cherokee by blodd and not entitled to Citizenship in the Cherokee Nation.

Attest:
E. C. Ross,
Clerk Commission.

Will P. Ross,
Chairman.
J. E. Gunter, Com."

BY MR. HUTCHINGS: The Nation next introduces the original envelope and contents in the case 198, of Mary Dawson, the contents being the application for citizenship, and the judgment as written up by the Court; also the judgment of the Court as copied in Book C, page 145, said judgment being rendered August 23th, 1889.

BY MR. McKENNON: To all of which the applicants object, because the same is immaterial, irrelevant and incompetent.

The envelope just introduced is indorsed on back as follows:

"198, 2, Mame, Mary Dawson, APPLICANT FOR CHEROKEE CITIZENSHIP. Address, Bowie, Texas, Aged 54, years, 1835 to 1852 Roll of 18-- Ancestor, Moton, Filed the -- day of A 18-- Docket 1018, Book C Page 145, Testimony on Journal-- Page-- Decision of Commission Rejected 23th day of August 1889. Submitted by Mr. Rasmus, Aug. 23, 1889."

"APPLICATION FOR CITIZENSHIP".

To the Honorable Commission on Citizenship:
Gentlemen:- The undersigned, your petitioner, this day makes this his Application for re-admission to citizenship in the Cherokee Nation in accordance with the Constitution, and with an Act of the National Council, approved December 8th, 1866, creating your Commission. And respectfully makes the following statement of the grounds of this her application, to-wit:
That Mary Dawson is the Grand Daughter of one Moton who the undersigned firmly believes was duly enrolled upon the Census Rolls of Cherokees by blood, citizens of the Cherokee Nation, taken and made in the years 1835,-48 - 51 - 52.

The undersigned hereby presents the above facts as the lawful grounds of this her application for Cherokee Citizenship by blood, and respectfully awaits the time when her Application shall be truly heard and tried in accordance with the aforesaid Law.

Age, 54, years; Postoffice, Bowie, Texas, family with their relationship as follows:

No.	Name	Sex	Age	Relationship.
1	Walter Dawson	M	16	Son.

In witness of which application I hereunto set my hand on this the 4 day of October 1887.

Mary Dawson,

Rowland & Rosser,
Attorneys."

- - - - - - -

COMMISSION CITIZENSHIP,
Cherokee Nation, Ind. Ter.,
Tahlequah, August 30th, 1889.

Mary Dawson,)
vs (Application for Cherokee
The Cherokee Nation) Citizenship.

The above named case having been submitted by W. F. Rosser, Attorney for claimant, without evidence, the Commission decide that Mary Dawson age 54 yrs, and her son William Dawson, age 16 yrs, are not of Cherokee blood, P. O. Bowie, Texas.

Wm P. Ross,
Chairman,
J. B. Carter, Com."

- - - - - - -

Said envelope also contains the following:

APPLICATION FOR CITIZENSHIP
TO THE HONORABLE COMMISSION ON CITIZENSHIP: Gentlemen:- The undersigned, your petitioner, this day makes this his application for re-admission to citizenship in the Cherokee Nation, in accordance with the Constitution and with an Act of the National Council, approved December 8th, 1866, creating your Commission. And, respectfully makes the following statement of the grounds of this his application, to-wit: That James K. P. Dawson is the son of one Miley Dawson who the undersigned firmly believes was duly enrolled upon the - - - Rolls of Cherokees by blood, citizens of the Cherokee Nation, taken and made in the year 1835, and subscribed hereby presents the above facts as the lawful grounds for this his application for Cherokee Citizenship by blood, and respectfully awaits the time when his application shall be truly heard and tried

in accordance with the aforesaid law.
Age - - years; Post-office - - -; family with their relationship attached is as follows:

Names,	Sex	Age	Relationship.
William A. Dawson	Male		Son.
Richard A. Dawson,	"		"

In witness of which application I hereto set my hand on this the 4th day of Oct 1887.

(signed) James K. P. Dawson,
C. H. Taylor, Attorney."

- - - - - -

The judgment as recorded in Book C, page 145, of the records of the Cherokee Commission on Citizenship, is as follows:

"Mary Dawson,

Office of Commission Citizenship,

Tahlequah, Ind. Ter., Oct. 5th, 1887.

Docket No.	Names	Age	Sex	Post Office	Attorney
1	Mary Dawson,	54	female	Bowie, Texas.	
2	Walter Dawson,	18	male		

Boudinot & R.
Applicant for
Cherokee Citizenship.

Census Rolls 1835 to 1853
Ancestor
- - - - - -

vs.
Cherokee Nation.

- - - - - -

Office Commission on Citizenship,
Cherokee Nation, Ind. Ter.,
Tahlequah, Aug 26th, 1889.

The above case having been submitted by W. F. Parker, attorney for applicant, without evidence, the Commission decide that Mary Dawson aged 54 years, and her son Walter Dawson aged 18 years are not of Cherokee blood. Post office Bowie Texas.

Attest:
P. O. Ross,
Clerk Commission.

Will P. Ross,
Chairman.
J. M. Gunter, Com."

- - - -

BY MR. MATHEWS: The Nation further introduces the original envelope in the case of Andrew J. Dawson, which said envelope contains the original application; also the judgment in said case recorded on page 38, of Book A, of the records of the Citizenship Commission of the Cherokee Nation, which said records are now in the custody of the Commission; the judgment is dated April 26th, 1888.

BY MR. McKENNON: To all of which the applicants object, because the same is immaterial, irrelevant and incompetent.

The envelope just introduced above, is endorsed as follows:

"Name, Andrew J. Dawson, APPLICANT FOR CHEROKEE CITIZENSHIP. Address, Nevada, Mo. Age 44 years, - - 1835, Roll of 1835, Ancestor, - - Filed the 11 day of February 1867, Docket 37 Book A, Page 38 Testimony on Journal - - Page, Decision of Commission, REjected, 26 day of April, 1869. Rejected."

The contents of said envelope are as follows:

"To the Commission on Citizenship.

Tahlequah, I. T.,
January 27, 1867.

	Age		
Andrew J. Dawson,	44	years	Male
E. E. Dawson,	16	"	"
Olive M. Dawson,	14	"	female
William H. Dawson,	11	"	Male
Jessie K. Dawson,	9	"	"
Clemnie D. Dawson,	8	"	female.

V.S.
Cherokee Nation.

Know comes Andrew J. Dawson, and five children claiming the right to Cherokee Citizenship by [illegible] his Cherokee blood, he being a cousin of [illegible] the same name admitted to Citizenship by the Tahlequah court on Citizenship, which is a matter of record, we submit that as proof of the Justness of his claim, his ancestors will be found on the roll of 1835.

Respectfully,

Post-office, (signed) A. J. Dawson &
Nevada, Mo. five children,
by C. H. Taylor,
Attorney."

" " "

The judgment just introduced and found on Page 38 of Book A, Records of Cherokee Commission on Citizenship, is as follows:

"Andrew J. Dawson,
Office Commission Citizenship,
Tahlequah, C. N., Feby 11, 1867.

Docket No. Family	Name	Age	Sex		
1	Andrew J. Dawson,	44	Male	Nevada, Mo.	
2	E. E. Dawson,	16	"		
3	Olive M. Dawson,	14	Female		
4	William H. Dawson,	11	Male	Applicants for	
5	Jessie K. Dawson,	9	"	Cherokee Citizenship,	
6	Clemnie D. Dawson,	8	female	C. H. Taylor.	

Rejected April 26, 1869, (red ink.)

V.S.
Cherokee Nation.

Ancestors,

Filed Feby 11, 1897.

Adverse.

See decision in this case in that of L. R. Dawson, Book P.20.
rendered April 26- 1889.
D. S. Williams,
Clk Com."

BY MR. HUTCHINGS: We next desire to introduce the records in the case of the same Andrew J. Dawson, before the Commission to the Five Civilized Tribes, filed September 7th, 1896, and the judgment of the Commission thereon. Number of said case being 4,084. And the judgment of said case on Page 294, Book B., Dawes Commission Record, 1896. Judgment was rendered November 17th, 1896, denying the application.

BY MR. McKENNON: To all of which the applicants object, because the same is immaterial, irrelevant and incompetent.

The records just introduced, being those filed before Dawes Commission, 1896, in Andrew J. Dawson, et al., are as follows:

Registry Receipt,
Post Office at Vinita, Sep. 7, 1896, Cherokee Nation, Ind Ter.,
Registered Letter, No. 409, Rec'd, of A. J. Dawson, addressed to S. H. Mayes, Tahlequah, I. T., (signed) D. A. Frayser,
P.-M.

"Commission to the Five Civilized Tribes,
Vinita, Ind. Ter., Sept. 7, 1896.

Sir: Attached you will find your petition.

Evidence of service of copies of Chief or Governor may be secured as follows: If convenient get his receipt to [illegible] with your papers. If you cannot do this, register to him, and have some interested person to make affidavit in form [illegible] as follows:

I, S. H. Davidson, do solemnly swear that on the 7th day of September, 1896, I saw a package registered at the Post Office at Vinita, Indian Territory, addressed to Hon. S. H. Mayes, Chief of the Cherokee Nation, Tahlequah, Ind. Ter., that the registry receipt no.409, received from postmaster, hereto attached, is a receipt for said package, which contained true copies of the application of Andrew J. Dawson, and of the affidavits of E. Dawson and F. M. Dawson in support of same.

(signed) S. H. Davidson.

Subscribed and sworn to before me, on this 7th day of September, 1896.
(Seal)

(signed) W. H. Kornegay,

Notary Public, First Judicial Division, of the Indian Territory.

Attach receipt to this affidavit and send with papers to the Commission at Vinita, Indian Territory. This takes the place of the former instructions, as we understand that packages are not promptly receipted for by the Chiefs and Governors.

xxx _____
For the Commission."

APPLICATION FOR ENROLLMENT.

To the Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss and Alexander B. Montgomery, United States Commissioners, authorized by an Act of Congress of June 4th, 1896, to hear and determine claims for citizenship in the Cherokee Nation:

Gentlemen:-

The undersigned, your petitioner, Andrew J. Dawson. ~~William H. T. Dawson Jesse K. H.~~. (Line in ink drawn through these names) for and on behalf of Bonnie E. M. Dawson, Olive May Dawson, William H. T. Dawson, Jesse K. Dawson, Glen Dale Dawson, James K. P. Dawson, William A. Dawson, Maggie E. Dawson, Richard A. Dawson and Mary E. Dawson and heirs, this day make their application to you for the purpose being placed on the authenticated roll of Cherokee Indians and of those entitled to share in the distribution of the funds and allotments of lands in the Cherokee Nation by virtue of their Cherokee blood, and petitioners state that they are Cherokee Indians by blood, deriving the same from Captain John Rogers, Polly Rogers, daughter of Captain John Rogers, married Samuel Dawson, who's name will be found on the authenticated rolls of the Cherokees by blood, taken in the years 1817, 1818, 1819 and 1835 & 1838 the same to be submitted to your Honorable Commission for a full and complete investigation, and if found correct as stated, to be granted all the rights, privileges and immunities of other Cherokee citizens, any petitioner herein failing to prove his claim, and respectfully request that upon the approval of this application that I be heard and sworn.

Respectfully submitted,
Andrew J. Dawson.

Enrollment of family, with relationship each bears to applicant, as follows:

	Ages.	Relationship.
Bonnie E. M. Dawson,	25	Daughter,
Olive May Dawson,	22	Daughter
William H. T. Dawson,	20	Son,
Jesse K. Dawson,	18	Son.
Glen Dale Dawson,	15	Daughter.
James K. P. Dawson,	7	Brother.
William A. Dawson,	13	Nephew.
Maggie E. Dawson,	9	Neice.
Richard A. Dawson,	17	Nephew.
Mary E. Dawson,	5	Neice.

IN WITNESS WHEREOF, I hereunto set my hand this Third day September 1896.

(signed) Andrew J. Dawson."

Jurat on back of foll ors:

United States of America,
Indian Territory,
Northern District.

Andrew J. Dawson, of lawful age, being duly sworn st tes that he knows the facts set forth in the above and foregoing application and that the same are true as he verily believes.

(signed) Andrew J. Dawson,

Subscribed and sworn to before me on this the 3rd day of Sept ber 1896.

(signed) J. A. Tillotson,
Notary Public.

(Seal)
My Commission expires June 6" 1899.

- - - - - - -

Indian Territory,)
Northern Judicial Dis- (SS.
trict

Andrew J. Dawson, of lawful age, being by me first duly sworn on oath says that he is 52 years old that his post office address is Afton, I. T. Affidavit further says that he is a citizen of the Cherokee Nation and a Cherokee Indian by blood deriving his Indian blood from Polly Rogers daughter of Captain John Rogers, that Polly Rogers, a daughter of Captain John Rogers married Samuel Dawson near Calhoun, Tenn. on the Hiwassee river while emigrating to the west.

Affidavit further says that Samuel Dawson and Polly Rogers are his Grandfather and Grandmother and that Captain John Rogers was recognized by the National Council of the Cherokee Nation as a Cherokee citizen in the laws of the Cherokee Nation of 1852 as follows: An act of the Council of 1848 page 66, an act of Nov. 17" 1843, page 96, also an act of Nov. 16 1848 page 204.

Affidavit further says that he is a blood relation of R. Dawson, F. M. Dawson, Joseph Dawson, and John Dawson who were admitted to citizenship by the Cherokee Nation and whose names appear upon the authenticated rolls of 1896.

(signed) Andrew J. Dawson.

Subscribed and sworn to before me this 3" day of Septe ber A. D. 1896.

(signed) J. A. Tillotson,
Notary Public.

(Seal)
My Commission expires June 3" 1899."

"Indian Territory,)
Judicial Dist.) S.S.
)

F. M. Dawson, of lawful age, being by me first duly sworn on oath says that he is 64 years old: that his post office address is Afton, Indian Territory, Affidavit further says I have known Andrew J. Dawson for the past 10 years and have known him and recognized him as a Cherokee Indian and a cousin of mine, he claims to have originated from the family of Joe Dawson and he was a brother of Robert Dawson my father, and he being an offspring of Samuel Dawson, who married Polly Rogers, a daughter of Captain John Rogers, who was a recognized Cherokee Indian.

(signed) F. M. his x Dawson mark

Subscribed and sworn to before me this the 4th day of Sept 1896."

(signed) Frank L. Sharp
Notary Public. (Seal)"

- - - - - - -

"Ind Ter
Northern Dist

This affidavit made this 4th day of Sept 1896 by E. Dawson of this Dist in the Cherokee Nation I have known A. J. Dawson 10 years and have known him and recognized him as a Cherokee Ind and a cousin of mine, he claims to originate from the family of Joe Dawson and he was a brother of Robert Dawson and being an offspring of Sam Dawson who was (line in ink drawn through word was) married Pollie Rogers a daughter of Captain John Rogers who was a recognized Cherokee Indian.

(signed) E. Dawson.

Subscribed and sworn to before me this 4th day of Sept 1896.

(signed) J. Barricklaw,
Notary Public,

My commission expires June 8, 1899.

(Seal)"

Indorsed on back: "No. 1509, A. J. Dawson vs Cherokee Nation Filed Sept 7-1896 A. S. McKennon, Com'r."

- - - - - - -

Before the Honorable Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, A. B. Montgomery, Commissioners.
In the matter of the application of
Andrew J. Dawson, Nation's No.....
Commission's No.....
for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy.

2nd. That the application does not state facts sufficient if true, to show that the applicant . . . entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that John Rogers through whom the petitioner claims to derive right to citizenship in the Cherokee Nation, is not now, - . . and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory, as at present located and defined; that his name does not appear on any of the authenticated rolls of said nation; that neither he nor any of his ancestors ever resided, or ever have resided in the Cherokee Nation east of the Mississippi, as citizens thereof.

See case Nation's No. 1771.

Having fully answered, your respondent asks to be hence dismissed.

S. H. Mayes, Principal Chief Cherokee Nation.

R. Hutchings, Hastings & Boudinot, Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matter contained in the foregoing answers are true, to the best of his knowledge and belief.

(signed) John L. Adair,

Subscribed and sworn to before me this the 5th. of Oct 1896.

(signed) D. J. Ball,
Notary Public.

(Seal)"

Indorsed as follows: "Nation's No. 4079. Commission's No. 4694, In re application of Andrew J. Benson, DEMURRER AND ANSWER. Filed Oct 21 H. M. Jacoway, Sec."

The foregoing documents, comprising the 1896 papers as above set forth, are inclosed in envelope indorsed:

"No. 4694, Petition of Andrew J. Benson, and heirs, Cherokee, 9-7-96. Rejected."

Which envelope is inclosed in jacket, marked "No.4694."

- - - - - - -

BY MR. HUTCHINGS: Now we desire to introduce the records in the case of Joanna Barber, et als., No. 1804, the United States Court number being 90, and the Nation desires to call especial attention to the testimony of W. C. Rogers and Sarah Carter as set forth in this case.

BY MR. McKENNON: To all of which applicants object, because it is wholly irrelevant, immaterial and incompetent.

Records in said case are as follows:

blood is shown by proof herewith filed.

APPLICATION FOR ENROLLMENT.

To the Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cosgriff and Alexander B. Montgomery, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine claims for Citizenship in the Cherokee Nation.

Gentlemen:- The undersigned, your petitioner, Joanah Barber, for and on behalf of herself and heirs, this day makes this written application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to

share in the distribution of funds and allotments of land in Cherokee Nation, by virtue of their Cherokee blood, and I herewith submit the affidavits of E. Dawson, S. R. Dawson, W. A. Dawson & F. M. Dawson in support of said claim, and respectfully await the time when our Application shall be heard and tried.

Respectfully submitted,
(signed) Joanah Barber.

Enrollment of family, with relationship attached, as follows:

Names		Age	Relationship.
Joanah Barber,		60	Daughter of Elizabeth or Betsy
Isaac J. "	Husband	65	Petty, nee Dawson, who was a
Otis E. "		26	daughter of Polly Dawson, nee
W. P. "		34	Rogers who was a daughter of
James E. "		18	Capt Jno Rogers and Ailey Rogers
Johny "		6	nee Vann a Cherokee Indian by
Joel A. Barber		33	blood as is shown by proof here-with filed.

In witness of which I hereto set my hand on this 4 day of August 1896.

(Signed) Joanah Barber."

Indorsed as follows: "Fd. 2.50 No..., Petition of Joanah Barber for self and on behalf of herself and heirs."

TO THE HONORABLE HENRY L. DAWES AND OTHERS COMPOSING THE COMMISSION TO THE FIVE CIVILIZED TRIBES:

Your petitioner, Joanah Barber, would state and show from the proof submitted to the Commission that she is a Cherokee by descent and by blood having been born in Carroll County, State of Ark. on the 5 day of Dec 1835. My father's name was John Petty. My mothers name was Elizabeth Petty, nee Dawson. That I now reside in the Cherokee Nation, and have resided there for 10 years. And she avers these facts can be established by proof to the satisfaction of the Commission under such rules and regulations as it may prescribe. And she further avers that these facts being proved she is entitled to be adjudged under the laws of such Nation and the laws of the Congress of the United States and the treaties of such Nation with the United States, a citizen of such Nation, with all the rights, privileges and protection of Citizenship in such Nation. Wherefore she herewith respectfully submit to the consideration of the Honorable Commission such proof and on the hearing of the be adjudged entitled to such citizenship and her name be placed upon the proper roll as a citizen of such Nation.

(signed) Joanah Barber.

INDIAN TERRITORY,)
(SS
NINTH JUDICIAL DIVIS)

Now on this 4 day of Aug personally appeared before me W. J. Hale a notary Public in & for the Ninth Judicial Division, Joanah Barber, who being duly sworn on her oath states that the facts set forth in the foregoing petition are correct and true.

Subscribed and sworn to before me this 6 day of August 1896.

(signed) W. J. Watts,
Notary Public.
(Seal)"

- - -

"(copy)
In the matter of the claim of Joanah Barber nee Joanah Petty to Cherokee Indian Citizenship in the Cherokee Nation, Indian Territory.
Affidavit of S. R. Dawson.

Delaware District,)
Cherokee Nation,)
First Judicial Division,)
U.S. Court, Indian Territory. (ss
)
)
)

S. R. Dawson, to me well known to be a liable and respectable, after being duly sworn according to law states on oath, that he is a bona-fide citizen of the Cherokee Nation by blood- that he is a resident of said Nation- that his post-office address is Afton, I. T.; that he is fifty-one years of age- that he is well acquainted with the claimant Joanah Barber and has as long as he has known any person- that she is of Cherokee Indian descent- that her maiden name was Joanah Petty- that she was the daughter of one Elizabeth Petty, a person of Cherokee Indian descent- that Elizabeth Petty's maiden name was Elizabeth Dawson- that said Elizabeth Dawson was the daughter of Polly Rogers, a person of Cherokee Indian descent, who intermarried with Samuel Dawson, a white man- that said Polly Rogers was the daughter of Captain John Rogers and Ailsey Vann both full blood Cherokee Indians.
Affiant is not directly nor indirectly interested in the result of this application.
(Impress of Notarial Seal) (signed) S. R. Dawson.
Subscribed & Sworn to before me July 6 1892
(signed) F. P. Hubbard,
Notary Public."

"United States of America,
Indian Territory, (ss
First Judicial Division.
I, William F. Rawns, a Notary Public within and for the Judicial Division aforesaid, do hereby certify that the next above in the within one page of an affidavit is a true and literal copy of the original as presented to me at Tahlequah, Ind. Ter'y, this the Third day of July A.D. 1893.
(signed) William F. Rawns,
Notary Public, First Judicial Division, Indian Territory.
(Seal) My Commission expires May 3, 1897."

(A copy)

In the matter of the claim of Joanah Barber (nee Joanah Petty)

to Cherokee Indian Citizenship in the Cherokee Nation, Ind Ter.

Affidavit of E. Dawson,

Coowescoowee District,)
Cherokee Nation,)
First Judicial Division,) ss
U. S. Court, Ind. Ter.)

E. Dawson, to me well known to be reliable and responsible after being duly sworn according to law states on oath that he is a Bonified citizen of the Cherokee Nation by blood- that he is a resident in said Nation that his post office address is Talala, Ind Ter.-that he is 38 years of age- that he is well acquainted with the claimant Jonnah Barber and has been so as long as he has known any person- that she is a person of Cherokee Indian descent the her maiden name was Jonnah Petty- that she was the daughter of one Elizabeth Petty, a person of Cherokee Indian descent- that Elizabeth Petty's maiden name was Elizabeth Dawson- that said Elizabeth Dawson was the daughter of one Polly Rogers a person of Cherokee descent, who intermarried with Samuel Dawson, a white man, that the said Polly Rogers was the daughter of Captain John Rogers a well known Cherokee Indian.

Affiant is not directly nor indirectly intgrested in the result of this application.

(signed) E. Dawson.

Subscribed and sworn to before me this the 24th day of Febry 1898

(signed) A. E. Williams,
Notary Public.

(Impress of
National Seal
here.)
Com. Expn. Sept. 26/98.

United States of America,
Indian Territory, S S
First Judicial Division.

I, William F. Ramsus, a Notary Public within and for the First Judicial Division, Indian Territory, do hereby certify that the next above and the within one page of an affidavit is a true and literal copy of the original presented to me at Tahlequah, Ind Ter. this the third day of July A.D.1897.

(signed) Wm. F. Ramsus.

(Seal) Notary Public, First Judicial Division: Indian Territory, My Commission expires Febry 7, 1897.)

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"United States of America,
Western District of Arkansas. SS.

In the case of one Jonnah Barber claimant for citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before Cherokee Indian authority at Tahlequah, Cherokee Nation, Indian Territory.

Personally came and appeared before me William F. Ramsus, a Commissioner U. S. Court within and for the district aforesaid duly authorized to administer oaths E. A. Dawson, to me personally well known to be reputable and entitled to credit, and who being, by me first duly sworn according to law, deposes and

and says: My name is T. A. Dawson, my age is 52; my post-office address Tulsa, Okla. Terry. I am a farmer by occupation, I am a citizen of the Cherokee Nation, I. T. by virtue of Cherokee Indian blood.

And affiant declares in relation to the above matter as follows, to-wit: That he is personally well acquainted with the claimant, Joanah Barber- whose name before her marriage was Elizabeth (commonly called Betty) Petty, Dec'd nee Elizabeth Dawson, - a Cherokee Indian by blood, and the wife of Nathan Barber; Jasper Dawson, Dec'd, a recognized and enrolled Cherokee Indian by blood- and the late brother of Robert Dawson Dec'd a recognized and enrolled Cherokee Indian by blood- said Robert Dawson being the full brother to said James Dawson- that he knows the said claimant, Joanah Barber is the (daughter) of said Robert Dawson Cherokee Indian blood and that he is recognized as such by the Cherokee Nation.

(signed) T. A. Dawson.

Subscribed and sworn to before me at Tahlequah, Ind. Ter. this 17th day of November A.D.1902.

(signed) T. . Rogers,
United States Commissioner."

(seal)

- - - - - - -

"UNITED STATES OF AMERICA.)
Eastern District of Arkansas.)ss

BE it remembered that on this 17th day of November A.D. 1902, in the Cherokee Nation, Indian Territory, and a Cherokee Indian by blood, before Cherokee Nation, Indian Territory.

Personally came before me T. B. Wilson, U. S. Dist. Court Commissioner of the U. S. Dist. Court within and for the Eastern District aforesaid duly appointed to administer oaths in said District, T. A. Dawson, to me known personally well known to be a competent and entitled to - - and who - - duly sworn according to law deposes and says: My name is T. A. Dawson; my age is 57 years, my post-office address is Afton, Ind. Ter'y, I am a farmer by occupation, I am a citizen of the Cherokee Nation, by virtue of Cherokee Indian blood.

And affiant declares in relation to the above matter as follows, to-wit: I am personally well acquainted with the claimant Joanah Barber, whose name before her marriage was Elizabeth (commonly called "Betty") Petty, nee Elizabeth Dawson, a Cherokee Indian by blood, said Elizabeth Petty being the daughter of Robert Dawson Dec'd, a Cherokee Indian by blood- and I acknowledge the relationship by Cherokee Indian blood of Joanah Barber to be as first stated- and I know that the said Joanah Barber therefore is of Cherokee Indian blood.

(signed) T. A. Dawson.

Subscribed and sworn to before me at Tahlequah, Ind. Ter. this 17th day of November A.D.1902.

(signed) T. . Rogers,
United States Commissioner.

(seal)

Indorsed on back as follows: "No. 1 Filed Dec 24 1902, Jno. A. Wilson, Clerk."

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"Page No. Docket "B"
Joannah Barber.
Office Commission on Citizenship.
Tahlequah, C. N. August, 1897.

Docket. No.	Names	Age.	Sex.	Post Office.	Atty.
1	Joannah Barber	51	female	Vinita, I. T.	
2	Ailey J. Barber	34	female		
3	Irena Barber	24	female		
4	Ezra Barber	23	female		
5	Atta Barber	20	female		
6	Mary Barber	17	female	applicant for	
7	Ortice Barber	17	female	Cherokee Citizenship	
8	Joel Barber	31	male	Dockt 1035	
9	Calaway Barber	27	male		
10	Toliver Barber	25	male	Ancestor	
11	Riley Barber	15	male		
12	Edgar Barber	9	male		
	V.S.			John Rogers &	
	Filed Aug. 12, 1897.			Alex Pruett	

See decision this case in that of L. E. Dawson, adverse to claimant in this book page 20.
Dated April 26th, 1899.
D. S. Williams, Clerk Com.
Will. P. Ross, Chairman,
J. E. Carter, Com."

"S. E. Dawson.
Office Commission on Citizenship,
Tahlequah, C. N. Aug. 11th, 1897.

Docket. No.	Names.	Age.	Sex.	Post Office.	Atty.
1	S. E. Dawson,			Catoosa, I. T.	
2	Perlee Dawson,	44	female		
3	America J. Dawson,	25	female		
4	Katherine J. "	22	female		
5	J. C. Dawson,	21	male		
6	Elias P. Dawson,	20	male		
7	Toliver Dawson,	17	male	Applicant for	
8	Ora Dawson,	16	female	Cherokee	
9	Daisy Dawson,	14	female	Nation	
10	John Riley Dawson,	11	male		
11	Robt. L. Dawson,	9	male		
12	Clara Dawson,	7	female		
13	Cleveland Dawson	3		Ancestor	
	Filed Aug. 11, 1897.			John Rogers	
	Rejected April 26, 1899.				

Now this day comes the above case for final hearing, Samuel E. Dawson makes his application to be admitted to Cherokee Citizenship in the Cherokee Nation upon the ground that he is the son of Samuel Dawson, a white man, Polly Lewis, the daughter of Cherokee John Rogers, and Calaway Pruett said to be half sister of John Rogers and also known as Nancy of Cherokee blood. It is admitted that John Rogers was

Military Grants Homestead Applications Citizenship
Section 7 of the Act of December 8th, 1887, repealing
of Citizenship Case made, but in support of the petition
it is urged that certain members of the Dawson family the
full brothers of the applicant are entitled to citizenship
by the operation of Section 7 commonly known as the "Tobacco
Court" or "Bryans Court" and are now residing in the Province
of Manitoba. In the opinion of this Commission the
petitioner of the Council praying Commissioner the Petition
for Certificates of Citizenship now introduced is without
foundation as the applicant is not married
to a person entitled. The 7th section of the Act of
December 8th, 1887, does not provide that the Commissioner
may grant any person applying for citizenship in the Province
of Manitoba the rights of Citizenship unless he or she
is a British subject by descent, but
the applicant must be a person, or the lineal descendant
of a person, who was on the 15th day of July 1870
entitled to hold lands from the Hudson Bay Company
and the wife of the applicant for part of this person
who claims to be a lineal descendant answering these
conditions of said Acts, the Commission adjudge and decree that
Samuel F. Dawson and his wife are not entitled to re-admission
to citizenship in the Province of Manitoba as applied for.
This opinion includes the cases of Andrew J. Dawson, James
A. P. Dawson, Jonathan Barber, nee Jonathan De Mont, and Jane
Owen, nee Jane Dawson and their families as enumerated in
their respective petitions.

Dated at Regina, this 7th day of April 1890,

Neil. F. Dowe, Chairman,
[illegible] Brown, Commissioner,
John E. [illegible]ner, Commissioner.
D. C. Williams, Clerk Com."

- - - - - -

United States of America,)
Indian Territory, (ss.
Northern District.)

I, C. Rogers being duly sworn on oath make and say:
That I am a citizen of the Creek Nation,
Indian Territory. That my post-office address is Ski-atook,
I. T. That I am the same C. Rogers who made affidavit
in the Indian Territory [illegible] in the above title
and matter.

That I am [illegible] years of age.

That I am a brother of the late Charlie Rogers who
died in the Province of Manitoba, N. W. T. about the
month of [illegible] 1889, and that I am the only brother
of the said Charlie Rogers who is now living.

That I have read the affidavit of Jane Owen, nee
Jane Dawson, sworn to before Commissioner Neil F. Dowe,
at Regina, N. W. T. on the 7th day of April 1890, and
that the statements therein contained are true.

That I am well acquainted with Isaac J. Rogers, an
applicant for admission to citizenship
in Manitoba, and that he is a brother of the said Charlie
Rogers and the only brother of the said Charlie Rogers
who is now living.

That the said Charlie Rogers died in the Province
of Manitoba, N. W. T. about the month of [illegible] 1889,
leaving him surviving his father Charles Rogers and the
following brothers viz. Isaac J. Rogers, Lewis Rogers,
[illegible] Rogers, Samuel Rogers and Richard
Rogers; that he (the affiant) has well and personally
known the said Charlie Rogers for [illegible] years
last past, and that the said Charlie Rogers was killed
by the Indians at Battleford, N. W. T. on the

This affiant was [illegible] 24 years of age, when his [illegible], Charlie Rogers died, that she [illegible] never had any [illegible] (like [illegible] from [illegible] and [illegible] that she ever [illegible] mentioned; that the [illegible] Polly [illegible] were named in the application for citizenship of Isaac J. [illegible], was not a sister of his father; that his father's sister [illegible] but a sister viz. Cynthia Rogers who this affiant once heard of; that this affiant was well acquainted with [illegible] Cynthia Rogers-"

[illegible] follow, [illegible] on separate paper:

"EXECUTIVE DEPARTMENT OF
CHEROKEE NATION. I, John L. Adair, Executive Secretary of the Cherokee Nation, do hereby certify that I have compared the foregoing with the original record in this Department, and that the same is a correct copy and of record in my office.

In witness whereof I have hereunto set my hand and affixed the Great Seal of said Cherokee Nation, at Tahlequah, this, the 5th day of Feb. 1896.

(signed) John L. Adair,
Executive Secretary."

(Seal)

From the above affidavit continues:

"(Mrs.) Rogers [illegible] Polly Adair, Isaac's father's [illegible] number of generations before her.

Affiant states that his father [illegible] of them, Charlie Rogers [illegible] Cynthia Crump (nee Rogers) about his relations; that he never knew of any other sister in their family; that his father was about 10 years of age when his aunt, Cynthia Crump died; that they told him there never was (words "never was" marked over with ink) father never had any other daughter or any other other than Cynthia Rogers.

Affiant states that his father [illegible] a number of times, that his maternal grandfather [illegible] John Rogers never had any other family other than the one above mentioned; that this affiant never heard his father Charlie Rogers or any of his relatives speak of his grandfather Capt John Rogers owning or [illegible] any river.

Affiant states his father [illegible] Rogers was born [illegible] Cherry, South-east of Van Buren, Arkansas, [illegible] Hill".

Further affiant saith not.

[illegible] Rogers.

[illegible] and sworn to before me this the First day of October, 1896.

(signed) Fillmore Hall,
Notary Public,

(seal) My Commission expires January 16th, 1900."

United States of America,)
Indian Territory, (SS
Northern District.)

[illegible] Sarah Crump being first duly sworn states; that she is [illegible] resident of the Cherokee Nation, Ind. Ter. and her post office address is Tahlequah, I. T.. that she is 66 years of age.

Affiant states that she is the daughter of Carrie Rogers that her grandfather on her father's side was John Rogers. Affiant further states that W. C. Rogers is her brother, and that she has read the foregoing affidavit of W. C. Rogers, and knows the contents thereof; that the facts therein set forth are true as she verily believes.

(signed) Sarah Scott.

Subscribed and sworn to before me this the first day of October, 1896.

William H. Hall,
Notary Public.

My Commission expires January 16th 1900."
(seal)

- - - - - -

"Before the Honorable Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. - (illegible) A. H. Montgomery, Commissioners.

In the matter of the application of Nation's No.1573
Jennah Barber Commission's No....
et al-
for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That the Commission has no jurisdiction over the parties or subject matter of this controversy, and not legal right, therefor, to hear and determine the same.

2nd. That the application does not state facts sufficient, in law, to show that the applicants are entitled to citizenship.

Respondent not waiving the aforesaid demurrer, but insisting upon the same for answer to said application, says that John Rogers through whom the petitioners claim to derive their right to citizenship in the Cherokee Nation, is not now, and never has been a citizen of the Cherokee Nation, since the approval by said Nation, and by the Indian Territory as it was located and defined; that his name does not appear upon any of the authenticated rolls of said Nation; that neither petitioners nor their endorsers now reside or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Having fully answered, your respondent asks to be hence dismissed.

S. H. Mayes, Principal Chief C. Nation.
Wallace.

E. Hotel Pyle, Hastings & Woodward, Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that he prepared the foregoing answer and knows the contents thereof; that the facts therein stated are true, to the best of his knowledge and belief.

(signed) John L. Adair.

Subscribed and sworn to before me this 1st day of Oct. 1896.

(signed) W. J. Hall.
Notary Public."
(seal)

I[illegible] [illegible] follows: " [illegible] D[illegible] [illegible] 1[illegible], Cookie [illegible] ..... In [illegible] application of No 2 [illegible] Dawson and A[illegible] Filed Mar 19 1907 Jos. [illegible], Clerk/ [illegible] Dec 7 1906 W. W. Jacoway, Secy."

"APPEAL.

BEFORE THE HONORABLE COMMISSION OF THE UNITED STATES OF AMERICA.

[illegible] Act, [illegible] by virtue of [illegible] Act approved June 4th 1906, to [illegible] [illegible] for [illegible] of the Five Civilized Tribes of Indians, to-wit:

[illegible], Creek, Choctaw, Chickasaw and Cherokee Indians.

In the matter of the application for citizenship in the Cherokee Nation of Joel A. Barber and his children, to-wit: [illegible] Barber, Oliver Barber, George A. Barber, Frank C. Barber, Jesse Barber and Ethel Barber.

In the matter of the application for Citizenship in the Cherokee Nation of Mary A. Barber and her child, to-wit: Ima [illegible].

In the matter of the application for citizenship in the Cherokee Nation of Ella L. Murray and her Child, to-wit: Claude L. Murray.

In the matter of the application for Citizenship in the Cherokee Nation of Ella Moore and her children, to-wit: Anna J. Moore, Jackson D. Moore, Kirby Moore and Clara [illegible] Moore.

In the matter of the application for citizenship in the Cherokee Nation of Alice L. Hunt and her child, to-wit: [illegible] Hunt.

In the matter of the application for Citizenship in the Cherokee Nation of Alcey J. Stuart and her children, to-wit: Georgia A. Stuart and Erry L. Stuart.

In the matter of the application for Citizenship in the Cherokee Nation of Jeannah J. Garlinghouse and her children, to-wit: Myrtle O. Garlinghouse, Cora L. Garlinghouse and Birtha [illegible] Garlinghouse.

In order that the Honorable Commission may clearly understand the proof and merits of the Claim of the aforesaid Claimants, we deem it necessary to present to the Honorable Commission, the ancestry of one of said Applicants, to-wit:

Joel A Barber, whose maiden name was Joel A Polly, is a daughter of Elizabeth Polly, who [illegible] by a [illegible] Polly Dawson, Dan Rogers and [illegible] John D. [illegible], who was a Cherokee Indian by blood [illegible] the proof now in evidence.

Joel A. Porter [illegible] Joanna Porter, nee Petty and [illegible] Elizabeth Petty, nee Dawson and great grandson of Polly Dawson, nee Rogers and great great grandson of Captain John Rogers, who was a Cherokee Indian by blood as shown by the proof herein submitted. Mary A. Porter, whose maiden name was Mary A. Porter, is [illegible] daughter of Joanna Porter and granddaughter of Elizabeth Petty, nee Dawson and great great granddaughter of Polly Dawson, nee Rogers and a great great great granddaughter of Captain John Rogers, who was a Cherokee Indian by blood as shown by the proof [illegible].

[illegible] Porter, [illegible] Porter, is [illegible] of Joanna Porter, nee Petty and a great granddaughter of [illegible] Petty, nee Dawson and great great granddaughter of Polly Dawson, nee Rogers and a great great great granddaughter of Captain John Rogers, who was a Cherokee Indian by blood, as [illegible].

Attie L. Hunt, [illegible] Attie L. Porter, [illegible] daughter of [illegible] Porter, nee Petty and [illegible] granddaughter of Elizabeth Petty, nee Dawson and great great granddaughter of Polly Dawson, nee Rogers and a great great great granddaughter of Captain John Rogers, who was a Cherokee Indian by blood, as shown by the proof herein submitted.

Alcey J. Stuart, [illegible] Alcey J. Porter, is [illegible] daughter of Joanna Porter, nee Petty and a great granddaughter of Elizabeth Petty, nee Dawson and a great great granddaughter of Polly Dawson, nee Rogers, and a great great great granddaughter of Captain John Rogers, who was a Cherokee Indian by blood as shown by the proof herein submitted.

Joanna J. Garrison, [illegible] Joanna J. Stuart, is [illegible] daughter of Alcey J. Stuart, nee Porter, and a granddaughter of Joanna Porter, nee Petty and a great granddaughter of Elizabeth Petty, nee Dawson and a great great granddaughter of Polly Rogers, nee Rogers, and a great great great granddaughter of Captain John Rogers, who was a Cherokee Indian by blood as shown by the proof herein submitted.

Therefore, the Claimants [illegible] Honorable Commissioner, after a careful examination of their application and the testimonial investigations and the proof herein submitted, [illegible] allowing each of said Claimants, together with their [illegible] enrollment Children, entitled to citizenship in the Cherokee Nation, and that you place the names of each Claimant, [illegible] with the names of their aforementioned Children, upon the Cherokee roll, [illegible] to them all the rights, privileges and immunities of citizens of the Cherokee Nation.

(signed) Hubbard, Carl and Hayes,
Counsel for Petitioners."

I [illegible]: "No. [illegible] Feb 24 1927",
[illegible].

[illegible]

Commissioners,
[illegible], Archibald C. [illegible],
[illegible], Alex[illegible]--[illegible],
[illegible].

[illegible]

[illegible]

[illegible]

I, [illegible], [illegible], [illegible],
[illegible]
[illegible]
[illegible] Feb. 1927.

[illegible], [illegible],
[illegible]."

[illegible]: "[illegible] Feb 24 1927
[illegible]."

"[illegible] IS[illegible] TO [illegible] IVE CIVILIZ[illegible]
[illegible].

[illegible],
vs.
[illegible].

A[illegible] [illegible].

[illegible] for [illegible]
[illegible] 1927, 10:[illegible].
[illegible]
[illegible]
(Sgd) [illegible],
[illegible].
(Sgd) J. C. [illegible],
[illegible].
(SEAL)
[illegible] Feb. 1927."

[illegible]: "[illegible]."

"[illegible] . . . co[illegible] . J., [illegible] by [illegible] e day [illegible] [illegible], [illegible] [illegible] al [illegible], in [illegible] e of [illegible] - [illegible] Nation, [illegible] Sellers:

/ / / / /

[illegible] er and [illegible] official [illegible] [illegible] e this [illegible] day [illegible] of.

[illegible] (Seal) ([illegible]) I. [illegible] Vinson, Clk."

[illegible] [illegible] [illegible] [

FIRST. The Commission erred in rejecting its testimony and said claims adversely to the appellants against the proof submitted by said appellants.

SECOND. The Commission erred in investigating the claims of appellants and denying same against the advice of a majority of the members of the Commission.

THIRD. The Commission erred in refusing the appellants the right and privilege of examining the proof submitted by appellee in support of the answer filed by the appellee and to give the appellants the right of filing exceptions to appellee's answer or proof in writing of same.

FOURTH. The Commission erred in denying the appellants the right of a trial of their said claims, as guaranteed to them by the laws and constitution of the United States.

FIFTH. The Commission erred in refusing to allow the claimants to be present in person, or by attorney, during the trial and determination of their claims by said Commission.

SIXTH. The Commission erred in refusing to issue process for witnesses and to award the proper writs of attachment to be done as by the appellants.

SEVENTH. The Commission erred in deciding against the right of these appellants to be enrolled as citizens of the Cherokee Nation.

EIGHTH. The Commission erred in deciding against them, holding that blood was not a test of admission of citizenship in said Cherokee Nation.

NINTH. The Commission erred in deciding against the proposition of residence, holding that residence in the Cherokee Nation was not a test of the right of citizenship in the said Cherokee Nation.

TENTH. The Commission erred in not entering upon their docket or record the grounds upon which the claims of appellants were denied and refused; to notify appellants the grounds of denial or rejection.

ELEVENTH. The Commission erred in examining the claims and proof of appellants and denying the same while the Commission was not clothed with any legal authority, nor had jurisdiction, to render decision on said claims or deny the same.

TWELFTH. That the Act of Congress approved June 10, 1896, was unconstitutional and had no power or legal right to confer jurisdiction on said Commission to try and adjudge the rights to citizenship of said appellants, and said Commission erred in determining the rights and denying same to said appellants.

THIRTEENTH. That Congress had no power by enactment to create, appoint and empower a judiciary, and said Commission erred in deciding the claims of said appellants without any legal authority to do so.

Therefore, the appellants of this cause pray that the appeal be granted to this Court and that a trial, de novo, be had of the appellants, and that said appellants be permitted to introduce testimony, and that an order be made requiring said Commission to send up the pleadings, papers and record filed therein in this cause to this Court, and that the Cherokee Nation, the appellee herein, be cited to appear

[illegible] plead & defend against the appeal [illegible] show why the petition should not by the rules, orders and decisions of this Court be adjudged entitled to citizenship in the said Cherokee Nation, and the appellants will ever pray.

(signed)
W. B. Watts,
A. H. Garland,
T. J. Watts,
Attorneys for Appellants."

Endorsed on back: "Cherokee Citizenship Case, No. 90 No 5 Joan A Barber et al vs Cherokee Nation Filed Dec 22 1896 J. A. Winston, Clerk Watts, Garland & Watts, Attorneys for Petitioners."

"SUMMONS.

The United States of America,)
Indian Territory,) ss.
Northern District.)

THE PRESIDENT OF THE UNITED STATES OF AMERICA,

To the Marshal for the Northern District, Indian Territory:

You are commanded to summon the Principal Chief of the Cherokee Nation, or the Attorney General of said Nation, to appear on the first day of next May term of the United States Court for the Northern District, Indian Territory, at Muskogee, Indian Territory, being the 4th day of May, 1897, A.D. 189-- a petition praying an appeal from the decision of the Commission to the Five Civilized Tribes duly filed in said Court by Joan A Barber, Onie E. Barber, Wm R Barber, Jas E Barber, Jennie Barber, Joel A. Barber, Mary A. Barber, Emma Moore, Attie L. Hunt, Alcey J. Smart, who claim to be entitled to be enrolled as citizens of said Nation, to the United States Court for the Northern District, Indian Territory, which petition is now pending in said Court, and warn him upon a failure to answer petition within thirty days from the time of the service of this writ, the same will be taken for confessed, and you will make due return of this summons within ten days after the actual service of this writ.

Witness the Honorable William H. Stringer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, this 22nd day of Dec. 1896 A.D.189--

(signed) J. A. Winston, Clerk.

(SEAL)"

"MARSHAL'S RETURN.

I received this summons this 26th day of December A.D. 1896 and served the same as follows: T. T. Hutchings, Attorney for Cherokee Nation Indian Territory Accepted Service for the within at Muskogee, Indian Territory on this 12th day of January 1897

(signed) T. B. Watts

U.S. Marshal
By .....Deputy."

Indorsed on back as follows: "Citizenship Case No. 70
U. S. Motion... Sworn...Attys' Claimants."

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"Joanna Barber et Al.
vs. No.90.
Cherokee Nation.

Mr. E. A. Gibson, Special Master, to whom this cause was referred, submits the following report:

"IN THE UNITED STATES COURT IN THE INDIAN TERRITORY,
NORTHERN DISTRICT, AT MUSKOGEE.

JOANNA BARBER ET AL)
: REPORT OF SPECIAL MASTER.
-vs-
CHEROKEE NATION.)

---------oOo---------

I, E. A. Gibson, Special Master herein, show to the Court that by the general order herein, I have examined the [illegible] herein, which is hereto attached and made a part hereof, and that I find as follows:

I

That this cause was instituted on September 5th, 1906, under the Dawes Commission to the Five Civilized Tribes, by Joanna Barber, and Isaac J. Barber, her husband, on their children, Ona E., William H., James E., Johnnie and Joel A. Barber. That Joel A. Barber has the following children. Hattie Tolliver, George A., Frankie G., Jesse and Ethel Barber. That the application includes also Mary A. Tolliver and her child Inez Tolliver, Emma L. Murray and her child Claud Murray, Eva Moore and her children Anna J., Jackson D., Mary [illegible] Gladys, Attie L. Hunt and her child Norma Hunt, Alsey J. Stuart and [illegible] Mildred, George A. and Ruxey A. Stuart, Joanna J. Garlington and her children Cyrene C., Cora L. and Bertha [illegible] Garlington. That the application was by the Commission tried and rejected on October 29th, 1906, with no reasons given for the decision, and that subsequently on December 22, 1906, the claimants appealed to this Court. That the parties all live in the Cherokee Nation, Indian Territory.

II

That the parties claim the right to be admitted to citizenship in the Cherokee Nation by reason of their descent from Polly Rogers, who is claimed to be a Cherokee Indian by blood. That in support of their application the affidavits of S. P. Dawson, E. Dawson, Francis A. Dawson, and W. A. Dawson, who testify that Joanna Barber is the [illegible] of Elizabeth Reavy, nee Dawson, who was the daughter of Polly Rogers, who married a white man by the name of Samuel Dawson, and that Polly Rogers was the daughter of Captain John Rogers and Alsey Vann. That these witnesses are all Cherokee citizens by blood, and all [illegible]

claimants, and concerning the other testimony, related to the [illegible].

The attorney introduces to contravert this testimony the decision of the Cherokee Commission on Citizenship, rendered in the year 1897, in which these claimants were rejected by this Commission and also the affidavits of T. C. Rogers a grandson of Captain John Rogers, and Mrs. Sarah Carter, a granddaughter of Captain John Rogers, both of whom state that they never heard of any daughter of said Captain John Rogers by the name of Polly Rogers, and that Cynthia Rogers was his only daughter.

III

The claimants contend that they are residents of the Cherokee Nation, and are relatives of the Dawson family, who are recognized citizens of the Cherokee Nation by blood, are entitled to be enrolled to the Cherokee Nation as citizens by blood, while the attorney contends that John Rogers, through whom the petitioners claim, is not now and was not born a citizen of the Cherokee Nation since the removal west; that his name does not appear on the rolls of the Cherokee Nation, and that he nor his ancestors ever resided in the Cherokee Nation as citizens thereof.

The premises considered, in view of the unsettled condition of affairs in the Cherokee Nation at the time when Captain John Rogers, the ancestors through whom these claimants trace their Cherokee blood, lived, and especially in view of the absence of a uniform law and of records pertaining to births, I am of the opinion that these claimants have proven that they are descended from Capt. John Rogers, who resided in the Cherokee Nation, and was a recognized citizen, though the do not show that he was ever enrolled as such, and I therefore find that the claimants are all residents of the Cherokee Nation, within the meaning of the law, and that they are all Cherokee Indians by blood. That they have resided in the Cherokee Nation since 1887, and probably longer, though the proof does not go to definitely how long, they have so resided.

I find that the Court allow the reasonable fee for my services here in as Special Master.

Respectfully submitted this 16 day of August, 1907.

(signed) H. A. Gibson,
SPECIAL MASTER.

Fee allowed.
No Objections Filed."

IN THE COURT.

From this report it appears that the claimants base their right to be enrolled as citizens of the Cherokee Nation upon the grounds that they are the descendants of a Cherokee Indian by blood, but their ancestors through whom they claim have never resided in the Cherokee Nation as now constituted. It appears that they have resided in the Cherokee Nation since 1887, and probably longer, but the proof does not state definitely how long they have so resided. It does not appear that the claimants or any of their ancestors have ever been enrolled as members of the Cherokee Nation.

The judgment of the United States Commission rejecting this case is affirmed, and the application of the claimants

to be enrolled as citizens of the Cherokee Nation is denied."

Indorsed on back: "CC No.7 Joanna Barber et al vs Cherokee Nation, Final Report of Special Master, Filed August 17, 1897, Jas A. Hinston, Clerk."

Foregoing papers in Joanna Barber case enclosed in packet indorsed: "CC Joanna Barber et Vs Cherokee Nation."

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"NOTICE.

UNITED STATES OF AMERICA) In the United States Court for
INDIAN TERRITORY (SS said District.
NORTHERN DISTRICT.) In the matter of the application of Joanna Barber et al to be enrolled as citizens of the Cherokee Nation.

To the Commission to the Five Civilized Tribes.

You are hereby notified that an appeal has been taken in the matter of the application of Joanna Barber et al to be enrolled as citizens of the Cherokee Nation, from the said Commission, to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal: the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable Tilghman H. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, this 27 day of Dec. 1896. A.D. 189--.

(SEAL) (signed) J. A. Hinston, Clerk."

Indorsed: "No. 1864 Joanna Barber et al vs Cherokee Nation, APPEAL ORDER OF U. S. COURT."

Foregoing papers enclosed in packet marked: "No. 1864."

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BY MR. MITCHELL:

We now introduce the original record in the citizenship case of Irene J. House, et al., before the Commission in 1896, the court number of same being 238, said case being denied by the Commission; appealed to the United States Court, and the decision of the Commission affirmed.

In this case we desire to call especial attention to the certified copy filed therein of the testimony of Arthur Baker, the certified copy having been made in 1894, being the testimony of Dr. Baker in the case of Robert Dawson against Sam Mayes, number 103, before the Citizenship Commission, and which was made January 19, 1894.

BY MR. McKENNON: To all of which the applicants object, because the same is immaterial, irrelevant and incompetent.

The papers in Court No. 230, just introduced above, are as follows:

"Office of Commission on Citizenship,
Cherokee Nation, Tahlequah, January 19, 1883.

No. 108.
Robert Dawson et al) Exhibit C.
vs (
Cherokee Nation.)

Testimony for Claimants.

Witness, Dr. Arthur Baker sworn testifies as follows:
My name is Arthur A. Baker I reside at Berryvill Arkansas Carroll County my age is 73 years I am not a Cherokee. I lived in the Cherokee Nation about three years when I first came to Arkansas I have been acquainted with him since he became a citizen of Carrolls County some 35 years - At my Mothers house near Calhoun I became acquainted with the claimants Robt Dawson grandfather on mother's side she was frequently at my Mothers house though she Anna Pruet lived in the Nation side; She claimed to be a half sister to Big Joe Vann, also claimed to be half Cherokee, the first time she brought the claimants mother to my Mothers house she the Mothers mother was about grown when I was a little boy. She called her daughter Polly Rogers, Said Captain John Rogers who ran a boat on the River was the father of the child; I saw the girl frequently there at my Mothers and there at Louis Ramsey Store.

I saw her occasionally until I was 15 or 16 years of old and I think then Old Capt. John Rogers took her off to school, I saw her no more from the time Old Capt. John Rogers took her off till I saw her here in Arkansas the wife of old Samuel Dawson, I stayed all night there with us and I had a talk over our old matters and I asked her where she became acquainted with Dawson and she said at the time she was going to school and she said after she left school that Dawson followed her home, to the Nation and they were there married. I have told that precisely in the words that she used, Capt John Rogers claimed to be one fourth Cherokee. The claimant is the son of Polly Rogers, and I know Polly Rogers to be the daughter of Anna Pruett and I know the claimant to be the son of Polly Dawson. Capt. Rogers then reside in the Cherokee Country about twenty (Word "twenty" marked through) twelve miles below Calhoun on the Hiwassee River Anna Pruett resided in the Cherokee Nation as long as I stayed there the Dawson when I got acquainted with them Arkansas were recognized there they were as Cherokees. Robert Dawson children is Buck, John, Marian and two girls, The children named in the petition I recognized as being the claimants.

Question by Solicitor:

Qu. 1 How many children did Polly Rogers have?
Ans. 1 Five I think that's all.
Qu. 2 Did you say so much about some one being married twice?
Ans. 2 The claimant was married twice.
Qu. 3 Could Anna Pruet speak Cherokee?
Ans. 3 Yes, she could speak it well.

Ques 4 Did Polly Rogers and C[illegible]?
Ans. 4 She did when [illegible] was young.
Ques 5 How far did you live from A[illegible]?
Ans 5 Just across the river about 1/4 of a mile.
Ques 6 Was Calhoun in the Cherokee Nation?
Ans. 6 It was on both sides of the river part in the Nation and part out in the [illegible].
Ques 7 Which Marriage was it went to Texas?
7 George went first, then John went, they were the sons of old man Marriage, that lived up near the line.
Ques 8 Did the Claimant go to Texas?
Ans. 8 No the Claimant did not go to Texas.
9 What connection was claimant and Polly Rogers?
9 The Claimant is the son of Polly Rogers Marion here is the grandson of Polly Rogers.
10 Where does claimant now live?
10 He lives in Carroll Co Arkansas.
11 Do you know what relation old Capt John Rogers was to Charles Rogers here in Cooweescoowee?
11 They claimed him but what kin I dont know there were two Capt John Rogers in the Nation I am speaking of the time when I first came to this country about the year 1830.
12 Was Anna Pruet the maiden name of claimants grandmother
12 Yes that was her maiden name the Indian called her Since

his
(signed) Arthur x Baker
mark

Witness hand paralyzed is the reason why he signed by a mark his x

I R T Hanks Assistant Executive Secretary do hereby certify that the foregoing document is a true and correct copy of the original as appears of record in the Executive Department of the Cherokee Nation.

Given under my hand and the seal of the Cherokee Nation on this the 5th day of December 1894.

(signed) R. T. Hanks,
(seal) Asst Exec Sec. "

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"To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes in the Indian Territory:

Your petitioner, Irena J. House, undersigned, respectfully states that she is a Cherokee Indian by blood, as asks to be enrolled as a member of the Cherokee Nation of Indians in the Indian Territory. That she derives her said Indian blood from Joanah Barber her mother, who is a Cherokee Indian by blood the said Joanna Barber being a daughter of Elizabeth Petty who was the daughter of Polly Rogers and Samuel Dawson, the said Polly Rogers being the daughter of Captain John Rogers and Anna (alias Vann) Pruet, Cherokee Indians, as shown by a certified copy of the affidavit of Dr. Arthur A. Baker, which is hereto attached as Exhibit A also affidavits marked exhibits B- C- D- and E.

Your petitioner states the above facts as the lawful grounds for her application for citizenship in the Cherokee

Nation, and prays that her claim may be fully investigated by your Honorable Commission and that she be adjudged to be a citizen of said Cherokee Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is 34 years. My Post Office address is Talala, Ind. Ter. My family consists of the following named persons: My husband and children as follows:
C. J. House, aged 34 years: Chas. C. House, aged 9 years; Vinson T. House, aged 8 years, Amy V. House, aged 5 years.

WITNESS my hand this 19 day of August 1896.
(signed) Irene J. House.

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Northern Judicial
District, Ind. Ter. SS.

Personally appeared before me, the undersigned authority, Irene J. House, to me known to be the petitioner in the above petition, who being by me first duly sworn upon her oath says that she is the petitioner in the above petition, that she has read (or heard read) the said petition and that the facts stated therein are true, as she verily believes.
(signed) Irene J. House.

Subscribed and sworn to before me at Talala, Ind. Ter. this 19 day of August A.D.1896.
(signed) J. Barricklaw,
Notary Public, My commission expires
June 8 1899."

(seal)

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"Exhibit A.
Northern Judicial Division,
Indian Territory.

Joanah Barber being duly sworn according to law, on oath states: My name in Joanah Barber I am 61 sixty one years old. My Post office address is Watova Ind Ter- My husband occupation is Farmer I am a Cherokee in Coowescoowee Dist. I am a Cherokee Indian by blood my mother being Elizabeth Petty (nee Dawson) Daughter of Samuel Dawson and Polly Dawson (nee Rogers) and said Polly Rogers is a daughter of Capt Rogers and Aney Vann (more only called Alsey Vann) the following Irene J. House is my daughter; she was born in Williamson County, Texas May 13" 1862, moved with her husband children to the Indian Terry and settled near Talala I Terry
(signed) Joanah Barber
Subscribed and sworn to before me this 19 day of Aug.1896.
(signed) J. Barricklaw,
Notary Public, My commission expires
June 8 1899

(seal)

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"EXHIBIT B.

Indian Territory,
Northern Judicial District ss.
F. M. Dawson being duly sworn according to law deposes and says:

My name is F. M. Dawson; I am 54 years of age; My post office address is Afton Indian Territory I am a farmer by occupation and reside in the Cherokee Nation.

I am a recognized Cherokee citizen by blood. I was born in Carroll County Arkansas near Berryville. I derived my Cherokee Indian blood from my grandmother whose maiden name was Polly Rogers through my father Robert Dawson, My grandmother Polly Rogers was a Cherokee Indian and was married to Samuel Dawson my grand father in the old Cherokee Nation in Tennessee, my grand parents Samuel Dawson and his wife Polly came west from the Old Cherokee Country in about 1832 and settled in western Arkansas and later came on to the Indian Territory and the father of this affiant Robert Dawson and family settled in the Cherokee Nation, Indian Territory. Robert Dawson, the father of the affiant was also a recognized citizen of the present Cherokee Nation by reason of his Cherokee Indian blood.

The said Robert Dawson father of this affiant and Elizabeth Dawson who married John Petty were full brother and sister by blood, both being children of said Samuel Dawson and his wife Polly Dawson whose maiden name was Polly Rogers The said Elizabeth Petty was the mother Of Joanna Barber who is a full cousin by blood of this affiant in the Indian side. The said Joanna Barber is the mother of Irena J. House nee Barber who is a second cousin of this affiant in the Indian side.

This affiant further states that he has seventy five to a hundred blood relatives who reside in the Cherokee Nation and are recognized Cherokee Indians by blood and drew their per capita money all the last payment; said citizens and relatives derived their Indian blood from the same source that the above named Irena J. House, deraves her Indian blood and right.

This statement I have made to John H. Koogler, a Notary Public at Muskogee Indian Territory and it has been written down by him at my dictation. Such part of this testimony which refers to matters occuring previous to my recollection I know by means of family history and traditions which facts I have always been taught and told of by my parents and grand parents from childhood up, th facts stated as occuring since my childhood I know of my personal knowledge. Affiant further states that he is not personally interested in the prosecution of the application of said Irena J. House for citizenship in the Cherokee Nation.

(signed) F. M. Dawson."

"Indian Territory,
Northern District.

I John H. Koogler, hereby certify that the annexed and foregoing statement and affidavit was dictated to me by F. M. Dawson and was subscribed and sworn to by him and was written by me from his oral statement at my office in Muskogee Indian Territory this 14 day of August 1896, and I further certify that the said F. M. Dawson is personally known to me and that he is a creditable person and entitled to belief.

(signed) John H. Koogler,
(seal) Notary Public."

Northern Judicial District,
Indian Territory.

EXHIBIT D.

E. Dawson, being duly sworn according to law on oath states: My name is E. Dawson; I am 61 years old; my post office address is Talala, Ind. Ter. I am a farmer by Occupation, and reside in Cooweescoowee District- Cherokee Nation. I am a recognized Cherokee Indian by blood, and exercise all the rights and immunities of a Cherokee Citizen now living in the present Cherokee Nation. I was born in Carroll County Arkansas near Berryville. I derived my Cherokee Indian blood from my Grandmother Polly Rogers through my father, Robert Dawson. My grandmother Polly Rogers was a Cherokee Indian and was married to my grandfather Samuel Dawson in the old Cherokee Nation in Tennessee. My Grand Parents, Samuel Dawson and his wife Polly Dawson whose maiden name was Polly Rogers came from the Old Cherokee Country in about the year 1828, and settled in Western Arkansas, and later on came to the Cherokee Nation. My father Robert Dawson was a recognized citizen of the Cherokee Nation when he died, by reason of his Cherokee Indian blood.

The said Robert Dawson, the father of this affiant, and Elizabeth Dawson who married John Petty were full brother and sister by blood, both being children of the said Samuel Dawson and Polly Dawson his wife she being the same Polly Rogers as aforesaid. The said Elizabeth Petty was the mother of Joanah Barber who is a full cousin by blood of this affiant on the Indian side, the said Joanah Barber is the mother of Irene J. House, whose maiden name was Irene J. Barber and a second cousin of this affiant on the Cherokee Indian side. The affiant further state that he has seventy five to a hundred blood relatives who reside in the Cherokee Nation and are recognized Cherokee Indians of the present Cherokee Nation and exercise all the rights and privileges of such Cherokee citizens, they having drawn their shares of the Strip Money and the last per capita payment made by the Cherokee Nation.

Said citizens and relatives derived their Cherokee Indian blood from the same source, as did the above named Irene J. House.

I have made this statement before J. Parrickla , Notary Public at Talala, Ind. Ter, and affiant further states that he has no personal interest in the prosecution of the claim for citizenship in the Cherokee Nation of the said Irene J. House.

That the above facts which are within the personal knowledge of the affiant or within his years of discretion he knows personally, and the other facts that occurred before the recollection of affiant he testifies to as of what he has been taught from his family history and traditions.

That the relationship existing among all his people in the Cherokee Nation he knows from his personal knowledge and that they are related to the Cherokee Indian side.

(signed) E. Dawson.

Subscribed and sworn to before me this the 19 day of August 1896

(signed) J. Parrickla,
Notary Public.

My commission expires June 3, 1899.
(seal)."
Notary Public.

"Cherokee Nation,
Grave Scowee District. EXHIBIT E.

Before me the und rsigned authority this day, personally appeared W. A. Dawson who is to me well and personally acquainted, and after being duly Sworn; deposeth and says; that he is well acquainted with Irena J. House and knows she is a Cherokee Indian, and that he knows she is the daughter of Jonna Barber, who is a neice of Robt. & James Dawson, who are both Cherokee Indians and recognized citizens of the Cherokee Nation.

Affiant further states that Irena House is the grand daughter of Mrs. Petty, who was a full sister of Robt & James Dawson.

Affiant further says that he knows that Irena House is a lineal descendant of Annie Dawson whose ~~children~~ (line drawn through word "children") sons, Robt & James before broke are recognized citizens.

Affiant further says he has no interest in this suit.

(signed) W. A. Dawson.

Sworn and subscribed to before me this 17 day of August 1896.

(signed) William Lynch
Notary Public.

(Seal) My term expires Feb 6 1900."

Foregoing indorsed on cover as follows:
"No: 3098 5464 Before the Dawes Commission on Citizenship in the Five Tribes. Irene J. House V.S. The Cherokee Nation. Petition and Proof, Will E. Linton, for Petitioner. Filed Sept 8 1896 A. S. McKennon, Com'r. Denied. Filed Feb 26 1897 Jas A. Winston clerk."

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"Received of M. M. Jacoway, jr., Secretary to the Commission to the Five Civilized Tribes the original papers in the cause of .... vs..... Nation, as follows..... Witness my hand and of icial seal at Muskogee this the 26 day of Feb' 1897 J. A. Winston, Clerk."
(Seal)"

Indorsed: "Court No.238 No. 5464 Receipt for original papers in the case of Irena J. House vs. Cherokee Nation, Received and Filed this ..... day of..... 189.."

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"Irene J. House et al,
vs. No. 238
Cherokee Nation.

Mr. W. A. Gibson, Special Master to whom this case was referred, submits the following report: (Insert report)

IN THE UNITED STATES COURT IN THE INDIAN TERRITORY.

NORTHERN DISTRICT AT MUSCOGEE.

IRENE J. [illegible] ET AL

VS # 238 REPORT OF SPECIAL MASTER.

THE CHEROKEE NATION.

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I, W. A. Gibson, Special Master herein, show to the Court ... under the general order herein, I have examined the proof and pleadings on file in this case which are ... of this report, and that I find as follows:-

That this case is in reality a branch of ... Barber vs Cherokee Nation, the principal claimant herein ... Irene J. House a daughter of Joanna Barber.

That this cause was instituted on September 2 ... at which time application was made to the Commission of the Five Civilized Tribes for citizenship by blood in the Cherokee Nation.

That this case was tried by the said Commission on November 24, 1896 and the applicants denied, no reasons ... given for the decision, and that on January 20, 1897, the ... appealed from said decision to this Court.

That this application was made by Irene J. House, her husband, W. J. House, and their children Chas., C. Timber ..., and Henry W. House. That they file in support of ... application the affidavits of Joanna Barber, F. ... Dawson, Arthur A. Baker, E. Dawson, and W. A. Dawson. That these Dawson witnesses are citizens by blood of the Cherokee Nation, and state that they are related by blood to the claimants herein on the Cherokee side. The claimants base their contention of a right to Cherokee citizenship upon the fact that the claimant Irene J. House is the daughter of Joanna Barber, who is the daughter of Elizabeth Petty, who was the daughter of Polly Rogers, and that Polly Rogers was the daughter of Captain John Rogers and Ailsey Vann, who were recognized Cherokee citizens by blood. That the testimony shows that this Dawson family are recognized citizens of the Cherokee Nation, and that the claimants herein are cousins by blood upon the Indian side, and that they all claim through a common ancestor, Polly Rogers and Captain John Rogers and Ailsey Vann, who were all recognized Cherokee Indians.

II

The appellee introduces in defense the record of the application of these claimants to the Cherokee Commission on Citizenship in the year 1897, and the record of the rejection of the claimants, and further the affidavits of W. C. Rogers, and Mrs. Sarah Carter, a granddaughter both of whom state that they never heard of any daughter of Captain John Rogers by the name of Polly Rogers, and that he had only one daughter, whose name was Cynthia.

III

The Claimants contend that they are residents of the Cherokee Nation and are relatives of the Dawsons, who are

recognized citizens of the Cherokee Nation by blood, are entitled to be admitted to the Cherokee Nation as citizens by blood, while the appellee contends that John Rogers, through whom the petitioners claim, is not now and has not been a citizen of the Cherokee Nation since the removal west. That his name does not appear on the rolls of the Nation, and that neither he nor his ancestors ever resided in the Cherokee Nation as citizens thereof.

IV

The premises considered, I find that the claimants are the descendants of Captain John Rogers, and that it was entirely possible that in the condition of affairs at that early date in the Cherokee Nation, especially owing to the absence of a marriage law and of records pertaining to marriage, that these claimants should be the descendants of Captain John Rogers by a daughter, Polly Rogers, of whom the affiants for the appellee may never have heard.

I find that the claimants are residents of the Cherokee Nation, Indian Territory, where they have resided since 1887, and that they are Cherokee Indians by blood.

I ask that the Court allow me a reasonable fee for my services herein as Special Master.

Respectfully submitted, this 9 day of Nov 1897.

(signed) H. A. Gibson,
Special Master.

My fee paid,
No Exceptions filed."

Foregoing papers indorsed on cover as follows: "238, Irene J. House et al V Cherokee Nation Final Report of Special Master, Filed Nov 10 1897 Jas A. Winston, Clerk."

Foregoing papers enclosed in jacket indorsed as follows: "238, Irene J. House, et al vs. Cherokee Nation."

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BY MR. HASTINGS:

"Well we close for the present.

TESTIMONY INTRODUCED IN BEHALF OF THE APPLICANTS:

D. W. C. DUNCAN, being first duly sworn, and being examined, testified as follows:

BY MR. McKENNON:

Q Please state your name, age and residence? A My name is D. W. C. Duncan, my age is 72 years, my residence, Vinita, Indian Territory.
Q Are you a duly recognized citizen of the Cherokee Nation by blood? A I am.
Q You gave testimony in this case once before did you not, before the Dawes Commission? A I did.
Q Before this Commission I will say, this Commission? A The Dawes Commission? A Why I don't recollect who the Commissioner was, that was taken at Vinita, ex parte.
Q Were you in any way connected with the Cherokee Citizenship Commission in 1883 known as the "Teheo Commission"? A I was Clerk of that Commission.

Q ...ery much longer of that? A I don't recollect the exact length of time, I think it was about thirty days, during the continuance of that commission and existence of that Commission.
Q You were the only clerk it had during its existence were you?
A I think I was.
Q You were Clerk of that Commission when it rendered a decision in the case of Robert Dawson et al, as found on page 114 of its record, numbered 1? (Witness examines record referred to.) Now in the possession of this Commission? A I was.
Q The members of that Commission were the same as shown by the signatures to this judgment were they? A The same, yes, sir.
Q Thomas Tehee, the then of the Commission, Alex Wolfe and T. F. Thompson, Commissioners that is correct, is it? A That's correct.
Q Were you present when this case was under consideration by that Commission and when it rendered this judgment in the case? A I was.
Q Were you at that time acquainted with F. M. Dawson, one only called "Red Dawson", Campbell Taylor and Samuel H. Benge, who were attorneys, who were Cherokee attorneys at that time? A I might say that I merely knew Mr. Dawson; all I knew of him was I saw him there as a party to the suit. I knew Mr. Taylor and Mr. Benge more extensively; I have known them a number of years.
Q They were recognized Cherokee citizens were they? A They were.
Q Did Taylor not know generally as a Citizenship Attorney?
A I think he was.
Q Do you remember seeing him and Benge present at the time this case was under consideration by the Court? A Why I do not recollect seeing Mr. Benge, I cannot recollect, but I can recollect of seeing Mr. Taylor about the Court room now and then.
Q Do you know who submitted the case to the Court for the applicants? A Let me understand the running of that; who brought the case?
Q Who called up the case? A No, I don't recollect.
Q Do you remember whether that Commission rendered any other decision than that found upon this record in that case? A I never had any knowledge only but one decision.
Q Was that in favore of or against the applicants? A It was in favor of them, I will say this: that if there was another decision other than the one that appears on the docket now before you, I have no recollection of it.
Q The only decision you have any knowledge of was recorded by you in this book as here shown was it not? A That is the only one that I have any knowledge of.
Q Did Red Dawson pay you any money in connection with that case?
A He did not.
Q Did he ever promise to pay you any money for your influence with the court in that case? A Never.
Q Did he pay you any money, either directly or through any other person? A For my influence in that case?
Q Yes, sir? A Never.
Q Did you have any knowledge of his having paid to the Court or to any member of the Court any money for the purpose of influencing their judgment in that case? A None whatever.
Q Did you have opportunity of observing his conduct during that Court at the time? A The only opportunity that I had was during the session of the Commission; I saw but very little of him during the recesses of the Commission, now and then I would see him in passing.
Q Did you see anything in his conduct toward that Court which indicated that he had used undue influence in procuring that judg-

ment. A I never observed anything of the kind; nothing that awakened a suspicion in my mind that he was engaged in that kind of practice.

Q Did Campbell Taylor at any time after the rendition of that case sent pay to you any money as counsel fees or help from said D. Sen for any services which you had rendered to him in that case?

A Yes, he paid me some.

Q What amount? A My recollection is that I think it was a twenty dollar bill. I don't know but I had better go and state the conversation, all about it.

Q Yes, sir. A Mr. Dawson, Bud Dawson, during the trial of the case occasionally applied to me at my office for writing paper, issue of subpoenas or transcript, something of that kind. I always treated him with courtesy and proper official consideration. He seemed to appreciate it, and whenever [illegible] that kind he would say, he, I have no money, Mr. Duncan, but I will pay you. I told him I made a charge [illegible] but that in passing I might state that I never received a cent for any kind of that work which I have done in the line of doing the various services before the Court.

After his trial was concluded, in the afternoon a little while before supper time I went to my hotel, the Kendall Brick Hotel in Ardmore, went to my room, felt a little tired, laid down upon the bed to rest. I recollect Mr. Dawson opened into the room, came and stood by the bedside and sat down and commenced giving me some idea in his qualification of the success of his case, dwelling mostly upon the testimony in the case being so satisfactorily established his Cherokee blood, and that he thought that he was entitled and that he had received justice by the Court. I listened to him, and we talked there I guess some ten or fifteen minutes; after a little he says, I must go to-morrow, I think he says to-morrow, I must go home,- he then lived down in Arkansas somewhere, Says he, Mr. Duncan, I believe I owe you something, and I want to pay you something. Alluding, as I understood, to these little courtesies that I extended to him at my desk. Says I, I make no charges, Mr. Dawson, for services; if I have done you any favor you are welcome. Well, says he, I feel indebted to you, I want to pay you. I says, that makes no difference; I will [illegible] to you. Says he, I have hardly enough money to get home with. He shook my hand, and the last words he says to me, you owe me anything; for your attention to me I thought he had referred to my services at the desk. That is the last I saw of [illegible] though it must have been a year [illegible] I had located [illegible] on the public domain in the Ardmore District, [illegible] what I intended to be a farm, I will see, I didn't make any [illegible] improvements, [illegible] week, went over in the west part of the country to look at [illegible] and I ran across Mr. Dawson, he had come [illegible] located and built him a little shanty and was living [illegible] upon him, he was very glad to see me. I [illegible] stay there; he said he had moved into the country, [illegible] says I, you are encroaching upon me here, he had opened his claim over part of mine, mine had been made [illegible] it was outlawed under Choctaw law. Well, says Mr. Dawson, I don't feel like doing you any wrong, I will pay you for your claim, and we will settle the matter in that way, that he as soon as he got his little matters together that he would and pay me for it. Well we parted at that point. It ran on then for a long time, I don't know how long,- I think I met him in Vinita, and says he, did Cald Taylor pay you any money that I sent to you? Says I, No, I have not seen Cald Taylor.

Well, says he, I gave him some money and told him to send it to you for me, and, says he, you ask him and he will hand it over to you I guess. Well we parted then. Well, went on for some time, some months; I happened to meet Mr. Taylor in Tahlequah; I met him on the street I think, jocularly I slapped my hand on his shoulder, says I, look here, did Mr. Dawson any money to me by you? He says, yes, and he pulled out what I recollect to be a twenty dollar bill, and handed it to me; I received it, and I received it with the idea that he was compensating me for taking my claim, or possibly for having him those little services in the Court. Now that is the sum and substance of the whole thing.

Q Was not that twenty-five dollars, Mr. Duncan? A It might possibly have been, my recollection does not serve me exactly, it might have been 25 dollars.

Q Did Campbell Taylor pay you any other money as coming from Mat Dawson? A Never a cent.

Q Did he on one time pay you fifty dollars out of a hundred dollars which he had received from Mr. Dawson? A Never.

Q Did he on a second occasion pay you fifty dollars out of one hundred dollars which he claimed to have received from Mr. Dawson? A Done it all.

Q He paid you no other money than that you have already stated, from Mr. Dawson? A Not a cent.

BY MR. McKENNON: We offer in evidence the judgment of the Cherokee Citizenship Commission before referred to, and ask that it be filed in evidence in the case of every application made by members of the Mount Dawson family who claim under it, or through Albert Dawson, as citizens of the Cherokee Nation, said judgment found on page 114, Records of the Tehee Court, 1880 to 1884, case number 108, judgment dated January 11th, 1883, rendered by Thomas Tehee, President, Alex Wolfe, J. F. Thompson, Commissioners. D. W. C. Duncan, Clerk Commission.

The said judgment just introduced is as follows:

"Office Commission on Citizenship,
Tahlequah, C. N., September 24th, 1881.
No. 108
Matt Dawson,
Albert Dawson,
Jasper Dawson,
John Dawson,
Josephine Dawson,
Joseph Dawson, Petition for Citizenship
Jane Dawson,
Polly Dawson,
Tilbron Dawson,
James Dawson,
Pink Dawson,
vs.
Cherokee Nation.

Continued by the Plaintiff, Oct. 5, 1881.

January 13th, 1882.
The above case continued by the Cherokee Nation till Sept.

term. Agreed by the parties that the above shall not be taken up for final disposition before the 4th day of Oct. 1883,

October 4th, 1882

It is agreed by the parties that this shall be finally disposed of at the next January term if the claimant is present demanding the same, if not, the case shall be continued to the September term, 1883.

On this agreement Commission continues the case till the next January term to-wit, January 1883.

And now this 11th day of January A.D. 1883 this case coming on for final hearing, and all the evidence produced in the case being carefully read and duly considered by the Commission it was adjudged and determined by the Commission on Citizenship that the claimants, Robert Dawson, F. K. Dawson, Elbert Dawson, Jasper Dawson, John Dawson, Josephine Dawson, Joseph Dawson, Jane Dawson, Molly Dawson, Wilbron Dawson, James Dawson, and Rial Dawson, are Cherokees by blood; and that they are entitled to all the rights and privileges of Cherokee Citizenship within the Cherokee Nation, and that they should be, and they are, hereby admitted to the full and complete enjoyment of the same in all respects as native born Cherokees.

(signed) Thos. Tehee,
President of Com.

D. W. C. Duncan,
Clerk of Commission.

Alex Wolfe,) Commission,
T. F. Thompson,) Cms.

Transcript issued to Claimants, January 11th, 1883,
(signed) D. W. C. Duncan, Clerk."

Marginal Note: "Case submitted by claimant January 11th 1883. Case submitted by Solicitor January 11th, 1883."

Q Do you remember how many members of the Court were present when this judgment was rendered, or were all of them? A My recollection upon that point is not positive, but relying as to my upon what I know to be the practice of the Court at the time, again, the names of all these Commissioners there, I can say with a great deal of positiveness that they were all present, because I never signed the name of one of the Commissioners unless he was present, assenting to it or directing it.

Q The rendition of that judgment was now concurred in by all of the three Judges? A It was.

Q Mr. Duncan, if there had been a decision rendered this day before in this case while the Court was in session, adverse to these Claimants, would you have known it? A I certainly should have known it.

Q Was there any such decision of the Court? A None to my knowledge. I can say positively there was not.

Q How many of these Judges are now living? A Only one.

Q Which? A Mr. Thompson.

Q Tehee and Wolfe are dead? A Tehee and Wolfe are dead.

Q How long have they been dead, do you know? A I do not know, quite a number of years. I wasn't living there, never lived with them when each died or knew, but the death occurred perhaps a long time before I got knowledge of it. It is generally understood that they are dead.

Q ...you remember ... ever seen any other ... of the Bureau ... ally about the Court at that time than Ed Duncan? A I have ... thought, and I can't call to mind that I ever saw any other ... except Ed, until after they move into the county building ... condition of the judgment.

(At this point a party who has been sitting in the room ... in which the examination is being held, is called forward, sworn on behalf of applicants, and asked to retire until ...)

BY MR. HUTCHINGS:

Q Mr. Duncan, when did you become a clerk of the Texas Commission Court? A It must have been sometime in December, 1934, at the time the Commission was organized immediately at the close of the Council in which they were appointed.

Q December 1934? A I think so.

Q And are you doing and did you make here in your handwriting ... book? A The Commission held its Court after they were elected ... time.

Q The Court was elected in 1934 wasn't it? A Well, I ... the time, I don't pretend to say when the Court was elected, I ... have most of the time I was ... clerk. I was ... clerk ... the close ... the session of the Legislature until ... year.

Q '35? A I think it was '35.

Q You entered on this judgment rendered January, 1935? A Yes, ... it was the session of the Commission.

Q That was after you were clerk of it? A Well I held ... clerkship for some time you know ... continuously.

Q I will but then you were not ... you were their clerk when the ... or same was passed on? A No, I don't mean to say that.

Q How could you be clerk ... the ... was passed on in ... when you were not elected until 1934? A I am mistaken in ... it, it comes after '35,- it was the preceding book, it must have been '34.

Q Your first entry in the Hudson case is January 17, 1935, isn't it? A I don't recollect what my first entry was. (Attorneys show the record to witness) Yes, that is the entry there on the 17th.

Q And that was shortly after you became clerk wasn't it? A Yes, shortly after I became clerk.

Q Who was it ... entered upon the docket before you became clerk? A I think so, yes; I ... entered it ... previous to me ... the ... of the Commission.

Q In whose handwriting was the names of the three Commissioners ... to that judgment? A Byron Jackson?

(Attorney shows record to witness) A That is my handwriting.

Q All three names? A All three names.

Q The record there shows that you immediately gave them that day ... transcript of the judgment, do you know who signed it? A ... signed the transcript?

Q Yes, sir. A I do not recollect now, who in, did the writing?

Q Signed the names to it? A Yes, that's it.

Q You always signed the names of Texas and Wells Fish't you?

A I think I did pretty generally; I don't know ... their ... writing to write their own names.

Q When Mr. Thompson was there didn't he ... his own name? A Sometimes he did, sometimes he simply authorized me to do it.

Q Have you any recollection of him authorizing you to do it except from the fact ... you have done it on that record frequently?

A I don't mean ... the particular ... of authorization, but I can say positively that, consulting the record, that he authorized me to put his name there.

...will you look at the original document I hereby show you and ...to it the jury and say the signed the names of the ...persons there? A (Papers shown to witness) A I signed ...name.

...recognize that as your handwriting? A I do.

...what made you say you were testifying at Hillsboro before Mr. ..., at least at the ... case, and being cross-... by me, why that is your signature and that the ... I spoke attached was the signature of Mr. Thompson? A ... in this way: I had no ... of the records in the ... a month ago or ... My answer to my question in the court ... about ordinarily the ... way I recollected at that ..., when I gave it my best ... before the Commissioner, ... that that was ... at the time I served ... I had ... of the fellow members of the Commis-..., the ... either ... occasionally signed his ... I ... that ... in that declaration upon ... them- ... that ... in court, I ... compared the ... with ... correct statement ... I ... in the ... way. I ... I answered it ... I ... it occurred. The way it ...

...you answered your explanation of the fact that Thompson ... present and ... a document signed it himself, ... of your own handwriting? A No, I ... it. I simply spoke without advisement when ... in that testimony I ... ly became better informed and ... that that was ... and not entered by me. ... made, ... there ... which he ... to ... it ... and I did it.

... you have ... testimony, because you think you have ... of the ... there now than you had then, ... to ... your handwriting at ... I ... testimony in reference to ... in regard to this ..., this case.

... you ... know then ... I ... you whether or ... it is your handwriting ... it ... refreshed by what you ... to be ... ? A ... I know it by examining ..., even ... I should recognize ... handwriting, ... question should be propounded ... merely without any advisement or premeditation I ... a mistake.

... recognize the names of Thomas Fisher and Alexander Wolfe as ..., in your handwriting at that time? A I was very clear and positive, and so stated, that the names of those Commissioners were in my handwriting, and I was made certain by reflecting on the fact that they never signed their names with their own hand, but always authorized me to do it. I see there is no question in my mind in regard to my handwriting in their signatures.

And then the third name, right under it, as compared with your admitted handwriting, you had to wait and learn the facts afterwards to determine whether that was your signature or not? A No, I don't think that if I had considered the circumstances, I knew that there was a resemblance. What made me of the opinion that that might have been Mr. Thompson's signature was like this: I knew that he had been in the habit of at least sometimes signing his own name, and I was under the impression-and I do not now think I am much deceived- that his ... was ... at least some resemblance to my own, hence I doubted whether I had signed that name or not on that account.

Q You are sure on that at this time in your testimony by the fact that I, I'm sure that that was his signature and not yours, didn't it? A Mr. [illegible] stating that that really endwriting, set it aside to wait to ascertain whether I was not mistaken or not, and after so long a time I could read that I see.

Q And he stated, and you too didn't you, that he always signed the original bill self when he was present? A I do not recollect what I stated, that I used the word "always", at that time, but at the time I was examined when the deposition was taken by [illegible] that he did, but now I am to the fact and my examination of the docket I am convinced that I was wrong, that occasionally I signed for him.

Then you never found out that your testimony given on this time a year and a half ago was wrong until you examined the docket day before yesterday, and discovered you are not Thompson's signature? A I don't know that I have thought of it since that time until yesterday or day before, the examining the docket.

Q So the only recollection that you have got and the only aid to your recollection that Thompson was present when this judgment was rendered was the fact that you see his name signed to it, in your handwriting, is it? A As a fact,-

Q You can answer that yes or no? A That seeing the endwriting already recollection and I would not say that the court rooms were all present at the time that I signed it. I didn't think it was out of court at all.

Q Was it in the forenoon now or in the afternoon? A I don't recollect whether it was in the forenoon or afternoon.

Q In recollecting that they were all present when the record was signed, do you mean to say that they were all present when the judgment was rendered? A Yes, that is, you mean when the question of admission or rejection was voted upon?

A Yes. A They were present.

Q Did you write up the record at the time that they rendered the judgment, or make a memorandum of it, and then write up the judgment some days afterward? A The record was not written up immediately upon the decision of any case, but I wrote up the record after adjournment, generally in the evening, and presented it next day or when the next session was held, for signature: that was the practice.

Q But in this Dawson case you wrote it on the very day that it was rendered didn't you? A I didn't recollect as to that.

Q And gave them a transcript the very day it was rendered?

A I don't recollect as to that.

Q And indicated the giving of the transcript on the bottom of the judgment the day it was rendered? A I should say it was given at the date of the transcript.

Q That was a very unusual thing for you to do in entering up judgments? A To do what?

Q To noteon the bottom that you had given a transcript the same day the judgment was rendered? A No, I don't know that there is anything unusual about that.

Q Any other instance in that record or more than one in any event that you have ever done that? A I don't recollect, and so I don't recollect of giving anybody else a transcript.

Q That is what I am getting at: you gave them a transcript and wrote up your judgment and completing right away? A Pretty promptly after the decision whether it was the same day or the evening, and signed next day, I don't recollect.

IT NOW BEING THE HOUR OF NOON, 12 M., THE COMMISSION ADJOURNS UNTIL HALF PAST ONE P. M.

AFTERNOON, HALF-1:45, P. M.,-AFTERPANCE,-same as in forenoon: U. S. S. MCCALL and Counsel present.
BY MR. HUTCHINS:

Q Do you recollect what witnesses were before the Court? A I don't recollect now distinctly except Dr. Baker, I remember him mainly because of the length of his testimony at the time it took to take it.
Q The Doctor was about the only distinct witness there was? A He is the only one now that I can call to mind.
Q There was probably another old darkey that testified was not there? A I have no recollection to that effect.
Q The case was just decided really on Doctor Baker's testimony, it is about the only man that knew anything about the case? A I am not certain that Dr. Baker was the only witness; might have been others that are now erased by recollection.
Q Doctor Baker's testimony was taken down in writing? A Yes.
Q The only one not anybody else taken down in writing was there? A All the testimony that was accepted in the case was taken down in writing.
Q Did you ever see anybody's else testimony in writing except Dr. Baker in that case? A That is not as I recollect, I can't recollect any other but Dr. Baker's.
Q You know whether that was taken immediately before the trial or at the trial or how was it? A It was taken in the presence of the three Commissioners during the session of the Court.
Q You mean the day that the case was decided or how? A I do not recollect whether the case was on trial more than one day, but my impression is but one day.
Q Do you know whether it was the same term of the Court or not? A I think it was the same term of the Court.
Q How many terms a year did that Court have, when and how did they last? A I don't recollect of but serving but one term.
Q Don't recollect the serving but one term? A Myself, it seems to me so.
Q You didn't go on until January of 1883 did you; your first record is a record of about the 15th of January 1883, as shown by the book, isn't it? A I don't recollect in that regard.
Q Now would they take testimony in the case, then continue it, or how could they generally do about that? A I think they decided on the case at the term in which they took testimony.
Q Can you say whether or not this testimony was taken in this case at the time it was decided or at the same term it was decided, or within a week or two of the time it was decided? A My best recollection is that it was taken at the term in which it was decided; case was taken up, testimony heard that the decision was made at the conclusion of the testimony.
Q Well now, I see on October 4th, 1882, in your handwriting, the following entry reads: "It is agreed by the parties that this case is only be heard at the next January Term," To it would be January, 1883, "If the plaintiff is present during the sale, if not, the case will be continued to the Second Term, 1883; or this may be entered from continuing the case till the next January Term, 1883." Do you I should like if you had a

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January and September ter ; and this decision was rendered at the January, 1943 term . Was Baker's testimony taken during the January, 1943, term, at the time the decision was rendered? A I find it impossible for me to recollect those facts that are recorded there; although I can say about that, that the record shows the correct statement of the facts. But I won't recall those facts.

Q Well there is a record here that this case was continued on the 16th day of January, 1943, upon agreement that it should be taken upon the 4th day of October, 1943. Your record shows that there was nothing done in the case from January 16th, 1943 until October 4th, 1943: would you say that was correct? A I would say it was correct if it so stands on the book. It is designed to be a correct entry of the facts.

Q I will let you see the book for yourself: I don't want to misrepresent your self at all. (Shows entry in book to witness.)

A I can't recall those facts in regard to the agreement.

Q Who took down in testimony of the witnesses in court? A I took it down.

Q You took down the testimony of Dr. Baker? A Yes.

Q He was cross examined by counsel for the Nation? A As to that I don't recollect. He was present, but was always present; I think likely he was cross examined.

Q And that testimony was taken near the time when the judgment was rendered in January, 1943? A I think it was, my impression is to that effect.

Q Well the court seems to have had no session as to this case from January 16, 1943 up to October 4th, 1943, according to the record? A (No response.)

Q You don't recall taking down anybody's else testimony in the case? A No sir, I don't.

Q And the probability is that he was the only witness examined isn't it? A It might have been so. My recollection is that he was regarded as the main witness of the case.

Q He was quite an old man, about 73 at that time? A Yes, he was quite old.

BY MR. McKENNON:

Q The testimony of Dr. Arthur Baker, from this record, appears to have been taken January 16th, 1943; is that correct as far as you may know, or are able to state? A Is that Dr. Baker's testimony? (Attorney here shows witness papers) A It appears to be, yes; I don't think that was the testimony that the case was decided upon, because his testimony was taken orally before the Commissioner, and I wrote it down: please let me see it. (Attorney hands said papers to witness.)

A Well, all I know about this is as I stated before, I can't recall those facts, but whatever the record says why I say that the record was made correct, according to the fact. (Witness takes copy of the testimony referred to to refresh his memory.) I don't understand in reading that very clearly to my own understanding, but I gather from the subject matter in that testimony that it is in accord with Doctor Baker's statement; in exactly word for word I am not able to say, but that is the tenor of the testimony.

BY MR. MITCHELL:

Q I. think the testimony you undertook to put down all the material facts that you could in typing it I believe? A Yes, very nearly word for word, as I could take it, sometimes there was a little variation made necessary by the length of the witness' statement.

BY MR. McKENNON: Applicants object to all of the witness' testimony relating to the method of taking the testimony of witnesses at the trial, the character and effect of that testimony, and the number of witnesses, except so far as the same may be used for the purpose of testing the memory of the witness, because the same is incompetent, irrelevant and immaterial.

B. F. FORTNER, being first duly sworn, and being examined testified as follows:

BY MR. McKENNON:

Q What is your name? A B. F. Fortner.
Q What is your age? A 54.
Q You are a physician are you not? A I am.
Q Where do you reside? A Vinita, Indian Territory.
Q Do you hold any official position in your position? A Yes, I am President of the National Board of Health, Cherokee National Board of Health, and member of the Legislative Committees of the Indian Territory and of the American Medical Association,-those are some, and the most important positions I hold at this time.
Q Are you a Cherokee citizen? A I am.
Q By blood or intermarriage? A Intermarriage.
Q Your wife is a citizen? A Yes, sir.
Q Do you know D. W. C. Duncan? A I do.
Q How long have you known him? A About twelve or fifteen years, about twelve years I should say.
Q Do you know his general reputation in the community where he resides for honesty and uprightness of character? A I do, I think.
Q Is that good or bad? A It is good.
Q Do you know Campbell Taylor? A I do.
Q How long have you known him? A About six or eight years, don't know exactly how long; known of him for ten years and personally I have known him about six or eight years.
Q Do you know his general reputation for truth and veracity? A I do.
Q Is that good or bad? A It is bad.

BY MR. HASTINGS:

Q Dr. He and belongs to the same church you belong to? A Yes, sir.
Q And has for a number of years? A Well now I say I think he does; I have always so understood.
Q Don't keep up with all your members? A No, but he has attended church there and my impression was been that he is a member of the church.
Q You didn't have any business before the Citizenship Court of which he was clerk, did you? A No, sir, not that I know of.
Q You was not at Tahlequah while he was clerk of a Court from 1902 to '3? A I don't believe I was.
Q Never had any business before that Court? A Had no business before them, not while he was Clerk to my knowledge.

BY MR. McKENNON:

Q You spoke of his membership in the church; he is in good standing as a member of the church is he? A Yes, sir.
Q I will ask you if Campbell Taylor's reputation isn't notoriously bad? A Yes, I have so understood it.

BY MR. HASTINGS:

Q I will ask you if it was notoriously bad in 1902, when these people employed him to represent them before the Court? A That was before my knowledge of him.

Q [illegible] reputation dates back as far as you [illegible] as long as I know him.

C. W. [illegible] sworn on his oath, examined, testified as follows:

BY MR. McCURTAIN.

Q What is your name? A C. W. Miller.
Q What is your age Mr Miller? A 61
Q Where do you reside? A [illegible]
Q How long have you lived there? A Well I have lived there [illegible] about 17 years I guess, or 18.
Q Are you a citizen of the Cherokee Nation? A No, sir.
Q What is your business? A Real estate and insurance agent.
Q Do you know D. W. Lipsey? A Yes, sir.
Q How long have you known him? A I have known him twenty years.
Q Do you know his general reputation for honesty and uprightness of character where he lives? A Why yes sir.
Q Is that good or bad? A It is good, so far as I know.
Q Do you know Campbell Taylor? A Yes, sir.
Q How long have you known him? A Well I have known him 15 or 20 years, I guess.
Q Do you know his general reputation for truth and honesty? A Well yes.
Q Is that good or bad? A Well, it is bad, I think.

ATTORNEYS FOR CHEROKEE NATION waive cross examination.

T. H. CURTIS being first duly sworn and being examined testified as follows:

BY MR. McCURTAIN

Q What is your name? A T. H. Curtis.
Q How old are you, Mr. Curtis? A 56
Q Where do you reside? A Adair, Indian Territory.
Q How long have you lived in the Indian Territory? A 20 years.
Q What is your business? A Lumber business.
Q Do you know D. W. Lipsey? A I do.
Q How long have you known him? A About 20 years.
Q You know his general reputation for honesty & uprightness of character in the community where he lives? A I do.
Q Is that good or bad? A As good as any man's.
Q Do you know Campbell Taylor? A I do.
Q How long have you known him? A Some 20 years, I suppose.
Q Do you know his general reputation for truth and integrity and honesty? A Yes sir.
Q Is that good or bad? A Bad.
Q Is it notoriously bad? A Yes.
Q Did you ever know Mr. Baker, Mr. A. B. Baker, of Berryville, Arkansas? A Yes sir, I knew him in '68 and '69.
Q Where? A Over at Berryville; I run a saw mill in that country at Berryville.
Q Did you know his general reputation so far as honesty and uprightness of character and truthfulness? A Yes sir.
Q Is that good or bad? A Good, sir. Good as any man's; he is a good [illegible] man.
Q Do you know his general character in [illegible] his habits of life? A Yes sir.
Q Was he in the habit of taking liquor, drinking liquor? A Not that I know, of sir, I never saw him take a drink in my life.

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Q Was his character such as to preclude any such charge against him? A It was, yes sir.

BY MR. HUTCHINGS:

Q How long did you know Dr. Baker? A Two years.

Q What does he do there? A He was an old gentleman then, he lived right in the edge of Berryville, Dr. Baker.

Q How old do you think he was then? A I think he must have been 70 or 75 years old; an old gentleman.

Q That was in '66 what, 60? A No sir, it was in '68 and '69, the two years that I lived over there.

Q He had retired from business? A Yes, sir.

Q Did he have any family? A Yes, sir.

Q What family did he have? A I don't know how much family he had, I was not acquainted with the old gentleman.

Q He wasn't doing any business with anybody? A No sir.

Q And his character was never called in question one way or the other was it? A No sir, no sir.

Q Campbell Taylor was a notorious rascal pretty much ever since you ever knew him wasn't he? A Yes sir, I never knew much good of him.

Q And whenever a man got bad citizenship case he got Campbell to work it, because he was notoriously a rascal; that's it plain to all a great many of them got it.

Q It was a notorious thing that they had a bad case they would get him, it would sort of give a case a bad odor to have Campbell around it? A Yes, that would be right.

Q You never knew anything about Mr. Bowman's connection with citizenship matters? A No sir, never did.

Q You never heard about his examining some of the records of citizenship cases? A No sir, never did.

Q You have heard lots of talk about this Dawson case? A Yes sir.

Q Rumor has it all around that somebody was doing something wrong? A Yes sir.

Q You never accused him of it you think? A I never heard him accused of it, no sir.

Q That rumor got out from the first day they were entitled right to the present? A Well I don't know not from the first day, I have heard it for a good while though.

Q But you never knew who they fixed it on? A No sir.

Q They have been a pretty strong family up there in that country haven't they, pretty large family? A Yes sir.

Q Cast a good many votes up there? A Yes sir.

Q Did you ever know of the Doctor's testifying any in court, Mr. Baker? A No sir, I never did.

Q What would you think of a man who would testify that a lady had a child that was single in 1883 when the youngest of the seven children was born in 1883: what would you think, would you think that was a statement to be made by a man who was truthful? A -

BY MR. McKINNON: Applicants object to the question because it is wholly incompetent, and not based upon any proof or admitted facts in the case, and it is wholly immaterial and incompetent.

Do you think that was a statement that would be made by a truthful man? A (no response.)

Q You knew him in '98? A Yes sir.

Q He was quite an old, decrepit man? A Yes sir, quite old, in '98 and '99.

Q 14 years from that time he was liable to be in his dotage?
A I don't know, he was an old man when I knew him.
Q He was too old to work, and retired from business then? A Well he did work a good deal, but wasn't doing any business particular that I knew of.
Q He would have been pretty old 14 years from that time? A Yes, he would be getting old.

D. K. HARRIS, being first duly sworn and being examined, testified as follows:

BY MR. McKENNON:

Q What is your name? A D. K. Harris.
Q What is your age, Mr. Harris? A I am 44.
Q What is your business? A I am publishing a newspaper.
Q What paper? A "The Indian Capitan."
Q Are you Editor of that paper? A Yes sir.
Q You live at Vinita, then? A Yes sir.
Q Are you a citizen of the Cherokee Nation? A Yes sir.
Q By blood or intermarriage? A Intermarriage.
Q Do you know D. W. C. Duncan? A I do.
Q How long have you known him? A 13 or 14 years.
Q Do you know his general reputation in the community where he lives for honesty and truthfulness of character? A Yes sir.
Q Is that good or bad? A Good.
Q Do you know Campbell Taylor? A Yes sir.
Q How long have you known him? A Why 15 years or longer.
Q Do you know his general reputation for truth and honesty in the community? A His general reputation, yes sir.
Q Is it good or bad? A Well it is not good.
Q Is it bad? A Well I suppose it must be bad then.

BY MR. HUTCHINGS:

Q How long has Campbell's reputation been bad, Mr. Harris, quite a good while, hasn't it? A Why I think so, yes sir.
Q And it kind of began mostly with this citizenship business?
A Yes, so far as I know it did, yes sir.
Q Campbell got so many bad citizenship cases sent through the mails, and they finally had him up about it, had a good deal of stir about it? A Yes sir.
Q And some of that stir was sort of occasioned by his helping the Dawsons in wasn't it? A I don't know, I don't know whether he helped the Dawsons.
Q Was not that one of the principal cases that brought him into notoriety? A I don't know whether he had that case or not; I know he had a great many cases.
Q That was the principal thing that convinced the Mail Campbell out, the citizenship cases here? A I think that is what got him into the most trouble.
Q I say before that time nobody had talked much about Campbell, one way or another, and it became a matter of general that Campbell was handling citizenship cases, and he got a bad reputation from that? A Yes sir, I think that is where Campbell got his, Campbell's connection with the Dawson cases sent him, kept Campbell mostly now I think much about it? A I never have anything about it, one time or.
Q You never heard that there was a conspiracy case, down the Grand River, that was a notorious thing? A Oh it is a notorious case, yes sir.
Q Tell the fact of Mr. Dawson's reputation for truthfulness was also concerned in that suit. Was connected in, practically? A Yes sir. What?

Q His reputation for straightness is somewhat given by himself; he takes occasion to confess that very often himself; doesn't he?
A I don't know whether I am qualified to answer that.
Q Speaking of his own honesty, he does that very frequently?
A No sir, not that I know of.
Q Doesn't he write a good deal about that sort of thing? A About his reputation?
Q Why in speaking of his own integrity? A I don't remember that he does.
Q You were not about the citizenship courts along in 1881 '2 and '3 were you? A No sir.
Q Don't remember about the talk that was going on around the Capitol over there about the citizenship cases? A Why no, don't remember anything special as I know of. I remember the citizenship court going on at different times.
Q How far were you living from Tahlequah in '8? A Well, I lived close to Vinita, I guess it is sixty miles probably.
Q Have your lived any nearer Tahlequah since that time? A No sir, never have.

H. L. MUTLER, being first duly sworn and being examined testified as follows:
BY MR. MCKENNON:
Q What is your name? A H. L. Mutler.
Q You are a minister of the Gospel? A Yes sir.
Q M. E. Church, South? A Yes sir.
Q How long have you been in the ministry? A I have been in the ministry 22 years, sir.
Q Did you ever live at Vinita? A Yes sir.
Q How long? A I was there four years, sir.
Q Do you know D. F. C. Duncan? A I do.
Q How long have you known him? A I have known Mr. Duncan 21 years.
Q Do you know his general reputation for honesty and truthfulness of character? A I do.
Q Is that good or bad? A Good, so far as I know.
Q You have had opportunity of knowing? A Yes sir.
BY MR. HUTCHINGS:
Q Mr. Duncan was a member of your church? A Yes sir.
Q That is the principal way you had of coming in contact with him? A Yes sir, he was a member of my official board.
Q His connection with citizenship cases that were decided by the court of which he was clerk was never brought up in your presence anywhere? A No sir.
Q Or never discussed? A No sir, I know nothing about his connection with it.
Q You didn't live about or near Tahlequah in '8? A Yes sir, I was Pastor of the Methodist Church in '8 at Tahlequah.
Q Did you hear about the Dawson case, and other cases admitted over there by the Citizenship Court? A No sir, I know nothing about the cases; I remember when the Commission was in session, and remember that he was clerk of the Commission, but knew nothing about the cases that were decided at all.
Q Never heard anybody discuss the cases that were decided? A No sir.

THOMAS A. CHANDLER, being first duly sworn by Bob, examined, testified as follows:

BY MR. McKENNON:

Q What is your name? A Thomas A. Chandler.
Q What is your age, Mr. Chandler? A I am 30.
Q What is your business? A Deputy Clerk of the United States Court at Vinita.
Q How long have you lived in the Cherokee Nation? A All my life.
Q Do you know D. F. C. Lucas? A Yes sir.
Q How long have you known him? A Let me see, I have known him about nine or ten years.
Q You know his general reputation for honesty and uprightness of character in the community where he lives? A Yes sir.
Q Is it good or bad? A Good so far as I know.
Q Do you know Campbell Taylor? A Yes sir.
Q How long have you known him? A I think about 15 years.
Q Do you know his general reputation for truth and honesty? A Yes sir.
Q Is it good or bad? A Good so far as I know.

BY MR. WHITEHORN:

Q How did Campbell Taylor get a bad reputation? A As I sir, I don't know how he did.
Q You never knew him until 1885? A Well I never knew him personally, I heard of him before that.
Q He had a bad reputation before '85? A Yes sir.
Q Bad reputation way back yonder? A First I remember I ever heard of him I heard people speaking bad of him, when I was a kid.
Q And everybody that ever spoke about the matter and knew anything at all knew Campbell had a bad reputation? A Yes sir, ever so far back as '79 or '80, that is as far back as I can remember; I think I heard it spoken of in '80, I think that's about the time.
Q And Campbell got a very bad reputation in '80 and '81 when we began to have these citizenship cases? A Yes sir.
Q You heard it spoken of in morality and using the mails for those business? A Yes sir, I heard of him being in the Fort Smith Jail on that account.
Q Citizens of the Nation talked a good deal about Campbell's being in those bad citizenship cases? A Yes sir.
And I also heard he had a bad reputation for using his debts, also about the same time.
Q You don't know, but as a matter of fact, he might not have had the right to use his debts? A No sir.
Q He could have been out of bad citizenship cases? A Yes sir, I suppose he could.
Q You never heard Mr. Duncan's name mentioned before in connection with the Bowers case, citizenship cases? A No sir, I don't think I have, I may have, but I don't remember hearing it.
Q General impression that somebody had done something wrong with that matter, citizenship cases? A I heard some one say something about it in connection with the Bowers citizenship case.
Q You have been in Muskogee ever since they have sat? A Yes sir, I have been in Muskogee ever since they have sat.
Q In a matter of so many days, with so many witnesses as there were in the Bowers case, you never heard anything about Mr. Lucas? A I never investigated, I don't know whether it was ever investigated, I never heard of it.

Q So they never made any endeavor to find out who the man was?
A No sir.
Q Where did you live in '87? A In '87 I lived out on Duck Creek about 12 miles south-east of Viola.
Q How far from Tuckerman was that? A About 65 or 70 miles, I suppose.
Q You never were around before the Chancery Court during that time? A No sir.
Q You don't know whether or not Campbell had sent out the bad checks or not do you? A No sir, I do not, at that time.

BY MR. McKENNON: Applicants object to all of the testimony of this witness as same is heard by way of rumor, about the character of the person cited, because the same is hearsay, immaterial, irrelevant and incompetent.

A. S. McKENNON, of Counsel for Applicants, being first duly sworn, makes the following statement:

I became a resident of Carroll County, Arkansas, early in 1870. I was intimately acquainted with Doctor Arthur Baker, for many years. Knew him as well as I did anyone else. He was a gentleman of the highest Christian character, so recognized by everybody who knew him. He was a sober man, and never drank liquor. I make this statement more in vindication of that good man's memory than for any other reason, because any imputation against his character is false.

BY MR. HASTINGS:

Q How long did you know him? A I resided in Carroll County until 1887 when I removed to Johnson County, Arkansas; during the year I was away from home, but I knew him intimately every year that I resided in Carroll County.
Q Did you know him since '87? A Yes sir, I have seen him several times. I have relatives living in the town in which he lived; my relations to him were such as to cause me always to inquire about Doctor Baker; I knew his reputation I think as well after I left there as I did when I lived there.
Q Did you know those facts in 1899 when you were a member of this Commission? A Yes sir, I have known them all my life; do I know them now.
Q Did you know them when you as a member of this Commission passed on the Irene J. House case? A I knew it every day of my life, in 1899 as well as now.
Q So you say that Doctor Arthur Baker's statement should prove that he was born in the year 1809, and suppose he said when he was 15 or 16 years of age that Anna Priest the wife of Samuel Dawson, was a grown up girl going to school, when the other undisputed evidence shows that she had married Sam Dawson prior to that time and had seven children, the youngest of whom was born in '37, how would you harmonize that with a man who was an honest man and knew the facts in the case? A Whatever Dr. Baker stated he honestly believed, whether it was right or wrong; whether it was error or truth, he honestly believed it, and stated it as he believed it.
Q He was capable of being in error? A Every man is.
Q I say he was? A Yes sir, just as you and I and every man, he was. I don't stand as to his high character, which could be proved, by every man who knew him I think, I know it.
Q The Commission rejected Irene J. House in 1899, of which you were a member? A I don't remember anything about that personally.

TESTIMONY ON BEHALF OF CHEROKEE NATION.

DAVID MEREDITH, being first duly sworn, and being examined, testified as follows:

BY MR. HUTCHINGS:

Q State your name? A David Meredith.
Q Where do you reside? A Vinita.
Q How old are you? A 60 years old.
Q Did you ever know James Dawson? A Yes sir.
Q How long have you known him? A I knew him probably 2 years.
Q Did you ever have any talk with him about his citizenship case.
A Very little.
Q You were at one time an applicant before the Dawes Commission for citizenship were you not? A Yes sir.
Q Well what did Mr. Dawson tell you with reference to his citizenship, as to the cost of his getting it, if anything? A Well he told me it cost him eleven or twelve hundred dollars to get his case through.
Q Where did that conversation take place? A At Afton.
Q At what time? A It was in '98, spring of '99.

BY MR. McKENNON:

Q Where were you when he told you that? A I was working on a house in Afton, building the house.
Q Whose house? A S. S. Haines.
Q Who else was present? A Haines was present.
Q Where is he? A At Afton.
Q What aged man was Mr. Dawson at that time? A I don't know, he was very old, probably 75 years old.
Q Was he not a very feeble man? A Yes sir.
Q Hardly able to get around? A No sir.
Q Was he not then regarded as feeble minded old man? A I don't know whether he was so regarded or not.
Q You don't know what he had to do with the case, in fact, himself, do you? A No, I judged it was himself and family that cost that much to get through; attorney's fees, etc. That is the way I took it anyway.
Q You were an applicant yourself were you not? A Yes sir.
Q When? A At that time.
Q Before the Cherokee authorities? A Yes sir.
Q They rejected you? A Yes sir.
Q You were an applicant then before the Dawes Commission were you?
A Yes sir, been rejected ever since.
Q Are you still an applicant? A Yes sir.
Q Still trying to get in? A Yes sir.
Q Claiming by blood? A Yes sir.
Q How long have you been living in the Cherokee Nation? A 15 years.
Q Where did you come from? A Indiana.
Q Claiming to be a Cherokee citizen? A Yes sir.
Q Indian? A Yes sir.
Q James Dawson is dead is he? A Yes sir.
Q How long has he been dead? A I think he died probably within two years After that.

TESTIMONY TAKEN ON BEHALF OF THE APPLICANTS.

F. M. DAWSON, being re-called and further examined, testified as follows:

BY MR. McKENNON:

F. M. Dawson? A Yes sir.

Q Mr. Dawson, what number of your family came to the Cherokee Nation to file and who acted the claim of your father, Robert Dawson, and the members of his family, to Cherokee citizenship?
A My brother Tom Dawson and Tom Lennox.
Q Tell his name? A Elbert Dawson, they all know him by Buck.
Q When was that? A In '81 as well as I remember, or '82, I don't know which, it was in '81 or '82.
Q Did you file your claim at that time? A My brother did, yes, the application,—my mother had Joel Bryan to make it out and file it. That is my understanding.
Q Joel Bryan, who afterwards was Chief of the Cherokee Nation?
A Yes sir.
Q Before what court was that filed? A My understanding was he was clerk of the court; Hastings can tell me what court he was clerk of.
Q He was clerk of the Court at that time? A Yes sir, of the citizenship court; that's my understanding.
Q What was done about the case at that time, if you remember? A I went back home and left my brother down there at that time, that trip.
Q Where did you then live? A I lived at Berryville, Arkansas.
Q When did you next come to the Cherokee Nation? A I believe I came back the next January, that was in September.
Q Was your brother Buck here then? A I don't think he was, I don't remember.
Q Well had he at any time of the Court or session of the Commission at any time after you first came here and filed the application until after it was decided? A No sir, I never met him any more until that case was decided.
Q You conducted the business then after that did you not? A Yes sir.
Q The case was finally determined in January 1883? A '84, yes sir, the 11th day as I remember.
Q Were you present at that session? A Yes sir.
Q Was there any decision of that case other than the one of record here? A I never heard of it if there was.
Q Was the judgment rendered in that case as recorded in the record Book of that Commission now in the custody of the Dawes Commission the only judgment that was rendered in that case so far as you know?
A Yes sir, so far as I know, if there was any I never heard of it in that case.
Q You then know of no decision against you in the case? A No sir.
Q Who was your attorney employed at the beginning? A I employed A. E. Norwood.
Q Was he a Cherokee Citizen? A Yes sir, I think so.
Q Where did he live? A At Claremore, my understanding.
Q Was he present at any time before the Commission? A I never saw him, he never met me there before the Commission.
Q Did you pay him any money? A Yes sir.
Q How much? A Fifty dollars.
Q Did he ever render any services? A If he ever did I never knew it.
Q Well then who did you employ? A My brother employed Joel Bryant.
Q Was he a Cherokee citizen?
A That is my understanding.
Q Was he not a prominent Cherokee citizen? A Yes sir.
Q What service did he render? A Well sir, I don't know whether he rendered any or not, only he met us a time or two at Tahlequah, and he was before the Commission; whether he rendered any services

or not I don't know; he was generally always at Washington City during the term down there.
Q Well what did he do about it? A I don't know, I couldn't say whether he done anything about it. That is Mr. Bryant, he was always gone.
Q What next was done about the employment of an attorney? A Why I got a letter from Joel Bryant that he was going to Washington City and for me to come down in January Term and Campbell Taylor would rise to my duty before the court.
Q Did he say that he had engaged the services of Campbell Taylor the attorney, to attend to it in his absence? A Yes sir, in his absence.
Q Have you got that letter? A I don't think I got the letter.
Q Well what did you do then? A Why when the time come I come down on the way to Muskogee here and I goes over from here to Fort Gibson and I goes down to see Uncle Houston Benge and stayed all night with him; it was very cold weather, and I got him to go over and submit my case to the court; I went over one day and the next day Uncle Houston Benge come over and the next, coming after he come over the case was submitted.
Q Did he submit the case? A Yes sir, he told me so.
Q For you? A Yes sir.
Q Were you present? A I was present until they went to take the vote on the case and then we was drove out of their room and they had a secret session, acting on the case.
Q Did Houston Benge present with you? A Yes sir.
Q Were you in the court when he submitted it to them? A Yes sir, when he made his argument.
Q He made an argument before the Commission? A Yes sir.
Q Was the decision rendered on that day? A Yes sir.
Q How long after he made his argument and submitted the case? A It was not but a little bit; when we were drove out of the house the first time before they went into secret session they called us to set up the cigars to the court and we crowd in the house; after the decision was rendered I am to set up the cigars, and everybody come to me and told me to go and get the cigars and I done so.
Q And you took the cigars there and all? A Yes sir, everybody, the attorneys and all that was in the house, all had a big smoke.
Q Did they then announce their finding in the case? A Yes sir, they told me that I was granted by citizenship right and by the Commission.
Q What did you do about it then? A Why the Clerk wrote me out my certificate.
Q That same day? A That same day.
Q What arrangements did you make with Mr. Benge about his fee, and what was the amount of his fee? A There was no arrangements made until we got up there and he submitted our case; then he wanted me to pay, he charged me fifty dollars, that was his fee.
Q What was the agreement about the matter, the manner in which that fee should be paid? A My brother in Texas was to pay it.
Q Were you to write or was he to write? A I was to write for it.
Q Did your brother in Texas ever pay his fee of fifty dollars? A Yes sir.
Q For that and that was to be paid? A All he was to have was his charges.
Q You heard his write out when he gave his decision at Fort Gibson the other day did you not? A Yes sir.

Q [illegible] A No sir.
Q [illegible] A I never did in my life.
Q [illegible] A I went by Spring Dale.
Q By Pinkerton? A I went by Silver Springs and by Spring Dale and from to Pocasse, that the railroad is now and went on by Selina and by Pinkerton here.
Q You then did not return to Fort Gibson with James Pogue, as he states? A No sir, I did not.
Q How did you get to return to Fort Gibson? A Well I came at night the others and the stage at noon and struck a back going out by Sapulpa then I was behind, so I could go to Silver Springs and I went by that route and then there was a back going by Spring Dale, that was the most direct route.
Q That was the most direct route for your home was it not? A Yes sir.
Q And the shortest? A And the shortest route.
Q And you been coming back to Fort Gibson you would have been going directly away from home would you not? A Yes sir.
Q Your home was nearly east, due east of Tullequah was it not? A Yes sir, little north of east, pretty near due east.
Q While Fort Gibson is about due west is it not? A South west.
Q You heard Mr Steele say that you came to Fort Gibson with him, and if you had been stated to him that it was to reach the court was trying to bribe and you resented it. Then he gave you five hundred dollars, did you have that state of? A I never did, I didn't have the five hundred dollars to resent him.
Q Did he tell at Tullequah in the court room on the evening before this judgment was rendered in your favor, tell you that the court had rendered a judgment against you? A No sir.
Q And did you then say to him, you can fix that? A I had no such conversation with him.
Q Did you pay to D. W. C. Duncan, who was the Clerk of the Court any sum of money, or agree to pay him any sum of money, directly or through any other person for any services he might render you by way of influencing the court to decide it your favor? A No sir.
Q Or for any other purpose? A No sir.
Q Did you pay him any money after that through Campbell Taylor?
A Yes sir.
Q What amount? A 20 or 25 Dollars, I don't know which it was.
Q State what that money was paid for? A For a claim.
Q What do you mean by a claim? A Claim on the public domain; he had a claim up there close to me; paid him 20 or 25 dollars for his claim; he had no claim by me, on the Cherokee Public Domain.
Q What did Campbell Taylor have to do with your case?
A He had nothing to do with it.
Q Did you agree to pay him any money for his services as an attorney? A No sir.
Q Did he perform any services in that case for you as a representative of Mr. Bryant? A No sir.
Q Did you pay him any money? A Yes sir.
Q On that account? A No sir, I owed him a big account against me for Joel Bryant and wanted me to pay him the money and I done so.
Q What amount? A Hundred dollars.

POOR ORIGINAL
BEST AVAILABLE

Q [illegible] A [illegible] Joel Bryant. He was no relation to Joel Bryant.
Q Did you pay that money to Joel Bryant, or to whom? A Joel Bryant claimed he didn't, but we had to pay it again, paid Joel Bryant the hundred dollars we owed it to him; R. Bryan paid Joel Bryant; after that; we have to get that money from Campbell Taylor, only this twenty dollars or twenty-five dollars; and in all we owed you and from him.
Q How did you get that 25 dollars out of it from Duncan? A I kept after him and telling him to pay that money back to me, he rendered no services to me at all and the money was to go to Joel Bryant, and I finally worked out the twenty or twenty-five dollars, that is all I ever did get back.
Q The amount that he paid to Duncan? A Yes sir.
Q Was this money paid to him, this one hundred dollars, all in one lump sum at the time the jury went out, or was it paid to him afterwards? A I think it was paid then, as well as I remember about it.
Q You think it was paid to him? A Yes sir, that's my recollection now.
Q Did you send him one hundred dollars after you got back there, subsequent to the rendering of that jury out, after it was rendered? I mean, directly after you got fifty dollars of that on account sent to D. F. C. Duncan? A No sir.
Q Did you send him a second one hundred dollars in that direction? A No sir.
Q Mr. Bryan, are you [illegible] family [illegible] will be obtained by the citizens which is the cause of Nation under this judgment? A Practically so, if I do.
Q Well about what are? A About five hundred dollars, twenty hundred 500 dollars. That is what I considered, I was beat out of some of my money, what I was beat out of and expenses.
Q Now, make a statement of what that money was paid for and how, so far as you remember, itemize it now? Well the first fifty dollars Barwood got: the next fifty dollars Joe got; that was the attorneys fees; I speak of the attorneys fees now: the next money was the hundred that Campbell Taylor got; the next attorney fees was Bryant's one hundred dollars.
Q Was that all the attorney's fees? A I think it was, no, wait, I paid Ross 15 dollars for taking Baker's deposition.

Q Which Ross was that? A The old Chief, Will Ross I think was his name, William P. Ross.
Q He then, with Chief William P, Ross for taking the deposition of Dr. Baker charged you fifteen dollars? A Yes sir.
Q Do you recall that that he acted as your attorney and examined it? A Yes sir.
He examined it before the Commission, I mean statements.
Q What other attorneys were there present? A None of them was present.
Q Well now, go on. A For the expenses of taking Dr. Baker and being a Doctor, we call it was here he charged 5 dollars a day and I was sick and his expenses down there; we come through Abbeville, Anderson, to Columbia, and our expenses around I think was about 75 dollars to that time; as well as I can recall it. Maybe a little over that.
Q Did you pay him a per diem? A I paid him five dollars a day for his time and then his expenses.

Q Well? A Well I made several trips out here at different times, to Tahlequah before the Commission, and back, three or four trips as well as I remember now, cost me 20 or 25 dollars each trip, as I remember about it.
Q Do you remember how many trips aside from the one in which you brought Dr. Baker? A No, I think there was probably three trips I think it was, maybe more, and then I made one trip to Claremore to see A. H. Norwood.
Q What did that trip cost you? A I don't remember what it cost; I went in a wagon down there.
Q You went through and employed Benge, went by railroad; what did that trip cost you? A I don't remember what it was, whether it was 21 dollars or 31 dollars, one or the other, I don't remember which it was; Joe Dawson, my brother gave me the money, it was either 21 or 31 dollars.
Q Now then is there any other expense that you know of that was paid by you or your family, any members of your family, other than that you have mentioned? A I don't remember any other now; I can't call to my memory right now.
Q What was the condition of the members of your family generally now, financially, at that time? A Well we were considered poor people; I don't know, we didn't have much money, scarcely any.
Q Was there any one of them that was better off than the others, and if so, which one? A I suppose Elbert Dawson was better off than the others, Buck Dawson.
Q Do you know how much Buck Dawson paid of these expenses? A I don't think he paid, he paid the Benge debt and the Bryant debt, I think it was.
Q That is one hundred and fifty dollars? A Yes sir, then he came up on one trip and taken some evidence with Joel Bryant when Joel Bryant was Clerk of the Court before this Tahlee Court, I don't know what that cost sir.
Q Came up here and took some testimony? A Yes, came up and went back to Texas, filed his claim and took some testimony and went back to Texas and I didn't see him.
Q Did that testimony include Dr. Baker's testimony? A No sir.
Q You know how many witnesses were examined then? A I only know what he told me.
Q How many? A Four witnesses.
Q You know whether they were residence of the Cherokee Nation or not? A He told me they was.
Q Were you present on that trip in which he came there and took that testimony? A No, I met him there and then I went back home and left him at Tahlequah.
Q He had taken the testimony before you left him or afterwards? A He taken it afterwards; that was my understanding.
Q Did Buck furnish only the one hundred fifty dollars that you now remember? A I think it was.
Q And the expense of taking these witnesses up there A Yes sir.
Q Who else furnished money now of the members of your family? A My brothers and father lived down in Sperryville, me and my brother-in-law, Blassingame, we all chipped in together a few dollars from each family.
Q You heard the statement of C. C. Brought that in June 1932 you told him that it had cost you 700 dollars, did you make any such statement to him? A I never did.
Q And that you paid one witness 300 dollars? A I never made any such statement.

Q Did you pay any witness any such sum? A No sir, I paid Dr. Brown for his time; he said his time was worth 5 dollars a day, he did, and I paid it.
Q Did you pay any other witness any more than that? A No sir, he was the only witness I had on down there in my case.
Q Well the Robert Dawson case? A Yes sir.
Q Now state that you told him this in your house there on your place, did you have any house there in June 1883? A I was not living on my farm at that time.
Q Did you have any farm? A Didn't have any.
Q Then did you build a house there? A I built a house on the farm I live in now by Mr. Brought. I moved on the farm the last of July, 1883, and I camped in my wagon.
Q What did you do? A I went to the timber and cut poles and hewed them out and made me a log cabin on the place by a spring owned by Brought.
Q About what time did you finish that house? A I was in ...
Q How soon after you finished that house until you brought your family out? A I finished it up and got it covered and the floor in it and I went back to Eureka Springs after my wife.
Q How family did you have then? A I had my wife and she had one child; but my oldest children, by my first wife were with me in the Territory, camping with me; three little boys and one girl were with me, and one girl back in Arkansas.
Q Are you and C. G. Brought on good terms? A No sir.
Q What has been the character of the trouble between you? A Trouble over our places first started it.
Q When did it begin? A As soon as I got back from Arkansas he commenced hinder crowding me out to take my farm away from me, and we have been in a racket ever since.
Q Then his statement that you were on friendly terms, is it correct or not? A No sir, it ain't correct.
Q He and you have never been friendly as neighbors then since you first came back from Arkansas and settled in the Territory? A I don't remember ever being in his house; I never was in his house.
Q Have you had law suits with each other? A Yes sir.
Q How many? A I don't know that we had any particular law suits, but I have had law suits and he has been a witness against me.
Q That was your last trouble with him, when I mean? A Along last fall.
Q That was when your boys had a little racket and he had your boy arrested? A Yes sir.
Q What was the age of those boys? A Eleven years old.
Q He had him arrested down at Vinita? A Yes sir, had him arrested and carried before the Commissioner at Vinita.
Q He was discharged on account of his age? A Yes sir.
Q Buck Dawson is dead is he? A Yes sir.
Q How long has he been dead? A Three years, little over three years.
Q And James Dawson is dead? A Yes sir.
Q Is your father, Robert Dawson living? A No sir.
Q When did James Dawson die? A I don't remember, been dead several years, I don't remember how long, 6 or 7 years, I couldn't state.
Q When did your father, Robert Dawson die? A I believe it was in '87 as I remember now, I wont be positive.
Q Had all these moved to the Cherokee Nation before their death?
A No sir, father died in Arkansas.

Q Those that lived here in the Nation they lived here in the Nation but went back to Arkansas and died there? A Well the rest of my folks all lived here. That was James Dawson and Buck Dawson.
Q Robert Dawson, your father, never did move to the Territory, did he? A No.
Q Did you hear the statement of the witness Beavert this morning, that about the time of hearing of the James Dawson case, at a negro church at night James Dawson came down there with someone else & was introduced to him, and he loaned him ten dollars; did you hear that statement this morning? A I heard the statement, yes sir, I heard it.
Q He says that then James Dawson was 35 or 40 years old; was there any James Dawson living below in to your family at that time of any such age? A No sir.
Q How many James Dawson's were there belonging to your family? A There was my uncle James Dawson and a brother James Dawson, the Doctor here.
Q How old was your brother James Dawson then? A He was a tolerable old man, I don't know his age.
Q About what age? A I must have been 60.
Q Between 60 and 70? A Yes sir.
Q What was the age of your brother James? A At that time?
Q Yes sir, in '84? A In '84 I suppose he was about 12, somelike that.
Q Had he anything to do with the James Dawson case? A No sir.
Q Was he present at the time that the James Dawson case was under consideration? A No sir.
Q Was James Dawson, your uncle, James Dawson, present at any time during the consideration of his case? A No sir.
Q He never was present? A No sir, if Uncle Jim Dawson was ever in Tahlequah I never knew it.
Q Who conducted the prosecution of the James Dawson case before the Cherokee Citizenship Commission, who conducted it? A The James Dawson case?
Q Yes sir? A I think James Low and Bill Jackson and Campbell Taylor.
Q Were you acting with them? A Yes sir.
Q They employed Campbell Taylor? A Yes sir.
Q Then there was no James Dawson present during that session of the Commission? A No sir.
Q What was the condition of James Dawson's health at that time? A It was pretty poorly; was not good.
Q Was he at that time able to get about and attend to business? A I don't think he was.
Q Was he not a very feeble minded old man at that time? A Yes sir.
Q Regarded as rather a silly man was he not? A Yes sir.
Q Did he attend to any kind of business of the family at that time? A No sir, didn't.
Q What was his financial condition? A Pretty bad.
Q Did he have any money? A No sir.
Q Did he have any property? A None hardly at all; horse probably, or a cow or two, something that way.
Q Was that about all the property he had? A Yes sir.
Q Now about the other members of his family that were initiated at that time; what was their financial condition? A They were in poor circumstances.
Q Now then after these judgments were rendered what, where did your family removed to the Territory, Cherokee Nation, I will say? A Robert Dawson and family and James Dawson and family, that is, the and their children.

Q Robert D[illegible] didn't remove here? A No, I said except Robert Dawson.
Q Did all the members of Robert Dawson family move here? A Yes sir.
Q Except himself? A Yes sir.
Q And all the members of James Dawson family? A No, not all the members, Melvina Low I don't think ever lived here.
Q She has never moved here? A No sir.
Q Were all the members of your family, your father's family included in that judgment of the Committee, rendered January 11th, 1894? A All but one.
Q What was the name of that one? A Edna.
Q A daughter? A Daughter of Robert Dawson.
Q A minor? A Yes sir.
Q Was she then of age or was she a minor? A I think she was a minor, as well as I can remember.
Q Was she afterwards admitted to citizenship in the Cherokee Nation? A She was.
Q By commission of the Cherokee Council? A She was first admitted by the Keetoowah Court, her and two of her neices.
Q What are their names? A Katie Vernon and Verna Fishback.
Q What became of that? A The certificate papers they got was lost, and they went before the Council in 1894 and they was readmitted each by the act of Council.
Q That was in 1894, the Cherokee Council admitted, re-admitted as it was called it, the three above named? A Yes sir. Mary and Verna Fishback and Katie Vernon, they have now the same name as Katie Vernon, I is not. Bob Robinson married the widow, Katie Vernon.
Q Now then is there any other consideration of the Dawson case by the Cherokee authorities at any time aside from these two cases in '87 and '94 admitting the two families of Robert and James Dawson, and the act of Council of '94 admitting these three [illegible] you have just named? A Yes sir.
Q Which? A My two of my sons was placed on the roll by the act of Council in 1893 I think it was; left off of the rolls in per capita payments and they was placed on the rolls I think, the Sa[illegible] Council, on their draft or checks for the money. Have you got that copy of the act of Council admitting them? A Yes sir.
Q Where is it? A (Produces papers.)

MR. [illegible]: We offer in evidence an act of the Cherokee National Council making an appropriation of $6,[illegible] dollars belonging to the general fund for the payment of certain persons therein named a per capita payment, as per amount set opposite their respective names, provided that the Principal Chief shall draw warrants for such amounts, and further provided "That the names of the persons appearing on the per capita rolls in this act shall be placed (on) the authenticated roll of 1880 by the Principal Chief."
This act was approved December 31, 1891.
Approval signed by Stephen Tonee, Assistant Acting Principal-
In this list appear the names of William R. Dawson for payment of $13.70, and of Marion Dawson, for a like sum. Are these the names of two of your sons? A Yes sir.

(The paper above introduced, is filed and made a part of the record in this case.

Q Was there any other action of the Cherokee authorities relating to members of your family? A Yes sir.

Q Then? A In 1894.
Q What was that? A Allowing them their Strip Money.
Q Have you a copy of that? A I think I have. (Produces papers.)

BY MR. McKENNON: We offer in evidence a duly certified copy of an act of the Cherokee National Council approved November 24, 1894, signed C. J. Harris, Principal Chief. Senate Bill No. 19, appropriating a sufficient amount of money to make payment per capita of what is known as the strip money to certain persons named therein. Among them are members of the Blassingame family, as follows: Jane, Elbert, Henry, James Ross Lennie, Pearl, Amos, Myrtle, Winnie and Clifford: this act mentions these persons as Cherokees by blood, and whose names had been left off the pay roll approved May 3, 1894, providing a payment to each one of these a sum of $265.70.

Q Were these members of the Robert Dawson family? A Yes sir.
Q Which one of the members of the family? A Jane.
Q This is Jane who was admitted by the judgment admitting the Robert Dawson family? A Yes sir.
Q And her children? A Her children, was not admitted, she was admitted.
Q I mean this mentions her children here? A Yes, that mentions her children.

(The paper last above introduced is filed and made a part of the record in this case.)

Q Do you know whether the payment of the Cherokee Strip money was to Cherokee citizens by blood only or not? A Yes sir.
Q Was there any other act of the Cherokee authorities passing upon the citizenship of members of your family? A Why the Douthett children, my brother's grand-children. Two grand-children of E. Dawson.
Q When was that? A That, I think it was in '84.
Q Have you got a copy of that act? A No, the record is here.
Q Was that by the Spears Court? A Yes sir, by the Spears Court.

BY MR. McKENNON: We now offere in evidence a judgment of the Cherokee Commission on Citizenship, 1880 and 1884, found on page 190, case No. 181, dated September 9th, 1884, signed by Ellis Spears, President, John Lee and Andrew Young, Commissioners, admitting to citizenship Lula Douthett and Dallas Douthett as Cherokees by blood.

Q These now are the Douthetts to which you refer, are they? Yes sir.

BY MR. McKENNON: Attention is called to the fact that the names of the Commissioners are all signed in the same hand-writing as the record of the judgment.

The said judgment record above introduced, and found on page 190, No. 181, record of 1880 to 1884, is as follows;

"Office of Commission on Citizenship,
Tahlequah, Cherokee Nation, September 14th, 1883.

E. Dawson, for his grand-children,)
No. 181. (C. H. Taylor,
Lula Douthitt,) Atty for Claim.
Dallas Douthitt, (
vs) Petition filed September
The Cherokee Nation. (14th, 1883.

Case submitted by claimants Sept 14th, 1883.
Case submitted by Solicitor, Sept. 19th, 1883.
Continued by Petitioner Jan 28 1884 to September Court 1884.
Re-submitted September 2nd 1884, by Attys Taylor and Seavert

Submitted by defence Sept 9 1884.

And now on this the 17th day of September 1884 comes this case for final hearing and all the evidence in the case having been carefully read, and considered by the Commission on Citizenship it has been decided by the Commission that the above named Lula Dauthett and Dallas Dauthett are Cherokees by blood, and that they are entitled to all the rights and privileges of Cherokee citizenship in the Cherokee Nation and that they should be, and are hereby admitted to the full and complete enjoyment of the same in all respects, as native born Cherokees.

Ellis Sparks, Jr.
John Lee,
John L. Adair, Andrew Young,
Clk Com'n. Commission on Citizenship."

Q Now were there any other actions of the Cherokee authorities of like character relating to the members of your family?
A I don't remember of any others.
Q I will ask you if when the Cherokee authorities were [illegible] the roll of 1880, in compliance with the request of the Dawes Commission for a roll to be prepared by them for the use of the said Commission, the question of the citizenship of the children of your family was not then raised and an investigation had in regard to it? A Before the Dawes Commission?
Q No, before the Cherokee Commission making the roll of 1880, of which John T. Gunter was a member? A Yes sir, yes. I had forgot it, but since you have named it there was some investigation of that at that time; this is what I understood.
Q That roll shows that the members of your family were duly enrolled by the Commission? A Yes.

Q Have you and the other members of your family since your removal to the Territory in 1883 and immediately following been recognized as Cherokee citizens by blood? A Yes sir.

Q Have you been exercising and enjoying all the rights of Cherokee citizens by blood since that time? A Yes sir.
Q You and all the members of your family are living in the Cherokee Nation? A Yes sir.
Q You have all drawn Cherokee moneys whenever pay ents were made? A Yes sir.
Q And have you all male members been voting at the Cherokee elections or in the Cherokee elections? A Yes sir, I was one of the judges of the elections that was held voting on the treaty.
Q What treaty? A The treaty bill that was sent back here for the Cherokees to vote on; I was one of the judges at Afton.
Q In what year was that? A I believe it was last spring some time, last April.

Q Have any of you held any offices in the Cherokee Nation? A Yes sir.
Q What offices have the members of your family filled? A Deputy Clerk, under Pete Hastings, when he was clerk of Delaware District, I was a candidate once for Council in the Downing Party,

...ffice of deputy clerk be held by any one else except ...citizen? A Only by a citizen, yes sir.
...t all? A (No reply).
...the children of ...bers of your family attend the ...schools, and were educated in them schools? A Yes, sir.
...ve the ...bers of your family been all the while subject to the ...diction of the courts of the Cherokee Nation? A Yes sir.
...they been tried for any offenses against the law? Yes sir.
...ve they instituted in the ...il suits in the courts of the ...Nation? A Yes sir.
...suits instituted ...ainst them in such courts? A Yes sir.
...ve ...been ...have you to the Supreme Court of the ...Nation? A Yes sir.
...ases passed upon by the ...ri...ll? A Yes sir.
...anything else? A Nothing now; I ...sick this evening; I ...head-ache so bad I can't hardly see.

BY MR. KITCHING:

...ow old was your ...ther Robert Benson when he died? A I don't ..., I couldn't say as to that.
...he a very old man? A Yes sir, he was getting tolerably old.
...he was ...tell me ...he older ...n than you? A No I don't know.
...Mr. Benson in 1884 must have been a very old man, wasn't he? A ...he was old and he was feeble.
...I ...to state that ...he was so silly ...as to naturally that ...? A He used to live in Texas; I didn't know him until after ...to the Territory.
...I say he had gotten so old, what was the occasion of that? A I ...suppose so, the eldest one of these children was Mrs. Betty ..., that's my ...ther's sister.
...the older boy was John Benson? A We always called him Jack.
...Benson ...the oldest? A Yes sir.
...the youngest? A Sam Riley.
...he the youngest one of the crowd? A Yes sir.
Your father lived four or five years after he and you were ...ted to citizenship? Yes sir, something about that, it was ...7, I think he died in 1887, I won't be positive; that is as ...as I remember now. I have got a headache so bad that I can't ...either anything.
...any more of the older members of the family were ever present ...any of these trials of citizenship? A No sir, not a one of ...them.
...not a one of them was ever called upon to testify as to the blood ...their other, who she was or anything about it? A I don't ...they was.
Your claim of kinship was through Captain John Rogers and that ...grandmother was the half sister of Big Joe Vann, wasn't it? A I don't know, I couldn't answer the question.
You were there when they took the testimony? A I was there when Mr. Baker's testimony was taken, that was about 15 years ago.
And nobody kin to the Rogers and Vanns was ever called to testify in the case? A Not as I know of.
They were very well known Cherokee families in the coun try? A I suppose so, I don't know.
And yet nobody on any side of the family connected with it was ever called to testify A Not that I know of, I don't know ...ut my brother done, he taken some of the evidence at Tahlequah ...I was not there; he first filed his claim.

Q You had spoken to Dr. Baker about the testifying before you brought your case didn't you? A No sir.
Q Must have been a short time afterwards? A It was a short time afterwards. I went back after him and it was too late and I fetched him the next time.
Q You had talked to your brother about what you could prove by Dr. Baker? A I told him I thought Dr. Baker, I thought he knew about our folks.
Q You had told him in general way you expected to use Dr. Baker as a witness? A Yes sir.
Q You went off, came to Arkansas and left your brother at Tahlequah after you told him that fact? A Yes sir.
Q You didn't see your brother any more until after you were admitted? A No sir.
Q You and he however made trips back and forth to Tahlequah and both at different times, but you didn't happen to get together? A No. I never met him any more and I don't know that he was there until after we were admitted.
Q But you were there and brought Dr. Baker over? A Yes sir.
Q And took his testimoney a year or such a matter before ever you were admitted? A I think as well as I remember, yes sir.
Q How the way you came to get Campbell Taylor was on the recommendation of old man Bryant? A I didn't get him, didn't use him.
Q The way he came into your case? A The way he claimed to come in.
Q He did more in your case than Bryant did? A Campbell didn't do anything.
Q What did Bryant do? A I think he held my brother take evidence my brother employed him.
Q How did you happen to be sending money by Campbell to Mr. Duncan? A I never sent him any money.
Q Then when he, Mr. Duncan, states that Campbell delivered the money as Campbell said he did, both were wrong? A Oh no, you are listening, Mr. Duncan got 20 or 25 dollars, which he stated, from Campbell Taylor, for me.
Q How did you happen to give it to Campbell? A I give the money to Campbell to give to Joel Bryant, and he wouldn't do it, and I tried to get the money back from him, and I finally worked the 20 or 25 dollars he gave to Duncan.
Q Then you didn't tell Duncan as he testified that you sent 20 or 25 dollars by Campbell Taylor? A Campbell Taylor agreed to pay Duncan 20 or 25 dollars for me of the money I give him to give to Joel Bryant.
Q The family kept Campbell Taylor employed though as their attorney after that? A In the James Dawson case I think so.
Q E. Dawson, you remember, had him for his grand-children? A That is my understanding.
Q And your whole James Dawson had him in the case of his children? A Uncle James had nothing to do with it; James Low and Bill Jackson got him: that was my understanding of who employed him.
Q The record here shows that the case was originally instituted by C. N. Taylor and was finally submitted by him September 2nd, 1894, in the James Dawson case? A I don't deny him being in that case.
Q You say he was employed in the E. Dawson case? A I don't know who was in the Dawthett children's case.
Q The record shows that Campbell Taylor instituted the case, and it was finally submitted by him, and Mr. Bennett, who testified a while ago? A That was in the James Dawson case, wasn't it?
Q What case in the E. Dawson grand-children? A Elbert?
Q No, in the Dawthett children's case? A Oh yes.

Q He was likewise attorney in the Mary Dawson case, was he, and be-
fo[re] the Admir[istrative] court, the 4th of August, 1[9]27, in the case of
Jam[es] K. P. Dawson? A I don't know anything about that.
Q Are the cases identical, Riley Dawson? A I don't know anything
about those.
Q There are a bunch of you? A Well I wouldn't say.
Q James K. P. Dawson moves to be son of Riley D. son? A Well
if he is he is by connection there. There are so many Dawsons
I don't know that all.
Q You know Andrew J. Dawson? A Yes sir.
Q The Dawsons have so many children, their brothers didn't nearly
know them did they? A That's it, I don't know them.
Q Don't you know who Andrew J. Dawson is? A I do, sir, I
don't know.
Q He says in his application for roll, a cousin of R. Dawson,
himself, who were admitted to citizenship by the Dawes Court?
A He may be, I don't know nothing about it.
Q He resided I believe, at that time at Reynolds, Missouri? A I
don't know anything about other people.
Q Isn't Reuben an old and nearly old man at the time he
received, wasn't he? A Getting old, he was not paralyzed.
Q Then the statement is true that the reason he couldn't write his
name and had to take his mark, because he was paralyzed, is not
true, why isn't that true? A He hasn't have good use of his fingers.
Q Then he was not paralyzed? A No, I brought him over there in a
hack from Pennyville, Arkansas.
Q Well I say he was a very old man? A Yes, getting old.
Q You didn't you go to this Dawson and their joining meeting and
get on it some time before you brought your family? A No,
I brought my family with me, except my wife.
Q And you subsequently built a home on it? A Yes sir.
Q And went back and got your wife and moved them to the
home? A Yes sir, went to Pineville and got my wife.
Q You never saw your grandfather at all? A Sam Dawson, yes sir,
I saw him.
Q You remember do you of ever seeing him much of any at all? A I
was in Texas in time of the war, with my uncle Riley Dawson,
and he was there.
Q In '60 sometime? A '61, I reckon, or '62. Somewhere along there,
it was in time of the war.
Q How old a man was he at that time? A Pretty old man.
Q You never saw your grandmother, she died before she got?
A Yes sir, I never saw her at all.
Q The first started the citizenship matter, your brother in Texas
or you? A Why it was me, and my brother together.
Q I mean who first conceived the idea? A I first got excited
about it.
Q And sent down for him? A I was in Texas with him and then in
Arkansas; I went backwards and forwards a time or two after the war.
Q About that time nearly everybody in Ark[ansas] were crying to get
to be claim of kinship to Cherokees? A No sir, not at that time.
Q They were getting pretty thick in there in 1[8]60? A Well in 67
and '4 and '5 I think.
Q Were you excited over there to get yourselves on the rolls?
A Just got to be everybody; but it wasn't at that time we
admitted there was not much stir about the rights here.
Q Well the matter had been admitted before that? A I mean to say
had; there was not much excitement over the matter at that
time.

BY MR. HASTINGS:
Q You did locate a man named Shahlee when you first came to Tahlequah in '31? A I think I did.
Q Your brother Buck Dawson knows him also? A Yes sir.
Q Mr. Shahlee lived in the north end of town, old German? A Yes sir, old German, lived in the lower part of town.
Q Did you ever hear the names of any other witnesses which you stated perhaps testified in your case? A I have heard them but I have forgot them.
Q You don't recollect any name now? A I don't remember them, no sir.
Q In the Irene House case and Joanna Barber case, in which you testified before the Commission, when you were making search for this testimony you couldn't find any other testimony from that of record except the Dr. Baker testimony, could you? A That's all we could find; now we didn't find the testimony, we got a copy.
Q Well it must have been a copy of the original, the certificate shows that? A I don't know; House got a copy of what claimed to be the affidavit of Baker and he told me to give it to him; that is all I know about it.
Q Well the certificate where does not bear my certificate does it? A I don't know about that, I am no scholar.
Q Well you didn't get the testimony of any other witnesses except that of Dr. Baker; you couldn't find any other over there of record? A I didn't hunt for any; House hunted for them.
Q None of you have ever been able to find any other? A No. Not even find our petition.
Q Samuel F. Dawson applied to what is known as the Adair Court, didn't he? A I don't remember that.
Q He was an uncle of yours wasn't he? A Yes sir, claimed to be.
Q The father of these two parties who testified here this morning? A Well I don't know, they claimed to be, I never met them to know them.
Q He was rejected by the Adair Court, or Hayes Court? A I don't know whether he filed his petition.
Q Did you testify in his case? A I don't remember; I might have done it.

Q Didn't you testify in the Andrew J. Dawson case before what is known as the Hayes Court? A I don't recollect, if I did I don't remember.
Q Did you testify in the Silas Dawson case? A No sir, no. That I remember.
Q Didn't you know of his being rejected by that court? A I don't remember, sir.
Q You know that the Cherokee Council never authenticated that roll of 1896, don't you? A No sir, I don't know it; I didn't know this was done until I went to Tahlequah after some papers and came back and they told me about it.
Q You never found out that C. H. Taylor was a big rascal up until the present time have you? A (No response)
Q The records here show that he has been in the constant employment of your family from that date up to this time? A Why it shows here from the record; I would rather be excused from any part of it.
Q You are the man that had most to do with it? A I never employed him, I own my that.
Q You are the man that had most to do with the records? A In my case and in my father's case.
Q Didn't you testify for your uncle Jim Dawson? A Yes sir.
Q Wasn't he attorney for him? A Yes sir.

Q Wasn't he employed by Jim Dawson after you got your citizenship?
A Why not but the grand-children.
Q Jim Ian son's petition was filed in September 1883, after yours?
A Yes sir.
Q C. H. Taylor, attorney of record, filed his petition? A He might have filed it for all I know.
Q Well you hadn't at that time fallen out with C. H. Taylor had you? A Why no, we never did have any trouble, only over their money, he never would give it back to me or give it to Bryant.
Q You never discovered that he was such a bad man until after your judgment was rendered? A I know he was not of good character.
Q Are you and Brought, this man who testified for the Cherokee Nation, on speaking terms? A Hardly speak.
Q Does he refuse to speak to you? A So etimes he does.
Q Do you refuse to speak to him? A Yes sir.
Q Have you been speaking to him for the last two or three months? A I have not spoke to him until I met him there at the hotel the other day.
Q First time you spoke to him since he had the boy arrested? A Yes sir.
Q When did he have the boy arrested? A Along in September or October, September I think.
Q When did Dr. Baker die? A I don't remember.
Q You don't remember how much older your father was than you? A No, I don't know.
Q What is your age? A I will be 60 in May.
Q Then you were born in '42? A Yes sir, '43 according to the record.
Q Was your father as much as 25 years old when you were born? A I couldn't say.
Q What was your best judgment? A I suppose he was 30 or 35 years old. My understanding he married young.
Q Can't you give any better idea than 4 or 5 years of your father's age? A I say 25.
Q Your father was born say, 25 from 42 would have made him be born in 1817; now had your father any older brothers or sisters? A I think Jack Dawson was the oldest of the family, no, Betty, the girl, was the oldest and Jack next, and Monroe Taylor as well as I remember about it.
Q There were two girls older? A No, one of the girls I never saw.
Q Then you think there are only 2 older than your father? A Yes, that's my understanding of the family.
Q Mr. Baker gives his age 73 in '82, which would make him be born in '09, now he states that when he was 15 or 16 years old, which added to 1809, will make 1824, that your grandmother Anna Priett, was a school girl: whereas from your testimony and that of the family history introduced here shows that your grandmother Anna Priett was the mother of seven children, the youngest being born in 1827, how do you reconcile that? A I don't remember about the dates out of Mr. Baker; I don't know that he made such statement as that, I don't remember about it.
Q And if he did you don't know how to reconcile it? A (No response.)

Q Did you talk to any of the officers of the Court that admitted you? A No sir, I was not acquainted with them.
Q You know whether they were old or young men? A They were old men like; Steve Tehee. I got acquainted with him afterwards, and Tom Thompson, at the Council you know I was there a good deal.

Q That was the fellow that was on the Court? A Yes sir.
Q He was afterwards Assistant Chief of the Cherokee Nation?
A I think so.
Q Steven Tehee, that's the man you had reference to? A Yes sir, I think it was, I just knew the man; I had no acquaintance with him at all.
Q D. W. C. Duncan boarded when you were down there at the National Hotel? A I think he did, as well as I remember now when we were admitted.
Q Don't you know he did? A I think he did, as well as I remember.
Q Were not you over there to his room? A I think I was.
Q You remember when it was that you brought Dr. Baker down there to make a statement before the Court? A It was in January, Term, was in January Term of 1882 I believe, it was, as well as I remember about it.
Q Well you didn't take any more testimony after Dr. Baker testified?
A No sir, I didn't.
Q But your case was not submitted or passed upon before then?
A I think it was, yes sir, as well as I remember.
Q I would like to ask you when the Blassingame family came to the Cherokee Nation? A Alex Balsingame came with me when we moved here, and went back and got his family and moved that fall.
Q Did he move his family here that same fall? A Yes sir.
Q What year was that? A In the fall of '83 I believe it was, as well as I remember now.
Q When did the Bulaska family come? A I think the girl and the old lady came in the next spring.
Q How long did they remain that time? A The old lady stayed here, but the girl went back and in a short time her and her husband came back.
Q Did she come back until after her marriage? A No, she was married when she came first.
Q The last time? A She was married I think, she was married when she came out.
Q How long has August Bulaska been a permanent and continuous resident of the Cherokee Nation? A I think he came there in the fall of 1884 or 1885, I wont say which.
Q How long has Robert Pierce been a continuous resident of the Cherokee Nation? A Ever since he was admitted.
Q When was that? A '83.
Q How long has Martin L. Patterson? A Ever since he married his wife, and he was living here before he married his wife.
Q Who is Arizona Alsey? A That is my daughter.
Q Did you bring her with you? A No not when I moved.
Q When did she come? A She came out in a year or two after I moved here.
Q Was she married when you moved here? A No sir, she was not married.
Q She was not married when you were admitted? A No sir, she was a child.
Q When did Jim Lowe come to this country? A With his grandfather, James Dawson.
Q What was his mother's name? A Melvina Dawson.
Q You know Jim Lowe's age? A No sir.
Q Don't know how old he was in '83? A No sir.
Q Was he grown? A I think he was.
Q Married? A No no.
Q Married in this country? A Yes sir.
Q Who is James H. Harmon? A Married one of the Jackson girls.

Q When did they come to this country? A Right away after they was admitted.
Q In what year? A I think the winter of '94, I think it was, spring or winter of '94.
Q You know Gideon Graham? A Yes sir.
Q Who is his mother? A Missouri Ann Graham, formerly Missouri Ann Dawson.
Q Did he come from Texas to Arkansas? A Came from Texas.
Q Did you know them in Texas? A I knew the girl.
Q You never knew them until they come to this country? A I never knew Gid.
Q When did you see him here? A I think they come here in the fall or winter of 1894 or '5.
Q He was married then? A I think he was.
Q Brought his wife? A I think he was, I don't know.
Q Did he have any children when you first saw him? A He came to my house and I never saw his family for-I don't know, for several years.
Q You understood he had a family? A Yes sir.

BY MR. MCKENNON:

Q Did you mean to say '84 or '94? A '84.
Q Did you see Gid Graham in '84? A '84, let's study, maybe '85.

BY MR. HASTINGS:

Q Did you see him in '85, are you positive on that proposition? A I think so.
Q Will you swear it? A No sir, I won't positive swear it, but I think it was, as I remember now it was; I couldn't say positive.
Q All the people Mr. Dawson that have been admitted to citizenship by courts of competent jurisdiction unless they were de-citizenised by courts of acquired jurisdiction, enjoyed the same privileges that you have narrated here about going to and of and being tried in the courts? A Yes sir.

Q All that sort of thing that you have been telling here in your direct examination? A Ask the question again.
Q I say all people who were admitted here by courts of competent jurisdiction, until they were de-citizenised by courts of like jurisdiction, enjoyed the same privileges that you did? A So far as I know they was.
Q They all drawed money and all tried in the courts as long as we had tribunal courts, were they not? A Yes sir, so far as I know.
Q There was no special privilege granted to you in preference to anybody else? A None but recognized citizens of the Cherokee Nation.
Q Well you had been recognized since you were admitted? A Yes sir, I enjoyed the same privileges of native born Cherokees.
Q Well I say there is nothing special about it? A No, I don't know as there is.
Q You got acquainted with Mr. Duncan while you were up there during the hearing? A Yes sir, I was acquainted with him, knew him, when I saw him.
Q Mr. Bill Rose did the examination of Dr. Baker? A Yes sir.
Q Did you file any other paper before the Court other than your petition and then Dr. Baker's statement? A I never filed any petition there at all.
Q None whatever? A I don't remember any.
Q Until you never had occasion to file any papers before Mr. Duncan? A I got him to do some writing for me.
Q What? A Letters to my brother in Texas.
Q Buck Dawson? A Yes sir, B. Dawson.

Q That? A Yes sir, Mac' Dawson.
Q Well is that all he did for you? A I don't [illegible] about it.
Q Why didn't you get your attorney to do that letter writing? A There was not any there.
Q Taylor nor Benge was not there then? A No sir.
Q That is what you paid the 20 or 25 dollars for, was writing this letter back to your brother? A I paid it for that claim.
Q When did you pay that? A I think I paid it, I don't exactly when, Carn Taylor paid it a year or two after I come out here and settled where I did; might have been 2 years. I don't remember.
Q There was Duncan living then? A I couldn't say whom.
Q Was he still clerk of this Court? A No sir, not when the money was paid; that is, when Carn Taylor said he paid it.
Q You did send Carn Taylor some money? A I sent some money to Mr. Joel Bryant.
Q You knew Joel Bryant's address didn't you? A No, I don't know that I did, No I didn't send Carn Taylor any money, I gave it to him.
Q How much did you give him? A One hundred dollars.
Q When? A Right at that time; he claimed it from me as soon as he got our papers; he come into me and demanded it for Bryant.
Q You never sent him any then after that? A No sir.
Q Did you ever see Bryant after that? A Yes sir
Q How long after that? A I don't know, a year or two afterwards. I wrote I believe, my brother wrote, I wrote to my brother about it. Carn Taylor money and he went and see my brother about it and never paid him until I moved out to this country.
Q After all that you got him to attend to your uncle Jim Dawson's and the other relatives cases? A The other parties did.

BY MR. McKENNON:

Applicants object to all that part of the witness' evidence in response to interrogatories by representatives of the Cherokee Nation which relates to the origin of the evidence upon which the judgments admitting members of the James and Robert Dawson families were entered, and to the history of the members of the Dawson family, because the same is immaterial, incompetent and irrelevant.

BY MR. McKENNON:

Q One question I omitted to ask you Mr. Dawson, as to the Court at the time the judgment admitting Robert Dawson's family was rendered, who of the judges were present on that day? A They was all three of them, Wolfe, Toher and Thompson.
Q Are you positive of that fact? A Yes sir.
Q You do not know this Andrew Dawson family who applied to the Dawes Commission for Cherokee citizenship, who stated that they are cousins of some members of your family? A Andrew?
Q Andrew J. Dawson, who claims to be from Missouri? A How was the question?
Q You do not know them do you? A I don't know that they are any kin to us.
Q You don't know that they are related to you at all? A No sir.
Q This Mary Dawson case, do you know the members of that family?
A No sir, I don't.
Q Don't know who they are? A No sir.
Q The Rebecca Dawson case? A I don't know her either.
Q You don't know whether they are related to you or not? A No sir.
Q If any of these persons are related to you or your family did you have any knowledge of it? A Not as I know of.

Q Joanna Barber, do you know anything about them? A They claim to be kin to us.
Q Where are they from? A They are from Texas.
Q Do you know they are related to you? A They claim to be kin.
BY MR. HASTINGS:
Q Well you swore for them before the Commission? A Yes, they claim to be kinfolks of mine.
BY MR. McKENNON:
Q Irene J. House, who is that? A That is a cousin of mine; claims to be.
BY MR. HASTINGS:
Q You testified for her didn't you before the Commission? A I think I did as well as I remember.
BY MR. McKENNON:
Q Before the Court that admitted James Dawson orally, who were the witnesses there? A Oliver Miller, from Bentonville, Arkansas.
Q Who were the others? A Myself and J. Dawson and there was two other witnesses, I don't remember who they are.
Q Were they Cherokee citizens and residents of the Cherokee Nation? A Yes sir.
BY MR. HASTINGS:
Q You don't remember their names? A Which?
Q Of these other people who claimed to be citizens of the Cherokee Nation and who were witnesses? A I said about me and J. Dawson was citizens of the Cherokee Nation.
Q You only proved that Jim Dawson was a brother of Robert Dawson before the Court? A Yes sir.
Q And then referred back to the decision in the Court below? A We proved that they were citizens, and he knew my folks before I ever came here.
Q Was he older than Dr. Baker? A About two years.
Q Why didn't you get Oliver Miller's testimony in the House case?
Q He was dead.
Q You and no member of your family in the Irene House case or the Joanna Barber case or any of those cases that were tried before the Dawes Commission in your affidavits ever made reference to the fact that Oliver Miller testified in Jim Dawson's case in '84 did you? A I don't remember about that.
Q You did make reference to the fact that Dr. Baker testified there in '85, didn't you? A I don't remember about that now.
Q You never made reference to any other witness having testified other than Dr. Baker did you? A I don't remember about it now.
BY MR. McKENNON:
Q You just one other question: All of these papers in the original application and everything, so far as you know, in the James Dawson case, were filed before the Commission which admitted the James Dawson family, are lost or mislaid are they not? A I suppose they are, I don't know, I never saw them.
Q Have you tried to get copies of them? A Yes sir, I tried to get the original papers.

BY COMMISSION: This case is continued until 8:30 a.m., tomorrow morning, March 20th, 1902, it now being the hour for adjournment.

MARCH 20, 1902,- 8:30 a.m.- F. M. DAWSON again on the stand, testifies as follows:
BY MR. McKENNON:
Q Where was your brother Jim Dawson raised? A In Arkansas.

Q What County? A Carroll.
Q [illegible] born? A Near Eureka.
Q Mr. Dawson live on Van Buren? A Yes sir.
Q [illegible] any rooms?
A Yes sir.
Q [illegible] to be [illegible] of his sister
[illegible] of life? A Yes sir.
Q Do you know Josephine Pierce? A Yes sir.
Q Was she [illegible]? A Both E Dawson's.
Q Is she the same [illegible] who is called Josie Pierce,
[illegible] Josie Dawson? A Yes sir.
Q Is there any other Josie Pierce or Josie Dawson or Josephine
Pierce or Josephine Dawson? A I don't know but to one.
Q She is also called Josephine or Josi Kelly? A Yes, after she
married her first husband was Pierce.
Q After her second husband A Was Kelly.
Q There was another Josephine Dawson wasn't there, Bill Kelly's wife?
A [illegible] called her Joe, I suppose to distinguish me, I could
not be positive; that was Pike Dawson's daughter, August Kelly's
wife.
Q She is not younger than your sister, Josephine, above referred
to? A Yes sir, oh yes.
BY MR. HUTCHINS:
Q Where were you born, Mr. Dawson? A Carroll County, Arkansas.
Q Your age, how old you are? A 42.
Q 42? A I think so.
Q How many older children were there of your father and mother
than yourself? A Three.
Q Which are they? A E. Dawson, Pike Dawson and Jasper Dawson.
Q You are the fourth child and the fourth boy? A Yes sir, fourth
boy.
Q Where were your father and mother married, do you know, from
the history? A I think it was in Arkansas, I couldn't be positive,
I think they was.
Q Do you know how long your grandfather lived in Arkansas? A No
sir I don't.
Q Don't know what year he came to Arkansas? A Only from statement.
Q What did they say about it? A I think they [illegible]
[illegible] in '30.
Q You know whether your father was born in Arkansas? No, any
of your grandfather's children were born there? A There is some
born in Arkansas according to history and according to that
[illegible] told me, they were born in Tennessee.
Q He came there in '30, and all the other children, were born on
the Tennessee River in Tennessee, before he came, is that it?
A That is what I think, yes sir. Now I am not positive about that.
They came from Tennessee, but either Mr. Dawson lived where my
folks come from there; I don't know as I ever seen that I was told
[illegible] they say where he was born at.
Q In Tennessee so where; he said he was good old boy from he
came to Arkansas? A I don't know as I ever heard him say.
Q Do you know the difference in the ages of yourself and your
three older brothers? A No I don't.
Q Don't know the time that come in between you? A No I don't
know that; I think it is about two years though.
Q That would make E. Dawson about eight years older than you,
roughly? A Yes sir.

BY MR. McKENNON:
Q Did Josephine Pierce have a daughter who married Mr. Bogle?
A Yes sir.
Q What was her name? A I always knowed her by Dade Pierce; I don't know whether that is her right name or not.
Q What is Bogle's name? A John Bogle.
Q She is the child of Josephine Pierce who married John Bogle?
A Yes sir.
BY MR. HASTINGS:
Q Where did she marry John Bogle? A Near Afton.
Q When? A I douldn't state.
Q About when? A You have got a copy of the marriage license.
Q When did Josephine Pierce come to the Cherokee Nation? A '83.
Q Has she lived here continuously since that time? A Up until her death; she is dead.
Q Any of her children come with her at that time? A Yes sir.
Q And have they lived here continuously since that time? A Yes sir, except Bill Pierce, he went to Colorado and died.

J. C. STARR, being first duly sworn and being examined, testified as follows:
BY MR. McKENNON:
Q Your name is J. C. Starr is it? A Yes sir.
Q Mr. Starr, was that instrument taken by you, or before you? (Showing witness document.)
A Yes sir.
Q Where? A At the residence of S. H. Benge near Fort Gibson.
Q When? A On the 15th day of this month.
Q What day of the week was that? A On Saturday.
Q Is that the day it was taken? A Yes sir.
Q Did you go there on Saturday to take this? A Yes sir.
Q Then when Judge Benge stated on Tuesday that it was taken "yesterday" meaning Monday, the 17th, he was mistaken, was he?
A It was taken Saturday, the 15th.
Q Was he mistaken or not? A It was not taken then.
Q Then his statement made on Tuesday the 18th that it was taken on "yesterday", meaning Monday, the 17th, was not correct, was it?
A I think not, because I was there, and it was taken on the 15th.
Q And it was taken on the 15th, you are positive it was taken on the 15th? A Yes sir.

Q Then of course his statement could not be correct? A I guess not.
BY MR. HASTINGS:
Q He was just mistaken about the date, wasn't he? A Yes sir.
BY MR. McKENNON:
Q Did you tell Charles T. Moore who is now present, on last Tuesday that they sent you out there on Monday to take that? A No sir.
BY MR. HASTINGS:
Q I sent you there last Saturday? A Yes sir.
Q And you went there at my direction, didn't you? A Yes sir, and come back Saturday night.

ROBERT L. DAWSON, being first duly sworn, and being examined testified as follows:
BY MR. McKENNON:
Q What is your name? A My name is Robert L. Dawson.
Q What is your age? A My age is something close to 30 years old, I guess 26 past.

Q Are you a son of E. D- son, commonly known as Buck Dawson?
A Yes sir.
Q I will ask you if you will examine this letter sent with the enclosure and state whether or not you found that among the papers of your father after his death? A (Hands letter to witness who examines it) A Yes sir, I found this amongst the papers of My Father. He always kept all his own papers, and re looking over them I saw this letter.
Q Has that been in your custody ever since you found it? A Yes sir, if that's the letter that was in the envelope.
Q Well that's what it is, you can tell whether it is or not. (Witness further examines letter) Q That purports to be a letter from Samuel H. Benge, does it not, to your father? A Yes sir. (Here applicants' attorney hands letter and envelope referred to to attorneys for Cherokee Nation.)

BY MR. McKENNON: I want to offer this letter in evidence in this case; it is a letter signed by S. H. Benge, attorney at law, dated Fort Gibson, C. N., Jan. 13, 1883. Addressed to Mr. E. Dawson, Esq., together with the envelope, in which it was enclosed, with the card of C. H. Taylor upon it, attorney at law, Tahlequah, Indian Territory, and postmarked Tahlequah, Ind. T., January 13.

BY MR. HUTCHINGS: The Nation objects to the introduction of this letter for the reason that S. H. Benge is living and has testified in this case, and his handwriting should be either proven or denied by hi self.

G. W. BENGE, being first duly sworn, and being examined, testified as follows:
BY MR. McKENNON:
Q What is your name? A G. W. Benge.
Q Are you a son of Samuel H. Benge? A Yes sir.
Q Do youknow his handwriting? A I believe so.
Q Is that his handwriting? (Shows witness letter before referred to.) A Yes sir, it is either his or a resemblance of his.
Q To the best of your knowledge and belief is that his letter?
A Yes sir.

BY MR. McKENNON: Now we offer it in evidence.

BY COMMISSION: (Reading letter,

"Fort Gibson, C. N.,
Jan 13th, 1883.

Mr. E. Dawson, Esq.,

Dear Sir:- I write this note to inform you that your case came off before the Court on Citizenship on the 11th inst, and was decided in your favor, so you all are citizens of this Nation. F. M. Dawson was furnished with a copy of the decision at the court. He will write to you allso. You will please send me fifty dollars as my fee in your case according to contract. Send it to Fort Gibson, Cherokee Nation.

Respectfully yours,
S. H. Benge,
Attorney at law."

Enclosed in envelope, as follows:
Card in upper corner, left hand:
"Return in ten days to C. H. Taylor,
Attorney at Law,
Tahlequah, Ind. Ter."
Address: [illegible]

Henryetta,
Clay Co., Texas."

Post-marked: " Tahlequah, Jan 17 IND T."

ROBERT L. DAWSON, -re-called and further examined, testified as follows:

BY MR. McKENNON:

Q Now examine that and see if that is also a paper which you found among your father's papers after his death? (Hands papers to witness) A That is the same letter that I found.

Q Along the same that you found the Bengo letter? A Yes sir.

BY MR. McKENNON: This is a letter purporting to have been written by J. M. Bryan, to E. Dawson, dated at Chouteau Station, Cherokee Nation, and not dated, which we offer in evidence. (Applicants' attorney hands said paper to Nation's attorneys.)

Q Mr. Bryan is dead is he not? A I think so.

BY MR. HUTCHINGS: We have no objection.

BY COMMISSION: (reads letter)

"Chouteau Station, Cherokee Nation.
I. T., M. K. & T. R. R.

MR. Dawson:

Dear Sir:-

I am in receipt of your favor of the 30th inst in regard to our contract.

After I had got the claim so there would be little more to do I employed Campbell Taylor to answer for me when the case came up, for which I was to pay him $20 out of my fee.

This all the action I had in the matter with Taylor.

I saw Taylor in Washington last month, and he told me that your brother had made another contract with him, and paid him, or that you was to pay him $100- and that you had offered him a check on some bank in Texas.

That $100- matter with Taylor, I have nothing to do with, nor couldn't have if I wanted to.

I hope Mr. Dawson this letter will explain the matter fully.

And I am satisfied that you are apprised of the earnest work I done for you, Please write to me.

Very respectfully,
Very truly,
J. M. Bryan."

Q I will ask you if you know of your father having paid Bryan that money? A Yes sir, paid him a horse and some other money.

BY MR. HUTCHINGS:

Q How old was your father when he died? A No, I don't know whether I know his age or not.

Q If you don't know you can't say? A I wouldn't have no reason to know his age; never asked me his age; of course I guess my mother knows.

Q Never had occasion to talk about his age at all? A Oh I have heard him speak of his age at different times, but then I never paid enough attent on to it.

Gid Graham, being first duly sworn upon his oath, examined and testified as follows:

BY MR. McKENNON:

Q What is your name? A Gid Graham.

Q How old are you? A Mr. Graham? A I am 35 years old.
Q How long have you been living in the Territory? A I came out here in 1887 or '88.
Q To the Cherokee Nation? A Yes sir.
Q How long have you been living in the Cherokee Nation, what year was that '87 or '8? A Yes sir.
Q Have you resided here continuously from that time ever since in the Territory? A Yes sir.
Q How long did you live in the Cherokee Nation? A About 6 years.
Q Where did you go then? A Wagoner.
Q In the Creek Nation? A Yes sir.
Q And been residing there ever since? A Yes sir.
Q In business? A Yes sir.
Q Have you all the while been recognized as a citizen of the Cherokee Nation? A Yes sir.
Q Mr. Graham, do you know Judge Samuel H. Benge? A Yes sir.
Q Did you have a conversation with him in Fort Gibson about September of 1900? A Well as to the exact time I couldn't say. It was sometime about the time that the Dawes Commission were at Sallisaw, or possibly a little later, somewhere about there.
Q Taking the census of the Cherokees? A Yes sir.
Q At that time had the question of the validity of the judgment of the Cherokee citizenship corrission admitting Robert Dawson and family been called in question? A Yes sir.
Q Did you talk to him about the facts concerning the obtaining of that judgrent? A I did.
Q What did he tell you about it: well I will just ask you, did he then and there tell you that that judgment was regular and all right nothing wrong with it? A He did.

BY MR. HUTCHINGS.

Q You were looking around for testimony at that time, Mr. Graham, were you? A How was that?
Q You were looking around for testirony at that time, expecting this case to be questioned? A Since the validity of that judgment had been attacked by the authorities of the Cherokee Nation, I thought it was well to look into the matter.
Q And he told you the judgment was all right? A Having known that Mr. Benge was connected with the case, I saw him in Fort Gibson, subsequent to that time and asked him about it, if there was anything wrong about the matter, and also that I might want his affidavit concerning the matter, and I also I think maybe wrote to him; possibly prior to that, I am not sure as to the writing, but I think I wrote to him.
Q Did he tell you he would make an affidavit? A I don't think at that time that I asked him for an affidavit. I thought as he lived right near here I would see him in person; he assured me that everything was all right.
Q Your mother was Missouri Dawson was not she? A Yes sir.
Q Her name was Missouri [illegible] when she was re-admitted to citizenship? A Yes sir.
Q And was not Missouri [illegible] named in that judgment? A Yes sir.
Q Do you know whether the [illegible] children named in there had married and changed their names at the time they were admitted? A There were not any of them married.
Q Ella Dawson was your aunt? A Yes sir.
Q Was she married at that time? [illegible]? A Yes sir.
Q Melvina Dawson, was she married at that time? A Yes sir.
Q And the fourth one you named, Missouri Dawson, was your mother? A Yes sir.

Q Can you give us the exact date of your birth? A Yes sir.
Q Do so, please? A January 21, 1867.
Q And you came to the Territory when? A In 1886 or 1888.
Q You can't make that any more definite? A Well sir, it has been a good while ago, and I didn't have anything to cause me to.
Q Well I just want to know whether you did have or not? A No sir.
Q Then were you married? A 1886.
Q You were married prior to coming here? A Yes sir.
Q Your first child born away from here? A Yes sir.
Q What is its name? A John W.
Q '86 you were married, and he was born about the spring of '87?
A Somewhere in 1887, I don't remember.
Q Prior to your coming here? A Yes sir.
Q That is the only child you had that was born away from here?
A No sir, Julius.
Q Julius was not born in the Territory? A No sir.
Q And prior to the time of your removing to the Territory? A Yes sir.
Q These are the only children born out? A Yes sir.

BY MR. McKENNON:

Q Do you know Campbell Taylor? A Yes sir.
Q I will ask you if about February 1901, he came to Wagoner, and sent his son to have you come to the hotel at night where he was, and if he then and there said to you "You people are on the doubtful list, and if you will give me five hundred dollars I will make it all right and see that you are enrolled, and if you don't I will see that you don't get on"? A Well now as to the first part of thatquestion, where you say he sent his son; that is an error; I don't know whether he came to my house or sent some one; when I returned home that evening my wife told me there was some one there to see me, and was at the city hotel at Wagoner, and said come down and see him; I went down there; I never had met Taylor; he introduced himself to me and stated what his business was; asked me if I was on the doubtful list, etc., to which I replied that we were; he asked me if I didn't want to employ him, stating that if he would give him, our family would give him five hundred dollars he would see that we were placed on the rolls all right, but if we refused to give him five hundred dollars that he would use his influence against us and see that we were rejected.
Q You never had met him before, or had any communication with him?
A I never met him before; as to the communication, I may have written him something about his affidavit as to the validity of that judgment, I can't say as to that. He said in his testimony that I did: I don't know whether I did or not now.

BY MR. HUTCHINGS:

Q You knew he was the attorney in the case, originally? A After looking at the records I did.
Q I mean you knew it at the time you wrote to him about the affidavit: that was the reason why you thought he would know something? A Certainly.
Q He never told you he was going to swear against you or threatened to tell anything that was not true? A He just simply said unless we gave him that five hundred dollars he would see we were left out off the rolls.
Q Said he would use his influence against you, that is what he said? A Yes sir.

BY MR. HASTINGS:
Q You don't deny writing to him then for the affidavit? A I don't say I did or I did not; I neither affirm it or deny the question.
Q You went to Captain Benge and also wrote him with reference to what he knew about the case? A I don't know whether I wrote him or not, I said I was under the impression I wrote via son.
Q You went to see Aaron Butler, who was interpreter before that court that admitted you? A Yes sir.
Q And you went with Aaron Butler to see Jim Smith, attorney before that court? A Yes sir.
Q And you either wrote or went to see everybody you knew of that was before that court then? A Yes sir.
Q That shows you used considerable activity? A Yes sir, I used such activity as was to my interest.
BY MR. McKENNON:
Q That was all after the representatives of the Cherokee Nation objected to the enrollment of the Dawson family and by reason thereof such as had appeared before the Commission had been placed upon a doubtful card? A Yes sir.
Q Then you began to look up the evidence and see what there was in it? A Yes sir.
Q As Mr. Hastings has stated? A That's right.
BY MR. McKENNON:
Q You are a grandson of James Dawson? A Yes sir.
Q The old gentleman? A Yes sir.
Q About what was his age when he was admitted to citizenship in the Cherokee Nation, in 1884, wasn't it? A Yes sir, well I can't be exact as to that.
Q Well as nearly as you can? A He was somewhere about 70 or 72, years of age.
Q Well what other James Dawson did you know belonging to the families, either one of these families, Robert Dawson family or the James Dawson family? A I never knew of but two James Dawsons.
Q Who were the others? A Dr. James R. Dawson, who is present and standing right here; my grandfather, James Dawson.
Q Was there in '84 any James R. Dawson 35 or 40 or 45 years old, that you know of, belonging to either one of these families?
A No sir.
Q Do you know how old Dr. James R. Dawson was that that time?
A James Dawson? Q No I am speaking of Dr. James R. Dawson? A Oh, how old he was, no sir, I do not.
BY MR. HUTCHINGS:
Q Do you know who was here attending to your father's citizenship case at that time, at the time they were admitted? A Yes sir, James Low and Bill Jackson, son of Ellen Jackson.
Q Who was W. A. Dawson? A That is Wilburn, my uncle.
Q Was he here? A I don't know sir.
Q You were not here any of the time? A No sir.
Q You knew your grandfather then, you had lived in the same neighborhood with him? A Yes sir, I knew him well.
Q He didn't die for a year or two after that did he? A After when, Mr. Hutchings?
Q After his admission to citizenship? A No sir, he didn't die I think until '91 or '90, several years after.
Q Very old man when he died? A Yes sir.
BY MR. McKENNON:
Q About what age? A He was approximately 80 years old.
BY MR. HUTCHINGS:
Q When he died? A Yes sir.

BY MR. HUTCHINGS:
Q That about level? A I think so, yes sir.
BY MR. McKENNON:
Applicants object to the testimony of the witness elicited by interrogatories of Counsel for the Cherokee Nation relating to his family, their history, etc, as being immaterial, irrelevant and incompetent.

James R. Dawson, being first duly sworn, and being examined, testified as follows:
BY MR. McKENNON:
Q Your name is James R. Dawson? A Yes sir.
Q Where do you live? A Afton, Indian Territory.
Q What is your age? A 45.
Q You are a Cherokee are you not? A Yes sir.
Q Was James Dawson, whose family was admitted in 1884, an uncle of yours? A Yes sir.
Q Do you know what his age was at that time? A No sir, I do not, only approximately.
Q State as nearly as you can? A At the time of the admission?
Q Yes sir? A About 70, I don't know exactly.
Q How old was he when he died? A I would suppose he was about 78.
Q What was your age in 1884? A I am 45.
Q What year were you born, Doctor? A I was born in '83.
Q Then have been '39? A Yes sir, that's right.
Q What was your age then? A In '84?
Q Yes sir? A About 38.
Q Were you present at the time that James Dawson family was admitted, or at any time while their case was pending before the Cherokee citizenship commission? A Not while the James Dawson case was, no sir.
Q You were present during your father's case? A I was there at the time.
Q When was that? A The dates I dispute her; when the case first come up, I dispute her the exact date.
Q How long were you there? A I was there about a week.
Q Was that when it first came up you say? A Yes sir.
Q Nothing was done? A No sir.
BY MR. HUTCHINGS:
Q You never saw Dr. Baker? A Yes sir.
Q Did he and your uncle Jim use to talk about how they played together when they were boys? A My uncle Jim and Dr. Baker talk?
Q Yes? A I never saw them together.
Q They were about the same age? A Yes sir, I believe Dr. Baker was 15 years older probably.
Q Dr. Baker must have been listened about his own age? A Guessing, that's all I know about his age.
Q The Doctor had been paralyzed, rather a decrepit looking man at the time he was over here at the citizenship business? A No sir, not as I know anything about.
Q He was near about 70 then? A I couldn't tell you, he was an old looking man.
Q Your uncle Jim was about 70? A Yes sir.

TESTIMONY ON BEHALF OF THE CHEROKEE NATION.

W. W. HASTINGS, being first duly sworn, and being examined testified as follows:
BY MR. HUTCHINGS:
Q State your name? A W. W. Hastings.
Q Residence? A Tahlequah, age 35.
Q You are attorney for the Cherokee Nation in the general preparation of these cases? A Yes sir.
Q Just state how it happened that you summoned Mr. Campbell Taylor, and what occurred between you with reference to his testimony?
A Well there had been some talk, as the testimony here indicates, that there was perhaps fraud in the admission of this family, and by agreement with counsel on the other side, and the Commission, this case was set for the 17th day of March, and some short time prior to that, as the attorney for the Nation I began to make some preparation or inquiry into the case, and I wrote a great many letters around to different people and among them I wrote C. H. Taylor to come down here. I don't think in that letter that I told him what I wanted with him. I don't think I told him the case that I wanted him to testify in; that is my recollection now. Mr. Taylor prior to that time, neither directly nor indirectly, so far as I know, ever gave me any information voluntarily against this family, or ever said anything that would lead me to believe that he knew anything of a fraudulent character connected with it. But I summonsed him; perhaps the fact that I knew he had been connected with them in some way and that I perhaps also would get some information from him. Well he came in response to a letter that I wrote, and I took him up to my office. I talked to him quite a long while. He was exceedingly reluctant about giving any testimony whatever, he told me first and last that he didn't intend to testify before the Commission. He told me he had been attorney for these people, and he didn't believe he could be compelled to testify, and that is he was put upon the stand he would claim that privilege, and he didn't believe I could force him to testify. I talked to him at some considerable length; I asked him what he knew about it; of course he for a long time declined to tell me; and what information I did get from him was by piecemeal. He was exceedingly reluctant all through the interview to give any information. I asked him finally though that if the Court compelled him to testify when he got before the Commission, if he would tell the facts about it, and he said that he would. I told him then that I would subpoena him.
Well we talked quite a good while and finally after always telling me that he intended to claim that privilege, and never wanting to testify, he detailed to me the facts just as he told them on the stand; I don't believe there is the slightest variation, except that he perhaps was not so full at that time and it was told by piecemeal, but I got all those facts out of him, or very nearly all those facts out of him. He may have elaborated a little more here by examination; but he never voluntarily gave me any information at all, either directly or so far as I know indirectly. I don't think he sent any one to me. I got his name because I heard he was connected with the case, and perhaps knew something about it, like I did a great many other people, some of whom I didn't bring, because they didn't know what I supposed they did know about the case.

With reference to S. H. Benge, I want to state that he never voluntarily gave me any information at all about this case, nor did I know that he knew anything in connection with this case until I sent J. C. Starr over to S. H. Benge's place to take his affidavit on Saturday, March 15, in the W. H. and J. W. Shoemake case, and their descendants. I had heard that Mr. Benge knew some important facts in connection with the Shoemake case and I sent him over there then to take that affidavit; and when Mr. Starr came back he told me that he knew some facts also in connection with these other cases, and I was surprised to find he had instead of one affidavit, in the Shoemake case, that he also had another affidavit in the Dawson case. That is the first information I had that Mr. Benge knew anything whatever in connection with the Dawson case, and therefore he never voluntarily, either directly or indirectly gave any information prior to that time to me.

I impressed upon Mr. Taylor that the Nation only wanted the absolute truth in this matter; that it was not seeking anything else but the truth, and didn't want him to tell anything else but the truth.

I want to say again that after he was on the stand and left that evening, and after Captain McKennon, or counsel for the family, had indicated his willingness for Mr. Taylor to testify, that he went over all of these facts that he testified to on the stand subsequent to that time in the presence of J. C. Starr in my office. I simply wanted to go on the stand for the purpose of showing that Mr. Taylor hadn't voluntarily given me any information, and I make this statement for that purpose.

BY MR. McKENNON:

Q You had no power to compel him to give you any information at that time at all did you? A No sir, none other than the persuasion that I brought to use.

Q He therefore did it simply upon your persuation? A Yes sir.

Q You knew he had been acting as attorney for these parties?

A Yes sir, I had seen from the record that he did too.

Q And he told you so? A Yes sir.

BY COMMISSION: The attorneys for the applicant and the representatives of the Cherokee Nation will be granted thirty days from the receipt of the transcript in this case in which to file a brief in this case with the Commission.

I, M. D. Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

(Signed) M. D. Green.

I, Arthur C. Evans, being duly sworn, state that as stenographer to the Commission to the Five Civilized Tribes I copied the foregoing, and that the same is a true and complete copy of the original.

Arthur C. Evans.

Subscribed and sworn to before me this 18th day of December, 1902.

B. C. Jones
Notary Public.

File with Cherokee D-1194, Charles T. Bradshaw, et al.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Francis M. Dawson, et al for enrollment as Cherokee citizens, consolidating the applications of,

Francis M. Dawson et al	Cherokee	D.	324
John Dawson,	"	D	580
William R. Dawson,	"	D	581
Andrew C. Atkins, et al	"	D	584
Francis M. Dawson, Jr.	"	D	588
Arizona Allred, et al	"	D	835
Samuel R. Dawson, et al	"	D	350
Robert Dawson,	"	D	352
Albert H. Dawson, et al	"	D	358
August Bulawsky, et al	"	D	365
John W. Dawson, et al	"	D	482
Katie Newman	"	D	402
John Dawson, et al	"	D	578
Thomas P. Dawson, et al	"	D	360
Orle H. Dawson, et al	"	D	530
Robert Pierce, et al	"	D	408
William Pierce,	"	D	409
Charles E. Pierce,	"	D	431
Oma Gray, et al	"	D	471
Effie Pierce,	"	D	472
John S. Bogle, et al	"	D	479
Joseph R. Dawson, et al	"	D	364
Wilborn Dawson,	"	D	475
Charles T. Moore, et al	"	D	518
James R. Dawson, et al	"	D	526
Henry A. Blasingame, et al	"	D	832
Elbert L. Blasingame, et al	"	D	833
James R. Blasingame, et al	"	D	834
Martin L. Patterson, et al	"	D	435
William C. Dawson, et al	"	D	604
Robert B. Dawson,	"	D	605
Elbert B. Dawson, et al	"	D	608
Richard W. Dawson, et al	"	D	617
Ella L. Spickerman, et al	"	D	626
Francis M. Dawson,	"	D	627
Sarah J. Dawson,	"	D	609
John W. Graham, et al	"	D	23
Gideon Graham, et al	"	D	35
Mathew A. Painter, et al	"	D	838
Charles T. Bradshaw, et al	"	D	1194
Joe E. Graham, et Al	"	D	1125
John P. Graham, et al	"	D	1126
Joe Willie Neal	"	D	1127
James M. Graham, et al	"	D	1128
Green W. Jackson, et al	"	D	[illegible]
James H. Harmon, et al	"	D	[illegible]
Tomie A. Jackson,	"	D	[illegible]
Lizzie Jackson, et al	"	D	[illegible]
William C. Lenox, et al	"	D	[illegible]
James Love, et al	"	D	[illegible]
Millie T. Dawson,	"	D	406

Texanna Woolley, et al.,	Cherokee	D	406
Henry T. Richardson, et al.,	"	D	715
Zita Brauer,	"	R	12
Melissa A. Dawson,	"	R	13
Alonzo M. Fishback, et al.,	"	D	543
Hiram P. Weddle, et al.,	"	D	521
William D. Douthitt,	"	D	522
Florence Morgan, et al.,	"	D	737
John E. Fishback,	"	D	845
George A. Mabry, et al.,	"	D	979

D E C I S I O N.

It appears from the record herein that applications were made to this Commission at the times and places hereinafter mentioned for the enrollment of the following named persons as citizens of the Cherokee Nation:

D 324 By Francis M. Dawson, son of Robert Dawson, at Vinita, Indian Territory, on September 17, 1900, for the enrollment of himself and his minor children, Lula, Ray, Jessie J., Jacob L., Hugh A. and Laura A. Dawson as citizens by blood, and for the enrollment of his wife Katie Dawson as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on April 8, and October 20, 1902.

D 580 By John Dawson, at Nowata, Indian Territory, on October 16, 1900, for the enrollment of himself as a citizen by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 1, 1902.

D 581 By William R. Dawson, at Nowata, Indian Territory, on October 13, 1900, for the enrollment of himself and his wife, Fannie Dawson as citizens by blood. Fannie Dawson has been differently classified and is not embraced in this decision.

D 584 By Andrew C. Atkins, at Nowata, Indian Territory, on October 15, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Lizzie Atkins and his minor children, Arthur, Edna E., Edward C. and George J. F. Atkins as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 10, 1902.

D 588 By Francis M. Dawson, Jr., son of Francis M. Dawson and grand son of Robert Dawson, at Nowata, Indian Territory, on October 15, 1900, for the enrollment of himself as a citizen by blood.

D 333 By Francis M. Dawson, Sr., at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of his daughter Arizona Allred and his grand-son William C. Allred as citizens by blood.

D 350 By Samuel R. Dawson, at Vinita, Indian Territory, on September 19, 1900, for the enrollment of himself and his two minor children August and Mate Dawson, as citizens by blood, and for the enrollment of his wife Catherine Dawson as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, October 3, 1902.

D 352 By Robert Dawson, at Vinita, Indian Territory, on September 19, 1900, for the enrollment of himself as a citizen by blood.

D 358 By Albert H. Dawson, at Vinita, Indian Territory, on September 19, 1900, for the enrollment of himself and his minor children Ralph H., Alford and Cecil Dawson as citizens by blood, and for the enrollment of his wife Sarah F. Dawson as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 21, and October 3, 1902.

D 365 By August Bulawsky, at Vinita, Indian Territory, on September 20, 1900, for the enrollment of himself as a citizen by intermarriage, and for his wife Josephine, and his minor children Dora, Ida, Annie, Blanche, May and Oscar Bulawsky, as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 6, 1902.

D 482 By John W. Dawson, at Vinita, Indian Territory, on October 1, 1900, for the enrollment of himself as a citizen by blood, and for the enrollment of his wife Nannie as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 3, 1902.

D 492 By Charles J. Newman, for the enrollment of his wife Katie Newman as a citizen by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on March 18, 1902.

D 578 By John Dawson, at Nowata, Indian Territory, on October 15, 1900, for the enrollment of himself and his minor children Robert B., Iola M., Lemuel H., Rosa B., Charles B., Hattie J., Jennings B. and James U. Dawson as citizens by blood, and for his wife Sarah J. Dawson as a citizen by intermarriage. On November 20, 1901, an affidavit was filed for Vergal C. Dawson, a ninth child of the applicant. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, October 20, 1902.

D 360 By Thomas P. Dawson, at Vinita, Indian Territory, on September 20, 1900, for the enrollment of himself and his minor child Mariee J. Dawson as citizens by blood.

D 530 By Orle H. Dawson, at Vinita, Indian Territory, on October 4, 1900, for the enrollment of himself and his minor child, Burr R. Dawson as citizens by blood. On October 31, 1902, a birth affidavit was filed for James W. Dawson, a second child of the applicant.

D 408 By Robert Pierce, at Vinita, Indian Territory, on September

24, 1900, for the enrollment of himself and his minor child Myrtle as citizens by blood, and for the enrollment of his wife Nellie as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 3, 1902. On January 8, 1902, an affidavit was filed showing the birth of Arthur Pierce, a second child of the applicant.

D 429 By William Pierce, at Vinita, Indian Territory, on September 24, 1900, for the enrollment of himself as a citizen by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 21, 1902.

D 431 By Charles E. Pierce, at Vinita, Indian Territory, on September 25, 1900, for the enrollment of himself as a citizen by blood.

D 471
D 472 By John B. Gray, at Vinita, Indian Territory, on September 29, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Oma Gray, his minor child, Cecil Gray, and his sister-in-law, Effie Pierce (now Effie Akins), as citizens by blood. John B. Gray is differently classified and is not embraced in this decision. Further proceedings were had in the matter of this application at Vinita, Indian Territory, on October 4, 1900, and at Muskogee, Indian Territory, on July 21, 1902. On February 18, 1902, an affidavit was filed showing the birth of Velton Gray, a second child of the applicant.

D 479 By John S. Bogle, at Vinita, Indian Territory, on October 3, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Nancy J., and his minor children, James E., Edna N., John H., Marvin R. and Claud Bogle as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 9, 1902. On October 31, 1902, a birth affidavit was filed for Nancy Edith Bogle, born since the date of this application.

D 364 By Joseph R. Dawson, at Vinita, Indian Territory, on September 20, 1900, for the enrollment of himself and his five minor children, Clarence E., Council J., Elmer A., Cleo, and Rufus T. Dawson, as citizens by blood, and for the enrollment of his wife, Florence Dawson, as a citizen by intermarriage. Further proceedings were had in the matter of said application at Vinita, Indian Territory, on October 19, 1901, and at Muskogee, Indian Territory, on October 3, 1902. On October 19, 1901 an affidavit was filed showing the birth of Edgar Dawson, a sixth child of the applicant.

D 475 By Wilborn Dawson, at Vinita, Indian Territory, on September 29, 1900, for the enrollment of himself as a citizen by blood.

D 518 By Charles T. Moore, at Vinita, Indian Territory, on October 4, 1900, for his enrollment as a citizen by intermarriage, and for the enrollment of his wife, Mollie, and his five minor children, Mora, Walter, Clara, Ora and James W. Moore as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on March 18, and October 10, 1902, and on March 17, 1903, an affidavit was filed showing the birth of Edna E. a sixth child of the applicant.

D 828 By James R. Dawson, at Vinita, Indian Territory, on October 4, 1900, for the enrollment of himself and his three minor children, Vinnie D., Ermine C. and Edwin C. Dawson as citizens by blood, and for the enrollment of his wife, Martha A. Dawson, as a citizen by intermarriage. Further proceedings were had in the matter of said application at Vinita, Indian Territory, on October 5, 1900, and at Muskogee, Indian Territory, on October 3, 1902, and on September 13, 1901, an affidavit was filed showing the birth of Ancil F. Dawson, a fourth child of the applicant.

D 832 By Henry A. Blasingame, at Chelsea, Indian Territory, on November 19, 1900, for the enrollment of himself and his minor child, Vinnie C. as citizens by blood, and for the enrollment of his wife, Birdie J. as a citizen by intermarriage. Birdie J. Blasingame is differently classified and is not embraced in this decision.

D 833 By Elbert L. Blasingame, at Chelsea, Indian Territory, on November 19, 1900, for the enrollment of himself and his three minor children Ellis W., Earl D. and Alexander Blasingame, Jr., as citizens by blood, and for the enrollment of his wife Ida, as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, October 6, 1902. On October 31, 1902, a birth affidavit was filed for Elmer H., born since the date of this application.

D 834 By James R. Blasingame, at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of himself and his two minor children, William A. and George L. Blasingame as citizens by blood, and for the enrollment of his wife, Mary A. Blasingame as a citizen by intermarriage. On February 28, 1901, an affidavit was filed showing the birth of Grace D. Blasingame, a third child of the applicant. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 6, 1902.

D 835 By Martin L. Patterson, at Vinita, Indian Territory, on September 28, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Zona, and his five minor children, Sarah A., Martha A., Claud A., Edgar D. and Thomas M. Patterson, as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on April 8, and October 4, 1902, and on October 23, 1901, an affidavit was filed showing the birth of Virgil V., sixth child of the applicant.

D 804 By William C. Dawson, at Nowata, Indian Territory, on October 16, 1900, for the enrollment of himself as a citizen by blood, and for the enrollment of his wife Alice as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on April 3, and October 10, 1902.

D 805 By Robert L. Dawson, at Nowata, Indian Territory, on October 16, 1900, for the enrollment of himself as a citizen by blood.

D 808 By Elbert B. Dawson, at Nowata, Indian Territory, on October 16, 1900, for the enrollment of himself as a citizen by blood. On July 8, 1901, an affidavit was filed showing the birth of Ralph E. Dawson, a child of the applicant.

D 609 By Sarah J. Dawson, at Nowata, Indian Territory, on October 10, 1900, for the enrollment of herself as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 15, 1902.

D 617 By Richard W. Dawson, at Nowata, Indian Territory, on October 17, 1900, for the enrollment of himself and his minor child Ina E. as citizens by blood, and for the enrollment of his wife, Luella as a citizen by intermarriage. Luella Dawson is differently classified and is not embraced in this decision. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on April 8, 1902.

D 626 By Ella L. Spickerman, at Nowata, Indian Territory, on October 17, 1900, for the enrollment of herself and her minor child, Hellen J. Spickerman, as citizens by blood, and for the enrollment of her husband, John J. Spickerman as a citizen by intermarriage. John J. Spickerman is differently classified and is not embraced in this decision. On March 8, 1901, an affidavit was filed for William Glenn Spickerman, a second child of the applicant.

D 627 By Francis M. Dawson, son of Elbert Dawson, at Nowata, Indian Territory, on October 17, 1900, for the enrollment of himself as a citizen by blood.

D 33 By John W. Graham, at Fairland, Indian Territory, on July 12, 1901, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Missouri and his minor children Tampa V. and Robert S. Graham, as citizens by blood. Furtherproceedings were had in the matter of said application at Muskogee, Indian Territory, on October 3, 1902.

D 35 By Gideon Graham, at Westville, Indian Territory, on July 16, 1900, for the enrollment of himself and his minor children, John W., Julius E., Francis W., Mary E., Jesse E., Gracie L. and Florence M. Graham as citizens by blood, and for the enrollment of his wife Elizabeth Graham, as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 17, 1902.

D 836 By Mathew A. Painter, at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Laverna A. and his five minor children Ada R., Eva P., John W., Ray D., and Roberta A. Painter, as citizens by blood. On December 7, 1900, an affidavit was filed for Roy V. Painter, a sixth child of the applicant. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 2 and 3, 1902.

D1124 By Charles T. Bradshaw, at Muskogee, Indian Territory, on February 23, 1901, for the enrollment of himself as a citizen by intermarriage, and for his wife Florence P. and his minor children, Myrtle and Claude Bradshaw as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 21, and October 20, 1902.

D1125 By Joe E. Graham, at Muskogee, Indian Territory, on Febru-

ary 23, 1901, for the enrollment of himself and his minor child William C. as citizens by blood.

D1126 By John F. Graham, at Muskogee, Indian Territory, on February 23, 1901, for the enrollment of himself and his minor child Edna M. as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 21, 1902. On October 31, 1902, a birth affidavit was filed for Robert Lee Graham, a second child of the applicant.

D1127 By James Neal, at Muskogee, Indian Territory, on February 23, 1901, for the enrollment of his wife, Joe Willie Neal, as a citizen by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 21, 1902.

D1128 By James M. Graham, at Muskogee, Indian Territory, on February 23, 1901, for the enrollment of himself and his minor children, Marion, Maggie, Luther, Liddie and Margaret Graham as citizens by blood, and for the enrollment of his wife Bessie as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 17, 1902. On October 27, 1902, a birth affidavit was filed for Floyd Graham, born since the date of this application.

D 395 By Green W. Jackson, at Vinita, Indian Territory, on September 22, 1900, for the enrollment of himself as a citizen by interrarriage, and for the enrollment of his wife Ella Jackson as a citizen by blood.

D 476 By James R. Harmon, at Vinita, Indian Territory, on October 1, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Flora and his minor children, Lillie R., Claud, Dwight, and William D. Harmon, as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 9, 1902.

D 503 By Toshie A. Jackson, at Vinita, Indian Territory, on October 3, 1900, for his enrollment, among others, as a citizen by blood. The other parties to the application are differently classified and are not embraced in this decision. Further proceedings were had in the matter of said application at Tahlequah, Indian Territory, on December 7, 1900.

D 830 By Lizzie Jackson, at Chelsea, Indian Territory, on November 19, 1900, for the enrollment of herself as a citizen by intermarriage, and for the enrollment of her minor children Osie, Lizzie, Jessie, Ray and Clyde Jackson as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 3, 1902.

D 847 By William C. Lenox, at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Fannie and his minor children Birtie E. and Myrtle Lenox as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 3, 1902.

D 839 By James Lowe, at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of himself and his minor children, May, Zelma, Roberta and Rosa Lowe as citizens by blood.

D 405 By Millie T. Dawson, at Vinita, Indian Territory, on September 24, 1900, for the enrollment of herself as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 13, 1902.

D 406 By Texanna Woolley, at Vinita, Indian Territory, on September 24, 1900, for the enrollment of herself and her minor child Irene W. Woolley as citizens by blood. On March 27, 1902, an affidavit was filed showing the birth of Wilburn E. Woolley, a second child of the applicant.

D 715 By Henry T. Richardson, at Claremore, Indian Territory, on October 26, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Kitty, his minor children Delia F. and Finis T. Richardson and his stepchildren, Edgar, Walter, Alice, Laura, Oscar, Claude, Edna and Florence Flournoy as citizens by blood. Florence Flournoy is embraced in another application herein as Florence Morgan (D - 737). Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 9, 1902, and on August 20, 1902, a birth affidavit was filed for Jasper C. Richardson, born to Henry T. Richardson and his wife, Kittie, since the date of this application.

R 12 By Etta Brauer, at Fairland, Indian Territory, on July 12, 1900, for the enrollment of herself as a citizen by blood.

R 13 By Melissa A. Dawson, at Fairland, Indian Territory, on July 12, 1900, for the enrollment of herself as a citizen by intermarriage.
Further proceedings in the matter of said application were had at Vinita, Indian Territory on October 4, 1900, and at Muskogee, Indian Territory, on October 14, 1902.

D 521 By Lula Pearl Weddle, at Vinita, Indian Territory, on October 4, 1900, for the enrollment of herself and her minor children Curtis and Morris O. Weddle as citizens by blood, and for the enrollment of her husband, Hiram F. Weddle as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 14, 1902. October 31, 1902, a birth affidavit was filed showing the birth of Roy Weddle, a third child of the applicant.

D 522 By William D. Douthitt, at Vinita, Indian Territory, on October 4, 1900, for the enrollment of himself as a citizen by blood.

D 547 By Alonzo M. Fishback, at Vinita, Indian Territory, on September 19, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Laverna A. Fishback and his minor children William A. and Annie B. Fishback as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on March 18, and October 3, 1902.

D 737 By Elbert L. Morgan, at Claremore, Indian Territory, on October 29, 1901, for the enrollment of his wife Florence and his minor child Clide as citizens by blood. On April 30, 1902, an affidavit was filed showing the birth of Alice A. Morgan, a second child of the applicant.

D 845 By John E. Fishback, at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of himself as a citizen by blood.

D 979 By George A. Mabry, at Tahlequah, Indian Territory, on December 14, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Edna, and his minor children Roby and Charley Mabry as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, January 15, 1901, and March 17, and October 15, 1902.

Proceedings were had in the matter of F. M. Dawson, et al., before Lewis T. Martin, a Notary Public on October 4, 1900, and further proceedings were had therein before the Commission at Muskogee, Indian Territory on March 17, 1902. All of these proceedings have been made a part of the record herein.

The evidence, and an examination of the records of the Cherokee Nation, in the possession of this Commission show that on January 11, 1883, one Robert Dawson and his adult children, F. M. Dawson, Elbert Dawson, Jasper Dawson, Mollie Dawson, Wilborn Dawson, James Dawson, Rial Dawson, Josephine Dawson, Joseph Dawson, Jane Dawson and John Dawson were admitted to citizenship in the Cherokee Nation by the Cherokee Commission on Citizenship, commonly known as the "Teehee Court", and that on September 9, 1884, one James Dawson, a brother of the Robert Dawson aforesaid, together with his adult children, Ella Dawson, W. A. Dawson, Malvina Dawson and Missouri Dawson were admitted to citizenship in the Cherokee Nation by the Cherokee Commission on Citizenship commonly known as the "Spears Court." In addition to their tribal enrollment as shown by the evidence herein, it also appears from an examination of the Cherokee tribal rolls, in the possession of this Commission, that F. M. Dawson is identified on the Cherokee pay rolls of 1883 and 1894, Elbert Dawson on the Cherokee pay roll of 1886, Mollie Dawson on the pay roll of 1883, Wilborn Dawson on the pay rolls of 1886 and 1894, James Dawson on the pay rolls of 1883 and 1894, Rial Dawson on the pay rolls of 1886 and 1894, Josephine Dawson on the pay roll of 1886, Jane Dawson on the pay roll of 1883, Joseph Dawson and John Dawson on the pay rolls of 1883, 1886 and 1894, Ella Dawson and W. A.-

Dawson on the pay roll of 1888, and Missouri Dawson on the pay roll of 1894.

A majority of the above named persons, together with the descendants of the persons admitted as aforesaid and such white persons as may have intermarried with the said Dawsons or their descendants are the applicants herein.

For convenience, the applications are divided into groups:

Group 1, includes the applications of Francis M. Dawson and those claiming through him and embraces cases numbered D 734, D 580, D 581, D 584, D 588 and D 835.

The evidence shows that Francis M. Dawson is the same person admitted to citizenship as hereinbefore stated under the name of F.M. Dawson. Katie Dawson, his wife, was married to him on November 21, 1880. The Cherokee Supreme Court in the cases of Cherokee Nation vs. Nancy Rogers and Melissa Dawson vs. W. A. Dawson held that a white woman married to a Cherokee Indian at the time of his admission to citizenship acquires thereby the rights of Cherokee citizenship. She has lived with her said husband since they were married, and the six children included in the application of said Francis M. Dawson, and hereinbefore named are the issue of the marriage aforesaid. All the applicants herein are identified on the Cherokee Census roll of 1896.

John Dawson, William R. Dawson, Lizzie Atkins, formerly Dawson, Francis M. Dawson, Jr., and Arizona Allred are the children of said Francis M. Dawson by a former wife, Julia Ann. They were minors at the date of their father's admission to citizenship. John Dawson, Lizzie Atkins and Francis M. Dawson, Jr., are identified on the Strip Payment roll of 1894, and William R. Dawson and Arizona Allred are identified on the Cherokee Census roll of 1896.

Andrew G. Atkins was married under a Cherokee marriage license

and in accordance with the laws of the Cherokee Nation on March 22, 1891, to the above named Lizzie Dawson. He has resided in the Cherokee Nation with his said wife since they were married, and the four children included in his application, and hereinbefore named are the issue of that marriage. The oldest child, Arthur, is identified on the Cherokee pay roll of 1894, and the three younger children are identified by birth affidavits on file with this Commission.

Arizona Allred, nee Dawson, came from Arkansas to the Cherokee Nation for the first time in 1894, remained there about two years and then returned to Arkansas, where she was married to Lee Allred. Such marriage was not in accordance with the laws of the Cherokee Nation. Arizona Allred and her husband came to the Cherokee Nation in 1896, stayed there a month and returned to Arkansas where they remained until September, 1898, at which time they came to the Cherokee Nation, remained there about a year and returned to Arkansas in 1899, where they were living at the date of this application. William C. Allred is the child of said Arizona Allred and possesses no rights not acquired by his mother. He is identified on the Cherokee Census roll of 1896.

Paragraph 9, Section 21, of the Act of Congress approved June 28, 1898 (30 Stats., 495) provides:

> "No person shall be enrolled who has not heretofore removed to and in good faith settled in the Nation in which he claims citizenship."

The evidence further shows that Francis M. Dawson, his wife, Katie and William R. Dawson, Francis M. Dawson, Jr., and Lizzie Atkins have resided in the Cherokee Nation since 1883, and Andrew C. Atkins, the husband of said Lizzie Atkins, since 1891, and that John Dawson has resided in the Cherokee Nation for at least fourteen years prior to the date of his application. The residence of the minor children of the above named persons is considered to be that of their parents, with whom they are living.

Group II, includes the applications of Samuel R. Dawson, together with those claiming through him and embraces cases numbered D 350, D 352, D 358, D 365, D 482 and D 402.

The evidence shows that Samuel R. Dawson is identified as the Rial Dawson admitted to citizenship in the Cherokee Nation as hereinbefore stated. His wife, Catherine, a white woman, was married to him on July 11, 1866. The Cherokee Supreme Court in the cases of Cherokee Nation vs. Nancy Rogers and Melissa Dawson vs. W. A. Dawson held that a white woman married to a Cherokee Indian at the time of his admission to citizenship acquires thereby the rights of Cherokee citizenship. She has lived with her said husband since their marriage, and August and Mate Dawson are the issue of the aforesaid marriage. Samuel R. Dawson, his wife and children are identified on the Cherokee Census roll of 1896.

Robert Dawson, Albert H. Dawson, Josephine Bulawsky, formerly Josephine Dawson, John W. Dawson, and Katie Newman, formerly Katie Dawson are the children of said Samuel R. Dawson. They were minors at the date of their father's admission to citizenship, and they are all identified on the Cherokee Census roll of 1896.

Sarah F. Dawson, nee Abbott, was married to the said Albert H. Dawson in October, 1894. She has lived with her said husband, since they were married. Ralph H., Alford and Cecil Dawson are the issue of that marriage. Sarah F. Dawson and her child Ralph H. are identified on the Cherokee Census roll of 1896. Alford is identified by a birth affidavit on file with this Commission. The evidence further shows that the youngest child, Cecil Dawson, is dead.

August Bulawsky, was married under a Cherokee marriage license and in accordance with the laws of the Cherokee Nation on May 25, 1893, to the said Josephine Dawson. He has lived with his said wife since they were married and the six children included in his application, and hereinbefore named, are the issue of that marriage. The

four older children are identified on the Cherokee Census roll of 1896, and the Strip payment roll of 1894. May Bulawsky is identified on the Cherokee Census roll of 1896, and Oscar Bulawsky is identified by a birth affidavit on file with this Commission.

Mannie Dawson, nee Baugher, was married to the said John W. Dawson on September 2, 1894, and she has lived with her said husband since they were married.

The evidence further shows that Samuel R. Dawson, his wife, Catherine, and Robert Dawson, Albert H. Dawson, John W. Dawson, and Katie Newman have resided in the Cherokee Nation since 1886, August Bulawsky and his wife Josephine, since 1892, and Sarah F. and Mannie Dawson since 1894. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group III, includes the application of John Dawson, and those claiming through him and embraces cases numbered D 578, D 360 and D 530. The evidence shows that John Dawson is the same person admitted to citizenship in the Cherokee Nation as hereinbefore stated, Sarah J. Dawson, nee Wood, his wife, a white woman, was married to him on October 4, 1871. The Cherokee Supreme Court in the cases of Cherokee Nation vs. Nancy Rogers and Melissa Dawson vs. W. A. Dawson held that a white woman married to a Cherokee Indian at the time of his admission to citizenship acquires thereby the rights of Cherokee citizenship. She has lived with her said husband since they were married and the nine children included in the application of said John Dawson, and hereinbefore named, are the issue of said marriage. John Dawson, his wife, and his seven older children are identified on the Cherokee Census roll of 1896. The two younger children are identified by birth affidavits on file with this Commission.

Thomas P. Dawson and Orle H. Dawson are the children of said John Dawson. They were minors at the date of their father's admission to citizenship, and they are both identified on the Cherokee

Census roll of 1896.

Thomas P. Dawson was married on April 24, 1898, to Allen A. Allison, and Mariee J. Dawson is the issue of that marriage. The said child is identified by a birth affidavit on file with this Commission.

Orle H. Dawson was married on December 28, 1899, to Willie York, and Burr R. and James W. Dawson are the issue of that marriage. The said children are identified by birth affidavits on file with this Commission.

The evidence further shows that the said John Dawson and his wife, Sarah J., have resided together in the Cherokee Nation since 1883; that said Orle H. Dawson has resided in the Cherokee Nation since 1883, and that Thomas P. Dawson has resided in the Cherokee Nation since 1888. The residence of the minor children herein is considered to be that of their parents, with whom they are living.

Group IV, includes the applications of those claiming through the said Josephine Dawson, now deceased. At the time of her admission she was the wife of one Thomas Pierce, but was admitted to citizenship under maiden name of Dawson. The group embraces cases numbered D 408, D 409, D 431, D 471, I 472 and D 479.

The evidence shows that Robert Pierce, William Pierce, Charles E. Pierce, Oma Gray, formerly Oma Pierce, Effie Pierce (now Effie Akin?) and Nancy J. Bogle, formerly Nancy J. Pierce are the children of said Josephine Dawson. They were minors at the date of their mother's admission to citizenship, and they are all identified on the Cherokee Census roll of 1896.

Nellie Pierce, a white woman, was married to said Robert Pierce on July 15, 1894. She has lived with her said husband since they were married, and Myrtle and Arthur Pierce are the issue of that marriage. Nellie Pierce is identified on the Cherokee Census roll of 1896, and her two children are identified by birth affidavits on file with this Commission.

Oma Gray was married to John B. Gray on April 7, 1898, and Cecil and Velton Gray are the issue of that marriage. Oma Gray is identified on the strip payment roll of 1894 and her children are identified by birth affidavits on file with this Commission.

John S. Bogle was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on April 5, 1894, to the above named Nancy J. Pierce. He has lived with his said wife since they were married and the six children included in his application, and hereinbefore named, are the issue of that marriage. John S. Bogle and his two older children are identified on the Cherokee Census roll of 1896, and his four younger children are identified by birth affidavits on file with this Commission.

The evidence further shows that the said William Pierce died in January, 1902.

It further appears that Robert Pierce, Charles E. Pierce, Nancy J. Bogle and Oma Gray have resided in the Cherokee Nation since 1884; that John S. Bogle, husband of Nancy J. Bogle, and Nellie Pierce, wife of Robert Pierce, have resided in said Nation ever since they were married, and the residence of the minor children herein is considered to be that of their parents with whom they are living. It appears that Effie Aking was seventeen years old at the date of the application for her enrollment, and it further appears that she resided in the Cherokee Nation from about 1886 up to December, 1900, when she went to Colorado, was married there to Will Aking, and is now living in that state with her said husband.

Group V, includes the application of the said Joseph Dawson, Wilborn Dawson and James Dawson, and embraces cases numbered D 364, D 475 and D 526.

Joseph R. Dawson is identified as the Joseph Dawson admitted to citizenship in the Cherokee Nation as hereinbefore stated. He was married to Florence Jackson on May 16, 1886, and they have lived to-

gether since the date of their marriage. The said Florence Jackson is the daughter of Ella Dawson, but she was of age at the date of her mother's admission to citizenship. The six children included in the application of said Joseph R. Dawson, and hereinbefore named, are the issue of the marriage between the said Joseph R. Dawson and Florence Jackson. The applicant, his said wife and his four older children are identified on the Cherokee Census roll of 1896. The two younger children are identified by birth affidavits on file with this Commission.

Wilborn Dawson is identified as the person of that name admitted to citizenship in the Cherokee Nation as hereinbefore stated. He is identified on the Cherokee Census roll of 1896.

James R. Dawson is identified as the James Dawson admitted to citizenship in the Cherokee Nation as heretofore stated. His wife, Martha A. Dawson was married to him on February 20, 1890. She has lived with her said husband since the date of their marriage, and the four children included in the application of said James R. Dawson, and hereinbefore named, are the issue of said marriage. The applicant, his said wife and his three older children are identified on the Cherokee Census roll of 1896. The youngest child is identified by a birth affidavit on file with this Commission.

The evidence further shows that Joseph R. Dawson has resided in the Cherokee Nation since 1883; that Florence Dawson and Wilborn Dawson have resided in said Nation since 1886, and that James R. Dawson has resided in said Nation since 1883, excepting a temporary absence from 1889 to 1891. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group VI, includes the application of Mollie Dawson and those claiming through her and embraces case numbered D 518.

The evidence shows that Mollie Moore, formerly Dawson, is identified as the Mollie Dawson admitted to citizenship in the Cherokee

Nation as hereinbefore stated. Her husband, Charles T. Moore, was married to her under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on January 17, 1887. He has lived with his said wife since they were married and the six children included in his application, and hereinbefore named, are the issue of said marriage. Charles T. Moore, his wife Mollie, and his four older children are identified on the Cherokee Census roll of 1896; the two younger children are identified by birth affidavits on file with this Commission.

The evidence further shows that said Charles T. Moore, his wife Mollie and his oldest child have resided in the Cherokee Nation since 1883; the younger children have resided in said nation all their lives.

Group VII, includes the applications of those claiming through the above named Jane Dawson, who, at the time of her admission to citizenship in the Cherokee Nation, as hereinbefore stated, was the wife of one Alexander Blasingame, but she was admitted under her maiden name of Dawson. Jane Dawson is a resident of Arkansas, and is not an applicant for enrollment. This group embraces cases numbered D 832, D 833 and D 834.

The evidence shows that Henry A. Blasingame, Elbert L. Blasingame, and James R. Blasingame are the children of said Jane Dawson. They were minors at the time of their mother's admission to citizenship and they are all identified on the Cherokee Census roll of 1896.

Henry A. Blasingame was married to his wife Birdie J., on December 6, 1896, and Vinnie C. Blasingame is the issue of that marriage. The said child is identified by a birth affidavit on file with this Commission.

Ida Blasingame, a white woman, was married to the said Elbert L. Blasingame on September 5, 1894. She has lived with her said husband ever since they were married and the four minor children included in the application of said Elbert L. Blasingame are the

issue of that marriage. The said Ida Blasingame and her two older children are identified on the Cherokee Census roll of 1896. The two younger children are identified by birth affidavits on file with this Commission.

Mary A. Blasingame was married to the said James R. Blasingame on August 11, 1895. She has lived with her said husband since they were married and the three minor children included in the application of said James R. Blasingame, and hereinbefore named, are the issue of that marriage. Mary A. Blasingame and her oldest child are identified on the Cherokee Census roll of 1896. The two younger children are identified by birth affidavits on file with this Commission.

The evidence further shows that the said Henry A. Blasingame, Elbert L. Blasingame and James R. Blasingame removed to the Cherokee Nation in 1897 and have resided therein with their said wives ever since. The residence of the minor children included in this Group is considered to be that of their parents, with whom they are living.

Group VIII, includes the applications of those claiming through the said Elbert Dawson, and embraces cases numbered D 435, D 604, D 608, D 605, D 609, D 617, D 626 and D 627.

The evidence shows that Zona Patterson, formerly Dawson, William C. Dawson, Robert L. Dawson, Elbert B. Dawson, Richard W. Dawson, Ella L. Spickerman, formerly Dawson, and Francis M. Dawson are the children of the said Elbert Dawson. All of them, excepting the said Francis M. Dawson, were minors at the time of their father's admission to citizenship. Zona Patterson is identified on the Cherokee Census roll of 1896, and William C. Dawson, Robert L. Dawson, Elbert B. Dawson and Richard W. Dawson are identified on the Strip Payment roll of 1894. An examination of the Cherokee tribal rolls, in the possession of this Commission, shows that the said Ella L. Spickerman is also identified on the Strip Payment roll of 1894.

Martin L. Patterson was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on July 13, 1890, to the said Zona Dawson. He has lived with his said wife since they were married and the six children included in his application, and hereinbefore named, are the issue of that marriage. Martin L. Patterson and his three older children are identified on the Cherokee Census roll of 1896, and his three younger children are identified by birth affidavits on file with this Commission.

Alice Dawson, nee Alexander, was married to the said William C. Dawson on November 18, 1886. She has lived with her said husband ever since they were married.

Elbert B. Dawson was married on February 16, 1898, to Cora Bright, a non-citizen, and his child Ralph E. Dawson is the issue of that marriage. The said child is identified by a birth affidavit on file with this Commission.

Sarah J. Dawson, nee Jones, was married to the above named Elbert Dawson about 1854, and lived with him as his wife until his death in February, 1899, and has not re-married since his death. The Cherokee Supreme Court in the cases of Cherokee Nation vs. Nancy Rogers and Melissa Dawson vs. W. A. Dawson held that a white woman married to a Cherokee Indian at the time of his admission to citizenship acquires thereby the rights of Cherokee citizenship.

Richard W. Dawson was married to Luella Mason, a white woman, on January 24, 1898. His child Ina E. Dawson is the issue of that marriage, and she is identified by a birth affidavit on file with this Commission.

Ella L. Spickerman was married to John J. Spickerman, a white man, on September 7, 1897. Her children Hellen J. and William Clem are the issue of that marriage. They are identified by birth affidavits on file with this Commission.

It further appears from the evidence that Francis M. Dawson, son of Elbert Dawson, at the time of his father's admission to citizen-

ship in the Cherokee Nation was twenty-two or twenty-three years old. There is no evidence that the said Francis M. Dawson has been admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation, or by the Commission to the Five Civilized Tribes, or by the United States Court under the provisions of the Act of Congress of June 10, 1896 (29 Stats., 321), Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 496), provides for the enrollment of,

> "all persons who have been enrolled by the tribal authorities who have heretofore made permanent settlement in the Cherokee Nation whose parents, by reason of their Cherokee blood have been lawfully admitted to citizenship by the tribal authorities, and who were minors when their parents were so admitted."

The evidence further shows that Zona Patterson, William C. Dawson and Richard W. Dawson have resided in the Cherokee Nation since 1884; Robert L. Dawson, Elbert B. Dawson, Sarah J. Dawson, and Ella L. Spickerman since 1883; Alice Dawson since 1836, and Martin L. Patterson since 1894. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group IX, includes the applications of the said Missouri Dawson, and these claiming through her. The said Missouri Dawson at the time of her admission to citizenship was the wife of one John W. Graham, but she was admitted under her maiden name of Dawson, This group embraces cases numbered D 23, D 35, D 836, D 1124, D 1125, D 1126, D 1127 and D 1128.

The evidence shows that John W. Graham was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on February 12, 1883, to the said Missouri Dawson. He had been formerly married to her in the State of Texas in 1866, and has lived with her since that time. Tempa V. and Robert S. Graham are the issue of the aforesaid marriage. John W. Graham, his wife and two children are identified on the Cherokee Census roll of 1896.

ship in the Cherokee Nation was twenty-two or twenty-three years old. There is no evidence that the said Francis M. Dawson has been admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation, or by the Commission to the Five Civilized Tribes, or by the United States Court under the provisions of the Act of Congress of June 10, 1896 (29 Stats., 321). Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), provides for the enrollment of,

> "all persons who have been enrolled by the tribal authorities who have heretofore made permanent settlement in the Cherokee Nation whose parents, by reason of their Cherokee blood have been lawfully admitted to citizenship by the tribal authorities, and who were minors when their parents were so admitted."

The evidence further shows that Zona Patterson, William C. Dawson and Richard W. Dawson have resided in the Cherokee Nation since 1884; Robert L. Dawson, Elbert B. Dawson, Sarah J. Dawson, and Ella L. Spicherman since 1883; Alice Dawson since 1886, and Martin L. Patterson since 1894. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group IX, includes the applications of the said Missouri Dawson, and those claiming through her. The said Missouri Dawson at the time of her admission to citizenship was the wife of one John W. Graham, but she was admitted under her maiden name of Dawson. This group embraces cases numbered, D 23, D 35, D 836, D 1124, D 1125, D 1126, D 1127 and D 1128.

The evidence shows that John W. Graham was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on February 12, 1888, to the said Missouri Dawson. He had been formerly married to her in the State of Texas in 1886, and has lived with her since that time. Tompa V. and Robert S. Graham are the issue of the aforesaid marriage. John W. Graham, his wife and the children are identified on the Cherokee Census roll of 1896.

Joe E. Graham was married to Mary Bradshaw, a non-citizen on January 6, 1898. William C. Graham is the issue of that marriage, and he is identified by a birth affidavit on file with this Commission.

John F. Graham was married on February 11, 1900, to Mattie Lawson, a non-citizen, and Edna M. and Robert Lee are the issue of that marriage. Said children are identified by birth affidavits on file with this Commission.

Bessie Graham was married on November 2, 1892, to the said James M. Graham. She has lived with him since the date of their marriage, and the six children included in the application of said James M. Graham, and hereinbefore named, are the issue of the said marriage. The oldest child Marion is identified on the Strip payment roll of 1894, and the five younger children are identified by birth affidavits on file with this Commission.

The evidence further shows that the said John W. Graham, his wife Missouri Graham, Gideon Graham, Mathew A. Painter, and his wife Laverna A. Painter, Florence P. Bradshaw, John F. Graham and Joe Willie Neal have resided in the Cherokee Nation since 1888, and that Joe E. Graham and James M. Graham have resided in the Cherokee Nation since 1884. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group X, includes the application of the said Ella Dawson and those claiming through her. The said Ella Dawson, at the time of her admission to citizenship, was the wife of Green W. Jackson, but she was admitted to citizenship under her maiden name of Dawson. This group embraces cases numbered D 395, D 476, D 608, D 830 and D 847.

The evidence shows that Green W. Jackson was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on March 24, 1887 to the said Ella Dawson. He had been previously married to her in Texas prior to her admission to

citizenship. From an affidavit made a part of this record it appears that Green W. Jackson died subsequent to the date of this application, and prior to September 1, 1902.

The evidence further shows that Flora Harmon, formerly Jackson, Toshio A. Jackson, William Jackson and Fannie Lenox, formerly Jackson are the children of said Ella Dawson, now Ella Jackson. Flora Harmon, Toshio A. Jackson and Fannie Lenox were minors at the date of their mother's admission to citizenship, and they are all identified on the Cherokee Census roll of 1896.

James H. Harmon was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on April 24, 1887, to the said Flora Jackson. He has lived with his wife since the date of their marriage, and the four minor children included in his application, and hereinbefore named, are the issue of the said marriage. James H. Harmon and his three elder children are identified on the Cherokee Census roll of 1896. The youngest child is identified by a birth affidavit on file with this Commission.

William C. Lenox was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on April 1, 1888, to the said Fannie Jackson. He has lived with his wife since the date of their marriage, and the two children Birtie E. and Myrtle Lenox, included in his application, are the issue of the said marriage. William C. Lenox and his two children are identified on the Cherokee Census roll of 1896.

Lizzie Jackson claims to have been married in 1888 to the said William Jackson, who is now deceased. It appears that William Jackson at the date of his mother's admission to citizenship, was over twenty-one years old. There is no evidence that the said William Jackson was ever admitted to citizenship in the Cherokee Nation, by the duly constituted authorities of said Nation, or by the Commission

to the Five Civilized Tribes, or by the United States Court under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321). Lizzie Jackson and the five minor children included in her application, and hereinbefore named, are identified on the Cherokee Census roll of 1896, and they take only such rights as may have been possessed by the said William Jackson. The authority of the Commission herein is defined in Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), heretofore quoted.

The evidence further shows that the said Ella Jackson, the said Flora Harmon and the said Toshie A. Jackson have resided in the Cherokee Nation since 1884, and that William C. Lenox, and his wife Fannie Lenox have resided in the Cherokee Nation since 1888. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group XI, includes the applications of those claiming through Malvina Dawson and embraces case numbered D 839.

The evidence shows that James Lowe is the son of the said Malvina Dawson, and that at the time of her admission to citizenship the said James Lowe was over 21 years old. There is no evidence that the said James Lowe was ever admitted to citizenship in the Cherokee Nation, by the duly constituted authorities of said Nation, or by the Commission to the Five Civilized Tribes, or by the United States Court under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321). It further appears that the said James Lowe was married on June 12, 1887, to Mollie Knight, a white woman, and the four minor children included in his application and hereinbefore named, are the issue of that marriage. James Lowe and his said children are identified on the Cherokee Census roll of 1896 and said children take only the rights which may have been acquired by their father.

The authority of the Commission herein is derived in Section 21 of the Act of Congress approved June 28, 1898 (30 Stats., 495), heretofore quoted.

Group XII, includes the applications of those claiming through the said W. A. Dawson and embraces cases numbered D 405, D 406, D 715, R 12 and R 13.

The evidence shows that Millie T. Dawson was married to the said W. A. Dawson in 1892 and lived with him as his wife in the Cherokee Nation until his death in 1899, and that she has not re-married since his death. Texanna Woolley is the daughter of said W. A. Dawson and his former wife Melissa A. Dawson. Texanna Woolley was a minor at the date of her father's admission to citizenship, and she is identified on the Strip payment roll of 1894. She was married on March 27, 1898, to James Woolley, and her children Irene W. and Wilburn E. are the issue of that marriage. They are identified by birth affidavits on file with this Commission.

Henry T. Richardson was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on July 11, 1886, to one Sellar Dawson, who was the daughter of the said W. A. Dawson by his first wife Melissa A. Sellar Dawson was a minor at the date of her father's admission to citizenship. Henry T. Richardson lived in the Cherokee Nation with his said wife Sellar from the date of their marriage until her death in 1892. On September 22, 1898, Henry T. Richardson married one Kitty Flournoy nee Dawson. The said Kitty Flournoy was re-admitted to citizenship in the Cherokee Nation by an Act of the Cherokee National Council on December 1, 1894. Of the children herein applied for, Delia F. Richardson is the child of the applicant by his first wife, Sellar. Finis T. Richardson and Jasper C. Richardson are children by his wife Kitty. Edgar, Walter, Alice, Laura, Oscar, Claude and Edna Flournoy are the children of his said wife Kitty by a former husband.

The six older children were admitted to citizenship in the Cherokee Nation on December 1, 1894, with their mother as the members of her family. The youngest child Edna Flournoy was born in 1896 and was living at the date of this application. Delia F. Richardson is identified on the Cherokee Census roll of 1896, and Finis T. and Jasper C. Richardson are identified by birth affidavits on file with this Commission.

Etta Brauer is the daughter of said W. A. Dawson, and was a minor at the date of her father's admission. She was married in 1892 to a non-citizen but such marriage was not in accordance with Cherokee laws. She is identified on the Cherokee Census roll of 1896.

Melissa A. Dawson was married to the said W. A. Dawson in the State of Texas on September 28, 1873. The Supreme Court of the Cherokee Nation in the case of Melissa A. Dawson vs. W. A. Dawson, decided that Melissa A. Dawson, the applicant herein was a citizen of the Cherokee Nation by virtue of intermarriage with her said husband, W. A. Dawson. She is identified on the Cherokee Census roll of 1896, and she has not re-married since her divorce from said W. A. Dawson.

The evidence shows that Texanna Woolley has resided in the Cherokee Nation since 1884; that Etta Brauer and Melissa A. Dawson have resided in the Cherokee Nation, with the exception of temporary absences, since 1884; that Millie T. Dawson has resided in the Cherokee Nation since 1892; that Henry T. Richardson has resided in the Cherokee Nation since 1886, and that Kitty Richardson, his wife, has resided in the Cherokee Nation since 1894. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group XIII, includes the following applications: Hiram F. Waddle, et al D 521; William D. Douthitt, D 522; Alonzo M. Fishback, D 543; Florence Morgan, et al D 737; John E. Fishback, D 848 and George A. Mabry, et al D 979. The persons embraced in these appli-

cations are related to the above named Dawsons. They are not claiming the right to enrollment by virtue of such relationship, but rely upon a separate adjudication of their rights.

The evidence shows that Hiram F. Weddle was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on September 15, 1884, to Lula P. Douthitt, who was admitted to citizenship in the Cherokee Nation by the said "Spears Court" on September 15, 1884. Curtis, Morris O. and Roy Weddle are the issue of the said marriage. Hiram F. Weddle and his said wife are identified on the Cherokee Census roll of 1896, and their three children are identified by birth affidavits on file with this Commission.

William D. Douthitt is the brother of said Lula P. Weddle, and was admitted to citizenship in the Cherokee Nation with his said sister on September 15, 1884. He is identified on the Cherokee Census roll of 1896.

Alonzo L. Fishback was married under a Cherokee marriage license and in accordance with the laws of the Cherokee Nation on May 17, 1881, to Lavinia A. Dawson. He had been previously married to the said wife in Texas in 1877, and has lived with her ever since. It appears that Lavinia Fishback was re-admitted to citizenship in the Cherokee Nation by an Act of the Cherokee National Council on December 1, 1894. William A. and Annie B. Fishback are the issue of the said marriage. Alonzo L. Fishback and his said wife and children are all identified on the Cherokee Census roll of 1896, and his wife is also identified on the Cherokee pay roll of 1880.

Florence Morgan, the wife of Elbert I. Morgan, is the daughter of the Kitty Richardson heretofore mentioned and was admitted to citizenship in the Cherokee Nation on December 1, 1894 with the said Kitty Richardson as a member of her family. Clide and Alice A. Morgan are her children by her said husband. The said children are

identified by birth affidavits on file with this Commission.

John R. Fishback is the son of Laverna Fishback, who was re-admitted to citizenship on December 1, 1894, as heretofore stated. He was a minor at the date of his mother's admission to citizenship and he is identified on the Cherokee Census roll of 1896.

George A. Mabry was married to one Edna Dawson in the State of Arkansas in 1884. He claims to have been married under a Cherokee marriage license to his said wife in 1889, but he presents no satisfactory proof of such marriage. Edna Dawson was re-admitted to citizenship in the Cherokee Nation by an Act of the Cherokee National Council on December 1, 1894. Roby and Charley Mabry are her children by her said husband, George A. Mabry. Edna Mabry is identified on the strip payment roll of 1894, and the two children were minors at the date of their mother's admission to citizenship.

The evidence further shows that Alonzo H. Fishback and his wife Laverna A. Fishback have resided in the Cherokee Nation since 1883; that Lula P. Weddle, William D. Douthitt, and John R. Fishback have resided in the Cherokee Nation since 1884, and that Florence Morgan and Edna Mabry have resided in said Nation since 1894. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

All birth affidavits for the minor children embraced in this decision, and hereinbefore noted, are made a part of this record.

It is contended by the Cherokee Nation that the applicants herein are not entitled to be enrolled by this Commission because they have never been lawfully admitted or enrolled by the Cherokee authorities, and that the judgment of the Cherokee Commission on Citizenship admitting Robert Dawson and his family was obtained by fraud on the part of said Dawson.

In considering the question at issue, it is the opinion of this Commission that it has no power, and that it is not the purpose of this proceeding, to review or to set aside the judgment in the Dawson case, or to determine such questions as were necessarily involved in the issues before the Cherokee Commission, and were passed upon by that Commission. In United States vs. Throckmorton, 98 U.S. Page 61, it is stated, "the doctrine is well settled that the Court will not set aside a judgment because it was founded on perjured testimony or for any matter which was actually presented and considered in the judgment assailed." Only such facts therefore, are considered by this Commission, as were not part of the record in the Robert Dawson case before the Teehee Commission, and which tend to show whether the judgment admitting the Dawsons was a bona fide judgment of the Teehee Commission, or whether such judgment is void because of fraud, and upon this proposition the burden of proof is upon those attacking the judgment.

Briefly stated, the circumstances attending the admission of the Dawsons appear to be as follows:

On September 24, 1881, an application was made to the Cherokee Commission on Citizenship known as the "Teehee Court" for admission to Cherokee citizenship of Robert Dawson and the members of his family above mentioned. The members of that Commission were Thomas Teehee, Alex Wolfe and T. F. Thompson. The first two were full blood Cherokee Indians; they could understand, but could not talk English. One D. W. C. Duncan was the Clerk of the Commission. The Dawson case was continued several times before final decision. J. M. Bryan appears to have been an attorney in the case, and after some delay he notified Francis M. Dawson that the case would be taken up by the Commission at its session in January, 1883, and also informed him that C.M.Ingler would look after Dawson's interests as he, Bryan,

would be in Washington. On receipt of this notice Francis M. Dawson went to Fort Gibson, Cherokee Nation, and made arrangements with his uncle Samuel H. Benge to go to Tahlequah and conduct the case. Benge who is a witness herein testifies that he was connected with the Dawson case when it was commenced in 1881; that it was continued several times for want of evidence, and that in January, 1883, in company with F. M. Dawson he went to Tahlequah and while there secured the testimony of Tosh Rogers, a negro, who knew the Dawson's ancestors, and that after getting his evidence the case was submitted to the Commission. He further testifies that the Commission rendered a decision against the Dawsons and that next morning the Commission reopened the case, but not upon motion of the witness, and rendered a judgment admitting the Dawsons to citizenship. He further states that on his way home to Fort Gibson with Dawson he remarked to the latter, "it was a pretty hard blow when they rendered a decision against us," to which Dawson is alleged to have replied, "yes, but Duncan was the man to reach and he reached him with five hundred dollars."

Dawson denies ever having had such a conversation and says that he did not return to Fort Gibson with Benge but went home to Arkansas by a different route.

C. H. Taylor testifies that he was an attorney in the case and was present when the case was decided. He says there were only two Commissioners present, Teehee and Wolfe. He further testifies that D. W. C. Duncan, the Clerk of the Court asked the witness to let him know when any large citizenship cases came up; that he introduced F. M. Dawson to Duncan on the evening of January 10th, heard part of a conversation between them in which Duncan addressing Dawson said, "there is a hitch in your evidence, if that was straightened out it will be all right." Next morning witness says Dawson told him to call up the case, which he did. That there was no additional

evidence introduced and no argument made, and that the case was then decided in favor of the Dawsons. Witness further testifies that Dawson gave him twenty dollars and said he would send him the balance in a short time, that in the course of ten days he sent him one hundred dollars with directions to pay over half of it to Duncan; that Dawson soon afterwards sent him another hundred dollars with the same instruction to give Duncan half of it.

Dawson denied the matters testified to by Taylor excepting in the matter of paying Taylor money, which he admits in part, but says that the twenty dollars mentioned was sent to Taylor about a year after the decision, and that he instructed Taylor to pay it over to Duncan to pay him for a land claim, and that the other money was in payment of J. M. Bryan's attorney fees which Taylor represented to Dawson he had for collection against him. Taylor's reputation for truth and veracity has been impeached by various disinterested witnesses.

The evidence which may be considered as tending to support the charge of fraud is the testimony of S. H. Benge, C. H. Taylor, Thomas L. Babeart, J. L. Clinkenbeard, James T. Lewis, C. G. Draught and David Meredith.

S. H. Benge testifies that a judgment adverse to the Dawsons was rendered by the Commission on the evening of one day and without any additional proceedings in the case that judgment was reversed on the morning of the next day.

Even if this were a material fact, there is no other proof that two judgments in the case were ever rendered. The record of the proceedings and judgment in the Commission's docket is all on one page, the entry of the application in 1881 and the first continuance being entered under authority of a former Commission and by a different clerk, and there is no evidence of erasure on that page. It is not an unusual thing for a Court to change its judgment, and this fact, if it is a fact, is not in itself any evidence of fraud.

Thomas B. Babcart testifies that one James Dawson, a man of forty or fifty years of age, in company with Butler, the Commission's interpreter and Jim Smith, solicitor for the Nation, came to the witness in Tahlequah the evening of January 10, 1883, to borrow some money; that Dawson was vouched for by Butler as a responsible party and that Dawson told the witness that he had to have money that night, that his case was to be submitted the next day if he could get some money, that Smith had agreed to submit the case without evidence, and that witness thereupon let Dawson have ten dollars.

Admitting all this to be true and that the influence of these officials was purchased for the sum of ten dollars, the Commission fails to see how these alleged facts show that the Court was imposed upon or misled. Bribery of officials to use their influence with the Commission would not necessarily vitiate the judgment, but it must appear that the fraud, or corruption reached the members of the Commission and tainted the judgment itself. The case was not submitted without evidence as appears from the record, and it is shown that such evidence was carefully considered by that Commission. Furthermore, the evidence shows that there was no such person then in Tahlequah as the James Dawson described by witness.

Clinkenbeard testifies that he had a talk with Elbert Dawson about 1881; that Dawson told him he had only one witness, Dr. Baker of Arkansas, "an old man 85 or 90 years old who did not know straight up," and that he could give Dr. Baker four drinks of Arkansas whiskey and he would swear black was white. Witness further testifies that Dawson told him that money was what made the mare go in Texas, and that he had found out that it goes here too.

Assuming that this Commission can go into thequestion of perjury in connection with evidence in that case, the testimony of Clinkenbeard establishes, if anything, only the facts stated, and does not prove that Dr. Baker committed perjury in giving his testi-

mony before the Commission. Further, it is not clear that Dr. Baker was the only witness in the case. Benge stated that Tosh Rogers was a witness, Duncan is under that impression also, and T. F. Thompson, one of the Commissioners, states that he thinks there were three witnesses. The testimony of Dr. Baker, seems, however, to be the only testimony preserved of record. As to whether Doctor Baker offered perjured testimony by Dawson's procurement, it is proper to state that the evidence of W. H. Curtis and A. S. McClennon, witnesses for applicants, show that Doctor Baker was a man of integrity and was not addicted to drinking.

The testimony of James W. Lewis is to the effect that he had a conversation with F. M. Dawson about 1885, in which Dawson had told the witness that it had cost him seven hundred dollars to get his rights. Draught also testifies that he was an applicant for citizenship about 1881 or 1882, and that while his case was pending he had a talk with F. M. Dawson who told him that if he (the witness) ever got in, it would cost him seven hundred dollars, and that Dawson told him he had paid one witness three hundred dollars, and made arrangements with the Court to get the Dawsons in at one hundred dollars a family. David Meredith testifies that he had a talk with old James Dawson in 1886, and that the latter told the witness it cost him twelve hundred dollars to get his case through.

It can hardly be urged that such evidence is sufficient to show that the members of the Tochee Commission were corrupted by the fraudulent use of money. So far as these witnesses have been able to testify the money spent by the Dawsons might have been for proper and legitimate purposes. F. M. Dawson gives a detailed statement of what the case cost him and his brother in a legitimate way. The presumption can not be indulged that such moneys were used for fraudulent purposes and the proof to the contrary must be very clear

before this Commission will deny applicants the right to be enrolled upon that ground.

Admitting the truth of all the testimony in this case as to the actual transfer of money by the Dawsons, it appears that Duncan, Butler and Smith were the only beneficiaries of that money. There is no evidence that the members of the Commission received or were offered any of it.

The judgment entered in the Commission's docket shows the signature of the three members of the Commission appended thereto. There is some conflict as to whether Duncan signed Thompson's name, or whether Thompson affixed his own signature. Duncan testified that all three signatures were made by him as Clerk under authority of the Commissioners present, the two full bloods being unable to sign their names. T. F. Thompson testifies that he signed the original transcript of the judgment, which was made on the day of its rendition. The question, however, is not considered to be very material. The signing of judgments by each Commissioner appears to have been a matter of custom only. T. F. Thompson testifies that he remembers the Dawson case and recognizes the judgment therein as the final judgment of the Commission, and that there was no fraud or corruption in the procurement of that judgment by the Dawsons or by any one else so far as he knew.

Much evidence has been introduced by the Cherokee Nation for the purpose of showing that the ancestor, through whom the Dawsons claim, was not a Cherokee, and that other members of the Dawson family, claiming from the same source, have been denied Cherokee citizenship by subsequent Cherokee tribunals, and also by this Commission and by the United States Court. Such evidence, in the opinion of this Commission, is not competent for any purpose in this proceeding. The only question before this Commission is whether there was

fraud in the procurement of the Robert Dawson judgment, and not whether the applicants are Cherokee Indians, or whether they ought to have been admitted to citizenship upon the proof submitted. These were questions presented, considered and passed upon by the Tecihee Commission. If their decision is a valid and regular judgment, it is binding on this Commission. If, on the contrary, the applicants have never been lawfully admitted to citizenship, because the judgment under which they claim is void, for fraud, then the question as to whether they are Cherokees by blood is not material, as this Commission has now no authority to admit them to citizenship.

While it is true, that since 1883, a number of applicants, members of the Dawson family, have been denied admission to citizenship in the Cherokee Nation, no argument derived therefrom is of any force, for it is also true that other members of the same family have been admitted to citizenship, and the action of the Cherokee authorities in admitting them has never been questioned by the Cherokee Nation. Whatever inference, therefore, may be drawn from these facts applies with equal force both for and against the validity of the judgment in question.

The Dawsons have lived in the Cherokee Nation, most of them since 1883; they have exercised the rights of Cherokee citizenship for many years, some of them occupying official positions in the Nation, and no protest seems to have been made against their citizenship until within the last few years. The records of the Cherokee Nation, in the possession of this Commission, show, that since 1883, there have been Commissions on citizenship charged with authority to investigate the judgments of former tribunals alleged to have been secured by fraud, and the Cherokee Legislature had power to order an investigation, and to create a tribunal with authority to set aside a judgment so obtained. No such action appears to have been taken

by the Cherokee authorities with reference to the judgment of the Teehee Commission in the Robert Dawson case.

After a careful consideration of all the facts in this case this Commission is of the opinion that the evidence fails to establish that the Dawsons secured their admission to citizenship by fraud or that the judgment of the Teehee Commission as rendered January 11, 1883, was fraudulent as the result of corruption, bribery, or deception upon the part of the Dawsons, or their agents, and that such judgment, and also the judgment of the Spears Commission in 1884, and the Act of the Cherokee National Council of December 1, 1894, which have not been attacked by the Cherokee Nation, being regular on their face, must therefore be accepted by this Commission as the valid judgments of the duly constituted Cherokee authorities.

It is, therefore, the opinion of this Commission that,

(Group I.) Francis M. Dawson, son of Robert Dawson, Lula Dawson, Ray Dawson, Jessie J. Dawson, Jacob L. Dawson, Hugh A. Dawson, Laura A. Dawson, John Dawson, William R. Dawson, Lizzie Atkins, Arthur Atkins, Edna E. Atkins, Edward C. Atkins, George J. F. Atkins, Francis M. Dawson, Jr., son of Francis M. Dawson and grand-son of Robert Dawson,

(Group II.) Samuel R. Dawson, August Dawson, Nate Dawson, Robert Dawson, Albert E. Dawson, Ralph H. Dawson, Alford Dawson, Josephine Bulawsky, Dora Bulawsky, Ida Bulawsky, Annie Bulawsky, Blanche Bulawsky, May Bulawsky, Oscar Bulawsky, John W. Dawson, Matie Newman,

(Group III) John Dawson, Robert E. Dawson, Iola M. Dawson, Lemuel H. Dawson, Rosa B. Dawson, Charles E. Dawson, Hattie J. Dawson, Jennings B. Dawson, James U. Dawson, Virgal C. Dawson, Thomas P. Dawson, Marice J. Dawson, Orlo H. Dawson, Burr R. Dawson, James W. Dawson,

(Group IV) Robert Pierce, Myrtle Pierce, Arthur Pierce, Charles E. Pierce, Sam Gray, Emmil Gray, Velma Gray, Rosie Akin (formerly

Effie Pierce), Nancy J. Bogle, James E. Bogle, Edna M. Bogle, John H. Bogle, Marvin R. Bogle, Claud Bogle, Nancy Edith Bogle,

(Group V) Joseph R. Dawson, Clarence E. Dawson, Council T. Dawson, Elmer A. Dawson, Cleo Dawson, Rufus T. Dawson, Wilborn Dawson, Edgar Dawson, James R. Dawson, Vinnie D. Dawson, Ermine C. Dawson, Edwin C. Dawson, Ancil F. Dawson,

(Group VI) Mollie Moore, Nora Moore, Walter Moore, Clara Moore, Ora Moore, James T. Moore, Edna E. Moore,

(Group VII) Henry A. Blasingame, Vinnie C. Blasingame, Elbert L. Blasingame, Ellis T. Blasingame, Earl D. Blasingame, Alexander Blasingame, Jr., Elmer H. Blasingame, James R. Blasingame, William A. Blasingame, George L. Blasingame, Grace D. Blasingame,

(Group VIII) Zona Patterson, Sarah A. Patterson, Martha A. Patterson, Claud A. Patterson, Edgar D. Patterson, Thomas H. Patterson, Virgil V. Patterson, William C. Dawson, Robert L. Dawson, Elbert B. Dawson, Ralph E. Dawson, Richard W. Dawson, Ina E. Dawson, Ella L. Spickerman, Hellen J. Spickerman, William Glenn Spickerman,

(Group IX) Missouri Graham, Tampa V. Graham, Robert S. Graham, Gideon Graham, John W. Graham, Julius E. Graham, Francis W. Graham, Mary E. Graham, Jesse E. Graham, Gracie M. Graham, Florence M. Graham, Lavorna A. Painter, Ada E. Painter, Eva P. Painter, John W. Painter, Ray D. Painter, Roberta A. Painter, Roy V. Painter, Florence P. Bradshaw, Myrtle Bradshaw, Claude Bradshaw, Joe E. Graham, William C. Graham, John F. Graham, Edna M. Graham, Robert Lee Graham, Joe Willie Neal, James M. Graham, Marion Graham, Maggie Graham, Luther Graham, Floyd Graham,

(Group X) Kila Jackson, Flora Harmon, Lillie B. Harmon, Claud Harmon

Dwight Harmon, William D. Harmon, Tosbie A. Jackson, Fannie Lenox, Birtie E. Lenox, Myrtle Lenox,

(Group XII) Texanna Woolley, Irene W. Woolley, Wilburn E. Woolley, Witty Richardson, Edgar Flournoy, Walter Flournoy, Alice Flournoy, Laura Flournoy, Oscar Flournoy, Claude Flournoy, Edna Flournoy, Finis T. Richardson, Jasper C. Richardson, Delia E. Richardson, Etta Brauer,

(Group XIII) Lula Pearl Weddle, Curtis Weddle, Morris O. Weddle, Roy Weddle, William D. Douthitt, Laverna A. Fishback, William A. Fishback, Annie B. Fishback, Florence Morgan, Clide Morgan, Alice A. Morgan, John E. Fishback, Edna Mabry, Roby Mabry, and Charley Mabry,

should be enrolled as citizens by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and that

(Group I) Katie Dawson, Andrew C. Atkins,

(Group II) Catherine Dawson, Sarah E. Dawson, August Dulawsky, Nannie Dawson,

(Group III) Sarah J. Dawson, nee Wood,

(Group IV) Nellie Pierce, John S. Bogle,

(Group V) Florence Dawson, Martha A. Dawson,

(Group VI) Charles T. Moore,

(Group VII) Ida Blasingame, Mary A. Blasingame,

(Group VIII) Martin L. Patterson, Alice Dawson, Sarah J. Dawson, nee Jones,

(Group IX) John W. Graham, Elizabeth Graham, Mathew A. Painter, Charles T. Bradshaw, Bessie Graham,

(Group X) James H. Harmon, William C. Lenox,

(Group XII) Millie T. Dawson, Henry T. Richardson, Melissa A. Dawson

(Group XIII) Hiram P. Weddle and Alonso M. Fishback, should be

enrolled as citizens by intermarriage of the Cherokee Nation in accordance with the provisions of said Section twenty-one of the Act of Congress, and it is so ordered.

It is further the opinion of this Commission that, for the reasons heretofore stated, the applications for the enrollment of Arizona Allred and William C. Allred, (embraced in D 835); Francis M. Dawson, son of Elbert Dawson, (embraced in D 627); Osie Jackson, Lizzie Jackson, Jessie Jackson, Ray Jackson, and Clyde Jackson, the children of William and Lizzie Jackson, (embraced in D 830); James Lowe, May Lowe, Zelma Lowe, Roberta Lowe and Rosa Lowe, (embraced in D 836), as citizens by blood of the Cherokee Nation, and that the applications of Lizzie Jackson, widow of William Jackson, (embraced in D 830), and George A. Mabry (embraced in D 979), as citizens by intermarriage of the Cherokee Nation should be denied, in accordance with the provisions of the law heretofore quoted, and it is so ordered.

As hereinbefore stated William Pierce (D 409) and Cecil Dawson (D 558) and Green W. Jackson (D 595), died prior to September 1, 1902. It further appears from affidavits, made a part of this record that Liddie and Margaret Graham (D 1128) have died since the date of the application for their enrollment and prior to September 1, 1902.

It is, therefore, ordered that the applications for the enrollment of said William Pierce, Cecil Dawson, Green W. Jackson, Liddie Graham and Margaret Graham be, and the same are hereby dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

(Signed) TAMS BIXBY,
Acting Chairman.

(Signed) T. B. [illegible],
Commissioner.

Dated at Muskogee, Ind. Ter.,
this Dec. 23, 1902.

(Signed) C. R. BREATHITT,
Commissioner.

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 1st 1902

Ella L. Speckerman,

Tahlequah, Indian Territory,

Madam:-

You are hereby notified that the application of yourself and daughter

for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the 17th day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Cherokee D-826
Register.

Yours truly,

Acting Chairman.

COPY.

Cherokee D-324—

Muskogee, Indian Territory, January 24, 1903.

W. W. Hastings,

Attorney for the Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 23, 1902, granting the application for the enrollment of Francis M. Dawson, Lula Dawson, Ray Dawson, Jessie F. Dawson, Jacob L. Dawson, Hugh A. Dawson, Laura A. Dawson, John Dawson, William R. Dawson, Lizzie Atkins, Arthur Atkins, Edna E. Atkins, Edward C. Atkins, George J. F. Atkins, Francis M. Dawson, Jr., Samuel R. Dawson, August Dawson, Nate Dawson, Robert Dawson, Albert M. Dawson, Ralph H. Dawson, Alford Dawson, Josephine Bulawsky, Dora Bulawsky, Ida Bulawsky, Annie Bulawsky, Blanche Bulawsky, May Bulawsky, Oscar Bulawsky, John W. Dawson, Katie Newman, John Dawson, Robert B. Dawson, Iola M. Dawson, Lemuel H. Dawson, Rosa B. Dawson, Charles B. Dawson, Hattie E. Dawson, Jennings B. Dawson, James U. Dawson, Vergal C. Dawson, Thomas P. Dawson, Mariee J. Dawson, Orie H. Dawson, Burr R. Dawson, James W. Dawson, Robert Pierce, Myrtle Pierce, Arthur Pierce, Charles E. Pierce, Oma Gray, Cecil Gray, Velton Gray, Effie Akin, Nancy J. Doyle, James K. Bogle, Edna M. Bogle, John H. Bogle, Marvin B. Bogle,

Claud Bogle, Nancy Edith Bogle, Joseph R. Dawson, Clarence E. Dawson, Council J. Dawson, Elmer A. Dawson, Cleo Dawson, Rufus T. Dawson, Wilborn Dawson, Edgar Dawson, James R. Dawson, Vinnie D. Dawson, Ermine C. Dawson, Edwin C. Dawson, Ancil F. Dawson, Mollie Moore, Nora Moore, Walter Moore, Clara Moore, Ora Moore, James W. Moore, Edna E. Moore, Henry A. Blasingame, Vinnie C. Blasingame, Elbert L. Blasingame, Ellis W. Blasingame, Earl D. Blasingame, Alexander Blasingame, Jr., Elmer H. Blasingame, James R. Blasingame, William A. Blasingame, George L. Blasingame, Grace D. Blasingame, Zona Patterson, Sarah A. Patterson, Martha A. Patterson, Claud A. Patterson, Edgar D. Patterson, Thomas M. Patterson, Vergil V. Patterson, William C. Dawson, Robert L. Dawson, Elbert E. Dawson, Ralph E. Dawson, Richard W. Dawson, Ina E. Dawson, Ella L. Spickerman, Hellen J. Spickerman, William Glenn Spickerman, Missouri Graham, Tempa V. Graham, Robert S. Graham, Gideon Graham, John W. Graham, Julius E. Graham, Francis W. Graham, Mary E. Graham, Jesse E. Graham, Gracie L. Graham, Florence M. Graham, Laverna A. Painter, Ada R. Painter, Eva P. Painter, John W. Painter, Ray D. Painter, Roberta A. Painter, Roy L. Painter, Florence P. Bradshaw, Myrtle Bradshaw, Claude Bradshaw, Joe E. Graham, William C. Graham, John F. Graham, Edna M. Graham, Robert Lee Graham, Joe Willie Neal, James M. Graham, Marion Graham, Maggie Graham, Luther Graham, Floyd Graham, Ella Jackson, Flora Harmon, Lillie R. Harmon, Claud Harmon, Dwight Harmon, William D. Harmon, Toshie A. Jackson, Fannie Lenox, Birtie E. Lenox, Myrtle Lenox, Texanna Woolley, Irene W. Woolley, Wilburn E. Woolley,

Mittie Richardson, Edgar Flournoy, Walter Flournoy, Alice Flournoy, Laura Flournoy, Oscar Flournoy, Claude Flournoy, Edna Flournoy, Vinis T. Richardson, Jasper C. Richardson, Delia F. Richardson, Etta Brauer, Lula Pearl Weddle, Curtis Weddle, Morris O. Weddle, Roy Weddle, William D. Douthitt, Laverna A. Fishback, William A. Fishback, Annie B. Fishback, Florence Morgan, Clide Morgan, Alice A. Morgan, John E. Fishback, Edna Mabry, Roby Mabry and Charley Mabry as citizens by blood of the Cherokee Nation, and for the enrollment of Katie Dawson, Andrew C. Atkins, Catherine Dawson, Sarah F. Dawson, August Bulawsky, Nannie Dawson, Sarah J. Dawson, Nellie Pierce, John S. Bogle, Florence Dawson, Martha A. Dawson, Charles T. Moore, Ida Blasingame, Mary A. Blasingame, Martin L. Patterson, Alice Dawson, Sarah J. Dawson (nee Jones), John W. Graham, Elizabeth Graham, Mathew A. Painter, Charles T. Bradshaw, Bessie Graham, James H. Harmon, William C. Lenox, Millie T. Dawson, Henry T. Richardson, Melissa A. Dawson, Hiram F. Weddle, and Alonzo M. Fishback as citizens by intermarriage of the Cherokee Nation; rejecting the application for the enrollment of Arizona Allred, William C. Allred, Francis M. Dawson, Osie Jackson, Lizzie Jackson, Jessie Jackson, Ray Jackson, Clyde Jackson, James Lowe, May Lowe, Zelma Lowe, Roberta Lowe and Rosa Lowe as citizens by blood of the Cherokee Nation, and for the enrollment of Lizzie Jackson and George A. Mabry as citizens by intermarriage of the Cherokee Nation; and dismissing the application for the enrollment of William Pierce, Cecil Dawson, Green W. Jackson, Liddie Graham and Margaret Graham.

You are hereby advised that you will be allowed fifteen days from date hereof, in which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

(Signed) TAMS BIXBY,

Acting Chairman.

Enc. M-130.

COPY.

Cherokee D-324--

Muskogee, Indian Territory, February 10, 1903.

A. S. McKennon,

Attorney for Francis M. Dawson, et al,

Wewoka, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 23, 1902, granting the application for the enrollment of Francis M. Dawson, Lula Dawson, Ray Dawson, Jessie J. Dawson, Jacob L. Dawson, Hugh A. Dawson, Laura A. Dawson, John Dawson, William R. Dawson, Lizzie Atkins, Arthur Atkins, Edna E. Atkins, Edward C. Atkins, George J.F. Atkins, Francis M. Dawson, Jr., Samuel R. Dawson, August Dawson, Mate Dawson, Robert Dawson, Albert H. Dawson, Ralph H. Dawson, Alford Dawson, Josephine Bulawsky, Dora Bulawsky, Ida Bulawsky, Annie Bulawsky, Blanche Bulawsky, May Bulawsky, Oscar Bulawsky, John W. Dawson, Katie Newman, John Dawson, Robert B. Dawson, Iola M. Dawson, Lemuel H. Dawson, Rosa B. Dawson, Charles L. Dawson, Hattie J. Dawson, Jennings B. Dawson, James U. Dawson, Vergal C. Dawson, Thomas P. Dawson, Marion J. Dawson, Orlo H. Dawson, Burr R. Dawson, James W. Dawson, Robert Pierce, Myrtle Pierce, Arthur Pierce, Charles E. Pierce, Oma Gray, Cecil Gray, Velton Gray, Effie Akin, Nancy J. Bogle, James E. Bogle, Edna M. Bogle, John M. Bogle, Marvin R. Bogle, Claud Bogle, Nancy Edith Bogle, Joseph R. Dawson, Clarence E.

Dawson, Council J. Dawson, Elmer A. Dawson, Cleo Dawson, Rufus T. Dawson, Wilborn Dawson, Edgar Dawson, James R. Dawson, Vinnie D. Dawson, Ermine C. Dawson, Edwin C. Dawson, Ancil F. Dawson, Mollie Moore, Nora Moore, Walter Moore, Clara Moore, Ora Moore, James W. Moore, Edna E. Moore, Henry A. Blasingame, Vinnie C. Blasingame, Elbert L. Blasingame, Ellis W. Blasingame, Earl D. Blasingame, Alexander Blasingame, Jr., Elmer H. Blasingame, James R. Blasingame, William A. Blasingame, George L. Blasingame, Grace D. Blasingame, Zona Patterson, Sarah A. Patterson, Martha A. Patterson, Claud A. Patterson, Edgar D. Patterson, Thomas M. Patterson, Vergil V. Patterson, William C. Dawson, Robert L. Dawson, Elbert B. Dawson, Ralph E. Dawson, Richard W. Dawson, Ina E. Dawson, Ella L. Spickerman, Hellen J. Spickerman, William Glenn Spickerman, Missouri Graham, Tempa V. Graham, Robert S. Graham, Gideon Graham, John W. Graham, Julius E. Graham, Francis W. Graham, Mary E. Graham, Jesse B. Graham, Gracie M. Graham, Florence M. Graham, Laverna A. Painter, Ada R. Painter, Eva P. Painter, John W. Painter, Ray D. Painter, Roberta A. Painter, Roy V. Painter, Florence P. Bradshaw, Myrtle Bradshaw, Claude Bradshaw, Joe E. Graham, William C. Graham, John T. Graham, Edna M. Graham, Robert Lee Graham, Joe Willie Neal, James M. Graham, Marion Graham, Maggie Graham, Luther Graham, Floyd Graham, Ella Jackson, Flora Harmon, Lillie R. Harmon, Claud Harmon, Dwight Harmon, William D. Harmon, Toshie A. Jackson, Fannie Lenox, Birtie E. Lenox, Myrtle Lenox, Texanna Woolley, Irene W. Woolley, Wilburn E. Woolley, Kittie Richardson, Edgar Flournoy, Walter Flournoy, Alice Flournoy, Laura

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Fluornoy, Oscar Fluornoy, Claude Fluornoy, Edna Fluornoy, Finis T. Richardson, Jasper C. Richardson, Delia F. Richardson, Etta Brauer, Lula Pearl Weddle, Curtis Weddle, Morris O. Weddle, Roy Weddle, William D. Douthitt, Laverna A. Fishback, William A. Fishback, Annie E. Fishback, Florence Morgan, Clide Morgan, Alice A. Morgan, John E. Fishback, Edna Mabry, Roby Mabry and Charley Mabry as citizens by blood of the Cherokee Nation, and for the enrollment of Hattie Dawson, Andrew C. Atkins, Catherine Dawson, Sarah F. Dawson, August Bulawsky, Nannie Dawson, Sarah J. Dawson, Nellie Pierce, John S. Bogle, Florence Dawson, Martha A. Dawson, Charles T. Moore, Ida Blasingame, Mary A. Blasingame, Martin L. Patterson, Alice Dawson, Sarah J. Dawson (nee Jones), John W. Graham, Elizabeth Graham, Mathew A. Painter, Charles T. Bradshaw, Bessie Graham, James H. Harmon, William C. Lenox, Millie T. Dawson, Henry T. Richardson, Melissa A. Dawson, Hiram F. Weddle, and Alonzo M. Fishback as citizens by intermarriage of the Cherokee Nation; rejecting the application for the enrollment of Arizona Allred, William C. Allred, Francis M. Dawson, Osie Jackson, Lizzie Jackson, Jessie Jackson, Ray Jackson, Clyde Jackson, James Lowe, [illegible] Lowe, Zelma Lowe, Roberta Lowe and Rosa Lowe as citizens by [illegible] of the Cherokee Nation, and for the enrollment of Lizzie Jackson and George A. Mabry as citizens by intermarriage of the Cherokee Nation; and dismissing the application for the enrollment of William Pierce, Cecil Dawson, Green W. Jackson, Liddie Graham and Margaret Graham.

You have heretofore been furnished with a copy of the record of proceedings had in this case.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest has been furnished both yourself and the principal applicant, by the attorney for the Nation.

The decision, together with the record of proceedings had in this case will be transmitted to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as the Commission is informed of same.

You are requested to forward to the Commission two copies of your printed brief in this case, in order that the same may be included in the record to be forwarded to the Secretary of the Interior

Respectfully,

(Signed) TAMS BIXBY,

Acting Chairman.

Enc. M-45.

Register.

Cherokee D-826.

Muskogee, Indian Territory, February 25, 1903.

Ella L. Spickerman,

Talala, Indian Territory.

Dear Madam:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 23, 1902, in the consolidated case of Francis M. Dawson, et al., granting, among others, your application for the enrollment of yourself and your two minor children, Hellen J. and William Glenn Spickerman, as citizens by blood of the Cherokee Nation. There has heretofore been furnished your attorney, A. S. McKennon, Wewoka, Indian Territory, a copy of the record of proceedings, together with a copy of the Commission's decision.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest has been furnished both your attorney and the principal applicant by the attorney for the Nation.

The decision, with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Acting Chairman.

Enc. E-38.
Register.

COPY.

Cherokee D-324.

Muskogee, Indian Territory, February 25, 1905.

The Honorable

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings had in the consolidated case of Francis M. Dawson et al., applicants for enrollment as citizens of the Cherokee Nation, including the Commission's decision, dated December 23, 1903, granting said application as to Francis M. Dawson, Lula Dawson, Ray Dawson, Jessie J. Dawson, Jacob L. Dawson, Hugh A. Dawson, Laura A. Dawson, John Dawson, William R. Dawson, Lizzie Atkins, Arthur Atkins, Edna E. Atkins, Edward C. Atkins, George J. F. Atkins, Francis M. Dawson Jr., Samuel R. Dawson, August Dawson, Mate Dawson, Robert Dawson, Albert H. Dawson, Ralph H. Dawson, Alford Dawson, Josephine Bulawsky, Dora Bulawsky, Ida Bulawsky, Annie Bulawsky, Blanche Bulawsky, May Bulawsky, Oscar Bulawsky, John W. Dawson, Katie Newman, John Dawson, Robert B. Dawson, Iola M. Dawson, Lemuel H. Dawson, Rosa B. Dawson, Charles B. Dawson, Hattie J. Dawson, Jennings B. Dawson, James U. Dawson, Vergal C. Dawson, Thomas P. Dawson, Mariee J. Dawson, Orle H. Dawson, Burr R. Dawson, James W. Dawson, Robert Pierce, Myrtle Pierce, Arthur Pierce, Charles E Pierce, Oma Gray, Cecil Gray, Velton Gray, Effie Akin, Nancy J. Bogle, James E.Bogle, Edna B. Bogle, John H. Bogle, Marvin R.Bogle,

Claud Bogle, Nancy Edith Bogle, Joseph R. Dawson, Clarence E. Dawson, Council J. Dawson, Elmer A. Dawson, Cleo Dawson, Rufus T. Dawson, Wilborn Dawson, Edgar Dawson, James R. Dawson, Vinnie D. Dawson, Ermine C. Dawson, Edwin C. Dawson, Ancil F. Dawson, Mollie Moore, Dora Moore, Walter Moore, Clara Moore, Ora Moore, James W. Moore, Edna E. Moore, Henry A. Blasingame, Vinnie C. Blasingame, Elbert L. Blasingame, Ellis W. Blasingame, Earl D. Blasingame, Alexander Blasingame Jr., Elmer H. Blasingame, James R. Blasingame, William A. Blasingame, George L. Blasingame, Grace D. Blasingame, Dona Patterson, Sarah A. Patterson, Martha A. Patterson, Claud A. Patterson, Edgar D. Patterson, Thomas M. Patterson, Virgil V. Patterson, William C. Dawson, Robert L. Dawson, Elbert B. Dawson, Ralph E. Dawson, Richard W. Dawson, Ina E. Dawson, Ella L. Spickerman, Hellen J. Spickerman, William Glenn Spickerman, Missouri Graham, Tempa V. Graham, Robert S. Graham, Gideon Graham, John W. Graham, Julius E. Graham, Francis W. Graham, Laverna A. Painter, Mary E. Graham, Jesse F. Graham, Gracie M. Graham, Florence M. Graham, Ada R. Painter, Eva P. Painter, John W. Painter, Roy D. Painter, Roberta A. Painter, Roy V. Painter, Florence P. Bradshaw, Myrtle Bradshaw, Claude Bradshaw, Joe E. Graham, William C. Graham, John F. Graham, Edna M. Graham, Robert Lee Graham, Joe Willie Neal, James M. Graham, Marion Graham, Maggie Graham, Luther Graham, Floyd Graham, Ella Jackson, Flora Harmon, Lillie R. Harmon, Claud Harmon, Dwight Harmon, William D. Harmon, Toshie A. Jackson, Fannie Lenox, Birtie E. Lenox, Myrtle Lenox, Texanna Woolley, Irene W. Woolley, Wilburn E. Woolley,

Kittie Richardson, Edgar Flournoy, Walter Flournoy, Alice Flournoy, Laura Flournoy, Oscar Flournoy, Claude Flournoy, Edna Flournoy, Finis T. Richardson, Jasper C. Richardson, Delia F. Richardson, Etta Brauer, Lula Pearl Weddle, Curtis Weddle, Morris C. Weddle, Roy Weddle, William D. Douthitt, Laverna A. Fishback, William A. Fishback, Annie E. Fishback, Florence Morgan, Clide Morgan, Alice A. Morgan, John E. Fishback, Edna Mabry, Roby Mabry and Charley Mabry as citizens by blood of the Cherokee Nation, and Katie Dawson, Andrew C. Atkins, Catherine Dawson, Sarah F. Dawson, August Lulawsky, Nannie Dawson, Sarah J. Dawson, Nellie Pierce, John S. Fogle, Florence Dawson, Martha A. Dawson, Charles T. Moore, Ida Blasingame, Mary A. Blasingame, Martin L. Patterson, Alice Dawson, Sarah J. Dawson (nee Jones), John W. Graham, Elizabeth Graham, Mathew A. Painter, Charles T. Bradshaw, Dessie Graham, James H. Parmon, William C. Lenox, Millie T. Dawson, Henry T. Richardson, Melissa A. Dawson, Hiram F. Weddle, and Alonzo M. Fishback as citizens by intermarriage of the Cherokee Nation; rejecting the application for the enrollment of Arizona Allred, William C. Allred, Francis M. Dawson, Osie Jackson, Lizzie Jackson, Jessie Jackson, Ray Jackson , Clyde Jackson, James Lowe, May Lowe, Zelma Lowe, Roberta Lowe and Rosa Lowe as citizens by blood of the Cherokee Nation, and for the enrollment of Lizzie Jackson, and George A. Mabry as citizens by intermarriage of the Cherokee Nation; and dismissing the application for the enrollment of William Pierce, Cecil Dawson, Green W. Jackson, Liddie Graham and Margaret Graham.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest is enclosed.

Respectfully,

(Signed) TAMS BIXBY,

Chairman.

Enc. M-135.

Through the

Commissioner of Indian Affairs.

COPY.

Cherokee D-324.

Muskogee, Indian Territory, February 25, 1903.

W. W. Hastings,
Attorney for the Cherokee Nation,
Vinita, Indian Territory.

Dear Sir:

You are hereby advised that there has this day been transmitted to the Secretary of the Interior, for review, the record of proceedings had in the matter of the application of Francis M. Dawson, et al., for enrollment as citizens of the Cherokee Nation, together with the Commission's decision in said case, and the protest of the Cherokee Nation against said decision, dated February 6, 1903.

The action of the Secretary will be made known to you as soon as the Commission is informed of same.

Respectfully,

(Signed) TAMS BIXBY,
Chairman.

COPY.

Cherokee D-324.

Muskogee, Indian Territory, February 25, 1903.

A. S. McKennon,

Attorney for Francis M. Dawson, et al.,

Wewoka, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision in the matter of the application of Francis M. Dawson, et al., for enrollment as citizens of the Cherokee Nation, has this day been transmitted to the Secretary of the Interior for his review and decision.

The action of the Secretary will be made known to you as soon as the Commission is informed of same.

Respectfully,

(Signed) TAMS BIXBY,

Chairman.

(COPY)

Refer in reply to the following: Land 15888-1903. 36921-1903.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,
Washington, Oct. 14, 1903.

COPY

SUBJECT IN ENROLLMENT.

Francis M. Dawson, et als.

GROUP VIII.

The Honorable,

The Secretary of the Interior.

Sir:

Referring to office report of even date transmitting Group I of the consolidated case of Francis M. Dawson, et al., applicants for enrollment as citizens of the Cherokee Nation, there is enclosed herewith the record relative to the applicants parties to Group VIII.---

D.405, Group VIII, page 1.

Martin L. Patterson applies for the enrollment of himself as an intermarried citizen, and for the enrollment of his wife, Emma, and their minor children, Sarah A., Martha A., Glenco A., Edgar D., Thomas M. and Virgil V. Patterson, as citizens by blood. Virgil V. was born subsequent to the date of his original application and is identified by birth affidavit.

D.404, Group VIII, page 11.

William T. Dawson applies for the enrollment of himself as a citizen by blood, and for the enrollment of his wife, Alice Dawson, as an intermarried citizen.

D.403, Group VIII, page 11.

Robert L. Dawson applies for enrollment as a citizen by blood.

D.626, Group VIII, page 16.

Albert R. Dawson applied for the enrollment of himself and his minor child, Ralph R. Dawson, as citizens by blood. The child was born subsequent to the date of his original application, and is identified by birth affidavit.

D.627, Group VIII, page 16.

Sarah J. Dawson applies for the enrollment of herself as an intermarried citizen.

D.627, Group VIII, page 23.

Richard V. Dawson applies for the enrollment of himself and his minor child, Ina M. Dawson, as citizens by blood, and for the enrollment of his wife, Lucile Dawson, as a citizen by intermarriage. The Commission states that Lucile Dawson is differently classed and is not embraced in its decision.

D.626, Group VIII, page 27.

Ella L. Spickerman applied for the enrollment of herself and her minor child, Velon J. Spickerman, as citizens by blood, and for the enrollment of her husband, John J. Spickerman, as a citizen by intermarriage. She also applies for the enrollment as a citizen by blood of her child, William C. Spickerman, who was born after her original application. This child is identified by a birth affidavit. The Commission states that John J. Spickerman has been differently classed and is not embraced in its decision.

D.627, Group VIII, page 31.

Francis M. Dawson applies for the enrollment of himself as a citizen by blood.

POOR ORIGINAL -

The record in this case shows that Martin L. Patterson, (Group VIII, page 1), was married July 13, 1898, to Rena Patterson nee Dawson, daughter of Hibert Dawson, who was admitted by the Dawes Court, January 11, 1906. The marriage was performed in accordance with the laws of the Cherokee Nation. Rena Patterson nee Dawson was a minor when her father was admitted. Rena Patterson's name appears on the 1896 census roll, as does the names of Martin L. Patterson, Sarah A., Martha and Claude (A.) Patterson. Edgar B., Thomas H. and Virgil V. Patterson are identified by birth affidavits.

William G. Dawson, (Group VIII, page 11), is a son of Hibert Dawson, who was admitted January 11, 1906. He was a minor when his father was admitted. He was married to Alice Dawson, November 16, 1904. He is identified by the 1896 and 1896 rolls of the Cherokee Nation. From the record it does not seem that the name of his wife is found on any of the rolls of the Cherokee Nation.

Robert L. Dawson, (Group VIII, page 15), is a son of Hibert Dawson who was admitted January 11, 1906. He was a minor when his father was admitted.

Hibert E. Dawson, (Group VIII, page 16), is the son of Hibert Dawson who was admitted January 11, 1906. He was a minor when his father was admitted. February 16, 1905, he was married to Cora Wright, a non-citizen. His name appears on the 1896 roll, but is not on the 1896 roll.

Sarah J. Dawson, (Group VIII, page 19), is the widow of Hibert Dawson, who was admitted January 11, 1906. The applicant's husband is identified by the 1896 pay-roll of the Cherokee Nation. It does not appear from the record that her name is on any roll of the Cherokee Nation.

Richard W. Dawson, (Group VIII, page 22), is the son of Hibert Dawson who was admitted January 11, 1883. He was a minor when his father was admitted to citizenship. He was married to Luella Mason, a white woman, January 24, 1894.

Nila L. Spickermann, (Group VIII, page 27), is the daughter of Hibert Dawson, who was admitted in 1883. She was a minor when her father was admitted to citizenship. Sept. 7, 1897, she was married to John J. Spickermann, a white man. She is identified by the 1894 roll.

Francis M. Dawson, (Group VIII, page 21), is a son of Hibert Dawson, who was admitted January 11, 1883. He was of age when his father was admitted, and it does not appear that he was admitted to citizenship. From the evidence it does not seem that Francis M. Dawson's name is found on any roll of the Cherokee Nation. He claims to have lived in the Cherokee Nation since 1884. It appears that he and the members of his family were refused enrollment by the Cherokee tribal authorities in 1896.

It is known that Zona Patterson, William G. Dawson and Richard W. Dawson, have resided in the Cherokee Nation since 1884. Robert L. Dawson, Hibert R. Dawson, Sarah J. Dawson and Nila L. Spickermann, have resided there since 1883. Alice Dawson has resided in the Nation since 1886 and Martin L. Patterson since 1894.

The Commission in its decision of December 23, 1903, held that all of the parties in this group, except Luella Dawson and J. J. Spickermann, who are differently classed, and Francis M. Dawson (Group VIII, page 21), were entitled to enrollment as citizens of the Cherokee Nation--Martin L. Patterson, Alice Dawson and Sarah J. Dawson, as citizens by intermarriage and the others as citizens by blood.

[illegible]

For the reasons set forth in office report of even date, transmitting Group I of this consolidated case, the approval of the Commission's decision is recommended, except in so far as it relates to Martin L. Patterson, Alice Dawson and Sarah J. Dawson, who apply for enrollment as intermarried citizens. The question submitted to the Court of Claims not having been passed upon by the Court, their applications should not be considered at this time. The right of Francis M. Dawson to enrollment as a citizen by blood will be discussed herein.

August 21, 1903, Harry S. Kimball and W. F. White, attorneys for this city, filed a brief on behalf of applicant Francis M. Dawson, for enrollment as a citizen of the Cherokee Nation. In their letter it is said that a copy of this brief has been forwarded to the attorney for the Cherokee Nation, W. W. Hastings, Esq. Kimball & White in their brief state that Francis M. Dawson is the son of Hibert Dawson, who was admitted to citizenship in the Cherokee Nation, January 11, 1841, and that he was at that time about 22 years of age. They claim that his father applied for readmission February 24, 1880, and that Francis M. Dawson was at the date of this application less than 21 years of age that he has resided in the Cherokee Nation from the time of his fathers admission, and they take the position that the only reason the Commission gives for refusing his enrollment is that he was more than 21 years of age at the time of his father's admission. The statement is made by them "his name appears upon every roll since his father's admission. He drew his share of the strip money and has resided nowhere except in said Nation." They claim that under Section 5, of the Amendments to Article 3, of the Constitution, and the opinion of the Assistant Attorney General in the James W. Shirley case of June 11, 1903, Francis M. Dawson is entitled to enrollment as a citizen of the Cherokee Nation.

From the record it does not appear that the name of Francis M. Dawson is found on any rolls of the Cherokee Nation. The Commission, in what is understood to be its field decision or field note, says: "He is not identified on any roll since that time," meaning the date of his father's admission. In this decision or note it is also said: "The application for admission is shown by the document cited to be dated January 4, 1841, and giving the applicant the benefit of the supposition that the fact of admission would date from the application, he was a minor at that time.

In the brief of Kimball & White it is alleged that Elbert Dawson applied "for admission February 24, 1840." There seems to be considerable doubt as to the exact date Elbert Dawson made application for admission for citizenship in the Cherokee Nation, but from the records it appears the true date is September 24, 1841. By the supplemental testimony it is shown that the application of Elbert Dawson et al., for admission to citizenship was "filed September 24, 1841."

Francis M. Dawson, October 17, 1900, (Group VIII, page 31), testified among other things that he was 59 years of age "on the last day of December last," meaning December 31, 1899. If this be true, and if the correct date of the application of his father, Elbert Dawson, is September 24, 1841, Francis M. Dawson was 20 years 3 months and 23 days old at the date of his father's application. The office believes that the date of admission should be held to relate back to the date of the application. There is nothing in the record which shows that Elbert Dawson, or any of the other applicants of 1841, were asked in 1843 whether any of their children had arrived at the age of majority.

In lieu of the foregoing, it is respectfully recommended that

the decision of the Commission as to Francis M. Bowden be not approved, and that the Commission be directed to enroll him as a citizen of the Cherokee nation by blood, unless there be some reason which does not appear in the record why the same should not be done. There seems to be no question but that he is of Cherokee blood.

Very respectfully,

W. A. Jones,
Commissioner.

C.A.W.-L.C.

(KPM)

L.R.B. 7448-1904
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(COPY)

DEPARTMENT OF THE INTERIOR,

WASHINGTON.

J.W.M.
J.P.
FHS

LRS

March 21, 1904.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

February 26, 1904, you transmitted the record in the matter of the application of Francis M. Dawson et al. for enrollment as citizens of the Cherokee Nation.

In your decision of December 23, 1903, you disposed of the applications in the Dawson case by groups. Group VIII, as disposed of by you, includes the applications of those persons who claim enrollment by virtue of their descent from Hibert Dawson, who was admitted to Cherokee citizenship by decree of the Tahee Court dated January 14, 1883. These applications are designated by you as D.433, D.434, D.435, D.436, D.439, D.447, D.456, and D.457.

It appears that the principal applicants in this group, claiming enrollment by blood, viz: Rena Patterson, formerly Dawson, William G. Dawson, Robert L. Dawson, Hibert F. Dawson, Richard N. Dawson, Ella L. Spielmeyer, formerly Dawson, and Francis M. Dawson, are the children of the said Hibert Dawson. All of them except the said Francis M. Dawson were minors at the time of their father's admission to citizenship.

The application of Martha L. Patterson, D.433, was for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Rena Patterson; and his six minor children, Sarah A., Martha A., Claude A., Edgar D., Thomas M., and Virgil V. Patterson, as citizens by blood of the Cherokee Nation. The said Martin L. Patterson was married July 14, 1898, in accordance with the laws of the Cherokee Nation, to the said Rena Patterson, nee Dawson. He has resided in the

nation since his marriage, and the six children named above are the issue of said marriage. His name, and the names of his three older children, are on the Cherokee census roll of 1896. The three younger children are identified by birth affidavits. Rena Patterson, nee Dawson, is also identified on said roll, and he resided in the Cherokee Nation since 1894.

William C. Dawson, D.604, applied for the enrollment of himself as a citizen by blood, and for the enrollment of his wife, Alice Dawson, as a citizen by intermarriage of the Cherokee Nation. He is identified upon the strip payment roll of 1894, and has resided in the nation since 1894. He was married November 18, 1896, to the said Alice Dawson, nee Alexander, who has resided with him since their marriage.

The application of Robert L. Dawson, D.605, was for the enrollment of himself as a citizen by blood of the Cherokee Nation. He is identified on the strip payment roll of 1894, and has resided in the nation since 1893.

The application of Hibert B. Dawson, D.606, was for the enrollment of himself and his minor child, Ralph H. Dawson, as Cherokees by blood. Said Hibert B. Dawson is identified upon the strip payment roll of 1894. His son is identified by a birth affidavit. The father has resided in the nation since 1893. On February 16, 1898, he married Cora Bright, a non-citizen, who is the mother of said child. It appears, however, that no application was made for her enrollment under this title.

The application of Sarah J. Dawson, D.609, was for the enrollment of herself as an intermarried citizen of the Cherokee Nation. In 1894 she married the said Hibert Dawson, and lived with him as his wife until his death in February, 1898. Since then she has not married. She has resided in the nation since 1893.

The application of Richard W. Dawson, D.617, was for the enrollment of himself and his minor child, Ina E. Dawson, as citizens by blood and for the enrollment of his wife, Lucille Dawson, as a citizen of said nation by intermarriage. The latter is differently classified and is not embraced in this decision. Said Richard W. Dawson is identified upon the 1896 strip payment roll, and has resided in the nation since 1884. January 24, 1900, he married Lucille Mason. Ina E. Dawson, who is identified by a birth affidavit, is the issue of that marriage.

The application of Nila L. Spiekerman, D.626, was for the enrollment of herself and her minor children, Helen J. and William G. Spiekerman, as citizens by blood, and for the enrollment of her husband John J. Spiekerman, as a citizen by intermarriage of the Cherokee Nation. His application is differently classified and will not be considered herein. The said Nila L. Spiekerman, nee Dawson, is identified on the strip payment roll of 1896, and has resided in the nation since 1883. Said children are identified by birth affidavits.

The application of Francis W. Dawson, D.627, was for the enrollment of himself as a citizen by blood of the Cherokee Nation. His case is distinguished from that of the other principal applicants who claim by blood, in that he was not a minor at the date of his father's admission to citizenship. It appears, however, that the petition for the enrollment of his father, Elbert Dawson et al., was filed when he was a minor. The exact date when said petition was filed is uncertain. The Indian Office finds that the date of the petition was September 24, 1901. You find that the petition bears a still earlier date. It is claimed by this applicant and by his attorneys that his name is borne upon various tribal rolls. It does not appear from the record, however, that such is the fact. He states that he has resided in the nation ever since 1880, and that he drew strip money [illegible]

In his report of October 16, 1903, relative to this group, the Commissioner of Indian Affairs calls attention to that portion of the evidence which shows that the applicant was a minor when the petition for the enrollment of his father was filed, and expresses the opinion that the admission of his father (construed as including his minor children living with him) should be considered as taking effect from the date the petition was filed.

In your decision of December 22, 1903, in which you refused to enroll this applicant, you make no reference to this aspect of the case. It is observed, however, from the field notes as they appear in connection with the record in this case, that the Examiner was then of the opinion that the date of the father's petition might possibly affect the rights of the applicant.

The attorney for this applicant and for the Nation have filed briefs. The attorneys for neither, however, have discussed the rights of the applicant from this standpoint.

It is considered that both parties should be furnished with a copy of the Commissioner's letter relating to this group, and be allowed to be heard in reference to the matter.

From a letter addressed to the Assistant Attorney General for this Department, from Kimball & White, attorneys for Francis M. Dawson, Jr., dated February 13, 1904, it appears that under date of January 13, 1904, you wrote said attorneys as follows:

> "You are advised that the 1896 pay roll does not contain the name of such a person as Francis M. Dawson. There does appear upon that roll, however, the name of one Marion Dawson, and it is possible this is the same person."

Although not addressed to the Department, it was considered that your letter should be received as authentic evidence of the matters stated therein. It is believed, in view of the statement contained in

said letter and from the testimony of Francis Marion Benson, referred to above, that an adjudication of his case upon the record as it now stands would be untimely and inadvisable.

In your decision of December 23, 1902, you held that all of the applicants are entitled to enrollment except Francis M. Benson. The Commissioner of Indian Affairs concurred in your recommendation respecting those applicants claiming by blood, except as to him, and also recommended his enrollment. As to those applicants claiming by intermarriage the Commissioner recommended that no action be taken at present.

The Department concurs in the recommendation of the Commissioner as to all of the applicants, except Francis M. Benson. The record in his case is herewith returned for further investigation in accordance with the suggestions herein contained.

The attorney for the Cherokee Nation protests against the enrollment of these applicants, claiming that their enrollment was obtained through fraud. In this connection see opinion of the Assistant Attorney General of February 13, 1904, relating to the Benson case, a copy of which was sent you February 24, 1904.

A copy of Indian Office letter of October 16, 1903, relating to this group, is also inclosed.

Respectfully,

(signed) Thos Ryan

Acting Secretary.

2 inclosures.

(WPM)

COPY.

Cherokee D-626

Muskogee, Indian Territory, April 12, 1904.

Mila L. Spickerman,

Talala, Indian Territory.

Dear Madam:

You are hereby advised that the Commission's decision, dated December 23, 1902, granting, among others, your application for the enrollment of yourself and your two minor children, Hellen and William Glenn Spickerman, as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on March 31, 1904.

Respectfully,

Commissioner in Charge.

. Y.

Cherokee D 324, et al.

Muskogee, Indian Territory, April 12, 1904.

A. S. McMennon,

Attorney for Francis L. Dawson, et al.,

South McAlester, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision dated December 23, 1902, in the consolidated case of Francis M. Dawson, et al., granting the applications for the enrollment of Francis L., Lula, Ray, Jessie J., Jacob L., Hugh A., Laura A., John, William R. and Franics M. Dawson, Jr., Lizzie, Arthur, Edna E., Edward C., and George J. F. Atkins, John W., Albert H., Ralph H., Alford, Samuel B., August, Nate and Robert Dawson, Katie Newman, Josephine, Dora, Ida, Annie, Blanche, May and Oscar Bulawsky, John, Robert B., Iola M., Lemuel H., Rosa E., Charles B., Hattie J., Jennings B., James U., Vergal C., Thomas P., Mariee J., Orle H., Burr R. and James W. Dawson, Ella Jackson, Flora, Lillie R., Claud, Dwight and William D. Harmon, Toshie A. Jackson, Fannie, Birtie E. and Myrtle Lenox, Missouri, Tempa V., Robert S., Gideon, John W., Julius E., Francis M., Mary E., Jesse E., Gracie M. and Florence M. Graham, Laverna A., Ada R., Eva P., John W., Ray D., Roberta A., and

Roy V. Painter, Florence P., Myrtle and Claude Bradshaw, Joe E., William C., John F., Edna M. and Robert Lee Graham, Joe Willie Neal, James M., Marion, Maggie, Luther and Floyd Graham, Mollie, Nora, Walter, Clara, Ora, James W., and Edna Edith Moore, Richard W. and Ina E. Dawson, Ella L., Nellen J. and William Glenn Spickerman, Elbert B., Ralph E., Robert L., and William C. Dawson, Zona, Sarah A., Martha A., Claud A., Edgar D., Thomas M. and Virgil V. Patterson, Joseph R., Clarence E., Council J., Elmer A., Cleo, Rufus T., Edgar, Wilborn, James R., Minnie B., Ermine C., Edwin C. and Ancil F. Dawson, Etta Brauer, Kitty, Delia F., Minis T. and Jasper Cecil Richardson, Edgar, Walter, Alice, Laura, Oscar, Claude and Edna Flournoy, Texanna, Irene W. and Wilburn E. Woolley, Laverna A., William A. and Annie B. Fishback, Lula P., Curtis, Morris C. and Roy Weddle, Florence, Clide and Alice A. Morgan, John E. Fishback, Edna, Roby and Charley Mabry and William D. Douthitt, as citizens by blood of the Cherokee Nation, and dismissing the applications for the enrollment of Cecil Dawson, Liddie and Margaret Graham as citizens by blood of the Cherokee Nation, they having died prior to September 1, 1902, was affirmed by the Secretary of the Interior on March 31, 1904, and that the Commission's decision rejecting the applications for the enrollment of James, May, Zelma, Roberta, and Rosa Lowe, Osie, Lizzie, Jessie, Ray, and Clyde Jackson as citizens

by blood of the Cherokee Nation, was reversed by the Secretary of the Interior on the same date.

Respectfully,

(SIGNED) E. B. Meadows.

Commissioner in Charge.

Cherokee D 324, et al.

Muskogee, Indian Territory, April 12, 1904.

W. W. Hastings,
Attorney for the Cherokee Nation,
Tahlequah, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision dated December 23, 1902, in the consolidated case of Francis M. Dawson, et al., granting the applications for the enrollment of Francis M., Eula, Ray, Jessie J., Jacob L., Hugh A., Laura A., John, William R. and Francis M. Dawson, Jr., Lizzie, Arthur, Edna E., Edward C., and George J. F. Atkins, John T., Albert M., Ralph M., Alford, Samuel R., August, Mate and Robert Dawson, Katie Newman, Josephine, Dora, Ida, Annie, Blanche, May and Oscar Bulawsky, John, Robert B., Iola M., Lemuel M., Rosa B., Charles B., Hattie J., Jennings B., James U., Vergal C., Thomas P., Marice J., Orle M., Burr R. and James W. Dawson, Ella Jackson, Flora, Lillie R., Claud, Dwight and William D. Harmon, Tobbie A. Jackson, Fannie, Birtie E. and Myrtle Lenox, Missouri, Tampa V., Robert S., Gideon, John W., Julius E., Francis W., Mary E., Jesse E., Gracie M. and Florence M. Graham, Laverna A., Ada R., Eva P., John W., Ray D., Roberta A., and

Roy W. Painter, Florence I., Myrtle and Claude Bradsham, Joe E., William C., John F., Dona M. and Robert Lee Graham, Joe Willie Neal, James L., Marion, Lawrie, Luther and Floyd Graham, Hollis, Nora, Walter, Clara, Ora, James W., and Edna Edith Moore, Richard W. and Ina E. Dawson, Ella L., Mollen J. and William Glenn Spickerman, Wilbert L., Ralph E., Robert L., and William C. Dawson, Zona, Sarah A., Martha A., Claud A., Edgar D., Thomas M. and Virgil V. Patterson, Joseph R., Clarence E., Council J., Elmer A., Cleo, Rufus T., Edgar, Wilborn, James R., Minnie L., Ermine C., Edwin C. and Ancil F. [illegible], Etta Brauer, Kitty, Delia T., Minis T. and Jasper Cecil Richardson, Edgar, Walter, Alice, Laura, Oscar, Claude and Edna Flournoy, Texanna, Irene M. and Wilburn B. Woolley, Laverna A., William A. and Annie B. Fishback, Lula P., Curtis, Morris O. and Roy Weddle, Florence, Clide and Alice A. Morgan, John E. Fishback, Edna, Roby and Charley Mabry and William D. Douthitt as citizens by blood of the Cherokee Nation, and dismissing the applications for the enrollment of Cecil Dawson, Liddie and Margaret Graham as citizens by blood of the Cherokee Nation, they having died prior to September 1, 1902, was affirmed by the Secretary of the Interior on March 31, 1904, and that the Commission's decision rejecting the applications for the enrollment of James, May, Zelma, Roberta, and Rosa Lowe, Osie, Lizzie, Jessie, Ray, and Clyde Jackson as citizens

by blood of the Cherokee Nation, was reversed by the Secretary of the Interior on the same date.

Respectfully,

T. B. Needles.

Commissioner in Charge.

Cher 10726

Zone Patterson

Trans. from D435

Cher 10726

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.
VINITA, I. T., SEPTEMBER 26th, 1900.

IN THE MATTER OF THE APPLICATION OF Martin L. Patterson, wife and children for enrollment as citizens of the Cherokee Nation, and he being sworn by Commissioner, T. B. Needles, testified as follows;

Q What is your name? A Martin D. Patterson.
Q What is your age? A Forty three.
Q What is your Postoffice? A Afton.
Q What district do you live in? A Delaware.
Q Are you a recognized citizen of the Cherokee Nation? A Yes sir.
Q By blood or intermarriage? A Intermarriage.
Q For whom do you apply for enrollment? A Myself, wife and four children.
Q What is the name of your wife? A Zona Patterson.
Q What was her name before you married her? A Zona Dawson.
Q Is she a citizen by blood? A Yes sir.
Q When did you marry her? A In 1890.
Q What is the name of her father? A Kilbert Dawson.
Q Is he living? A No sir?
Q What is the name of her mother? A Jane Dawson.
Q Is she living? A Yes sir.
Q Have you any certificate of marriage? A Yes sir.

The applicant presents a certificate of the issuance of a marriage license to marry miss Zona Dawson, a citizen of the Cherokee Nation, on the 13 th day of July, 1890, according to the laws of the Cherokee Nation.

Q What are the names of your children? A Sarah Adaline.
Q How old is she? A Nine years old.
Q Next one? A Martha Alice.
Q How old is she? A Seven.
Q Next one? A Claud A.
Q How old is Claud? A Five.
Q Next one? A Edgar Dawson.
Q How old is Edgar D.? A Three years old.
Q Next one? A Thomas Meredith.
Q How old? A One year old.
Q Are these children all living, and living with you at this time?
A Yes sir.
Q Have you any proof of birth as to these younger children?
A Yes sir.

The applicant presents satisfactory certificates of birth as to the birth of his two younger children, Edgar D., and Thomas Meredith.

Q Does the name of your wife appear on the authenticated roll of 1880? A I think not.
Q By what tright do you claim citizenship for her? A Her father was admitted in 1883.
Q Have you any certificate of admission? A Yes sir.
Q What is the age of your wife? A Thirty years old.
Q What is her father's name? A Kilbert Dawson.

The applicant presents a certificate of admission, issued from the office of the Commission on citizenship, under date of January 11th, 1883, signed by D. W. C. Duncan, Clerk of the Commission; certifying that one Kilbert Dawson was duly admitted to Cherokee citizenship on the 11th day of January, 1883.

Q Is the Kilbert Dawson, mentioned in this certificate, the father of the Zona Dawson, for whom you apply for enrollment? A Yes sir.
Q When was your wife born? A She is thirty years old.
Q Born in 1870? A Yes sir.
Q Your wifes father was admitted in 1883? A Yes sir.
Q When did your wife move to the Cherokee Nation? A They moved here about 1884, I think.

Q Has she been living here continuously ever since 1884?
A Yes sir.

(1896 Roll, Page 585, #425, Martin L. Patterson, Delaware D'st)
(1896 Roll, Page 515, #2382, Zona Patterson, Delaware D'st)
(1896 Roll, Page 515, #2383, Sarah A. Patterson, Delaware D'st)
(1896 Roll, Page 515, #2384 Martha A. Patterson, Delaware D'st)
(1896 Roll, Page 515, #2385, Claud Patterson, Delaware D'st)

The name of Martin L. Patterson appears upon the census roll of 1896, as well as the name of his wife, Zona, whose name before he married her was Zona Dawson, and he avers that she was the child of Elbert Dawson, who was admitted to citizenship in the year 1883, the certificate of his admission being more particularly described in the testimony. And the names of his children, Sarah A., Martha A. and Claud A appear upon the census rolls of 1896: He presents satisfactory proof as to the birth of his two younger children, Edgar Dawson and Thomas M., whose names do not appear upon the census roll of 1896.

The applicant applies for enrollment as an intermarried citizen, and presents satisfactory marriage liscence, showing that he was married to one, Zona Dawson, a Cherokee citizen by blood, shown to be the child of Elbert Dawson, who was admitted to citizenship in the year 1883. The parties herein are identified according to the page and number of the rolls as indicated in the testimony, and satisfactory proof has been made as to the residence of the said applicants.

Comes the Cherokee Nation, by its represenatives, and protests against the enrollment of Zona Patterson, nee Dawson, as a Cherokee citizen by blood, because of the fact that her father was admitted to citizenship by fraud; also because of the fact of her not having moved to the Cherokee Nation a sufficient time after the admission of her father to warrant her citizenship: Consequently, final judgment as to the enrollment of the said Martin L. Patterson, his wife Zona Patterson, and his children, as enumerated in the testimony will be suspended, and their names will be placed upon a Doubtful Card.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Subscribed and sworn to before me
this 27th day of September, 1900.

COMMISSIONER.

Chero. D-435.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., April 8, 1902.

In the matter of the application of Martin L. Patterson for the enrollment of himself, wife and children as citizens of the Cherokee Nation.

Francis Marion Dawson, being sworn and examined by the Commission, testified as follows:

Q What is your name? A Francis Marion Dawson.
Q How old are you? A Soon will be sixty.
Q What is your postoffice address? A Afton now; it was Oaeuma.
Q Are you acquainted with Zona Patterson, the applicant in this case? A Yes sir.
Q Did you know her father? A Yes sir.
Q How is he related to you? A Brother.
Q Did you know her Mother? A Yes sir.
Q What was her name? A Jane, a white woman.
Q Is she living or dead? A She is living.
Q Do you know when she and Milbert Dawson were married? A Before the war; I don't remember the time; they had two children at the time of the war.
Q Were you present at the marriage? A I wasn't present; they came to my fathers from their fathers. They were about three miles apart.
Q They were married at her father's house and came directly to your father's house? A Yes sir, the next day.
Q Did they continue to live together as husband and wife all the time until the time he died? A Yes sir, all the time.
Q They were recognized throughout the community as man and wife?
A Yes sir, they raised a large family of children.

—o—

I, the undersigned stenographer to the Commission to the Five Civilized Tribes, do hereby certify that I recorded the proceedings in this case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

R.

DEPARTMENT OF THE INTERIOR.
Commission to the Five Civilized Tribes.
Muskogee, Indian Territory, October 4th, 1902.

In the matter of the application of Martin L. Patterson for the enrollment of himself as a citizen by intermarriage of the Cherokee Nation and for the enrollment of his wife, Zona Patterson, and his children, Sarah A., Martha A., Claud A., Edgar D., Thomas M. and Virgil V. Patterson, as citizens by blood of the Cherokee Nation.

Supplemental to D-435.

Appearances:

Applicant appears in person.
Cherokee Nation by J. C. Starr.

MARTIN L. PATTERSON, being duly sworn, testified as follows:
Examination by the Commission.

Q. What is your name? A. Martin L. Patterson.
Q. What is your age at this time? A. 45 years.
Q. What is your post office address? A. Afton.
Q. Are you the same Martin L. Patterson for whom application was made to this Commission for enrollment as an intermarried citizen on September 26th, 1900? A. Yes, sir.
Q. What is your wife's name? A. Zona Patterson.
Q. Is she a citizen by blood of the Cherokee Nation?
A. Yes, sir.
Q. Is she living at this time? A. Yes, sir.
Q. When were you and she married? A. Married in '90.
Q. 1890? A. Yes, sir.
Q. Married under a Cherokee license? A. Yes, sir.
Q. Have you filed the license with the Commission? A. Yes, sir.
Q. Were you ever married prior to your marriage to this wife?
A. No, sir.
Q. Was she ever married prior to ~~her~~ marriage to you?
A. No, sir.
Q. You are her first husband, she is your first wife? A. Yes, sir.
Q. Have you and she lived together all the time from the time you were married up to the present time? A. Yes, sir.
Q. Never separated during that time? A. No, sir.
Q. Never been married to any other woman since you married your wife Zona? A. No, sir.
Q. Living together on the first of September, 1902, as husband and wife? A. Yes, sir.
Q. How long have you lived in the Cherokee Nation? A. 19 years.
Q. Have you lived here all the time for the last 19 years?
A. Yes, sir.
Q. How long has your wife lived in the Cherokee Nation?
A. Came here in '85.
Q. And lived here all the time since 1885? A. Yes, sir.
Q. Are these children, Sarah A., Martha A., Claud A., Edgar D., Thomas M. and Virgil V., your children by your wife Zona?
A. Yes sir.
Q. Are these children all living at this time? A. Yes, sir.
Q. And have they lived in the Cherokee Nation all their lives?
A. Yes, sir.

JESSE O. CARR, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported the above entitled case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Jesse O. Carr

Subscribed and sworn to before me this 28th day of October, 1902.

T. B. Jones
Notary Public.

COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED

OCT 31 1902

ACTING CHAIRMAN

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
VINITA, I. T., SEPTEMBER 17th, 1900.

IN THE MATTER OF THE APPLICATION OF Francis Marion Dawson, wife and children for enrollment as citizens of the Cherokee Nation, and he being sworn by Commissioner, C. R. Breckinridge, testified as follows:

Q What is your full name? A Francis Marion Dawson.
Q What is your age? A I am fifty eight years old.
Q What is your Postoffice? A Oocoma.
Q What District do you live in? A Delaware.
Q Who is it you want to have enrolled? A Myself and family.
Q Your wife? A Yes, sir.
Q How many children? A Six.
Q Do you apply for enrollment as a Cherokee by blood? A Yes, sir.
Q Is your wife a Cherokee by blood? A No, sir; she is a white woman.
Q How long have you lived in the Cherokee Nation? A Since 1883.
Q Were you admitted by the Cherokee Commission? A Yes, sir.

The applicant presents a duly authenticated certificate of admission to citizenship, showing that on the 11th day of January, 1897, certain persons were admitted by the Commission on citizenship, and among them appears the name of F. M. Dawson.

Q That is your name is it? A Yes, sir.

This is recognized as satisfactory evidence of the facts stated.

Q Have you lived in the Cherokee Nation ever since your admission?
A Yes, sir; in Delaware District ever since.
Q Give the name of your wife? A Katie Dawson.
Q How old is she now? A Forty five.
Q Was she admitted with you? A No, sir.
Q Have you married her according to Cherokee law since your admission? A No, sir.
Q You have not remarried since your admission? A No, sir: it was not necessary.

The applicant presents a duly authenticated marriage license and certificate, showing that he was married to his wife, as stated by him, in 1880, by the Reverend R. W. Goudelock, in Carrol County, Mississippi, the license being issued by the Clerk of that County.

These papers are filed herewith.

Q Your wife was not admitted by the Cherokee Commission, when you were? A No, sir.
Q Or at any other time? A No, sir.
Q By act of the Commission or Council? A No, sir: she was placed on the rolls.
Q In the census rolls? A Yes, sir.
Q Give me the names of your children, please? A Lula.
Q How old? A Seventeen.
Q Next child? A Ray.
Q How old? A Fifteen.
Q Next child? A Jessie Jane.
Q How old? A Fourteen.
Q Next child? A Jacob Levy.
Q How old? A Ten.
Q Next child? A Hugh A.
Q How old? A He is eight I believe.

Q Next child? A Laura.
Q How old is that child? A She is four years old.
Q Is that all? A Yes, sir: six of them. I have others, but they are not at home.
Q Are they married? A No, sir.
Q Are they over age? A Yes, sir.

(1896 Roll, Page 461, #902, Francis Marion Dawson, Delaware.)
(1896 Roll, Page 509, #135, Katie Dawson, Delaware District.)
(1896 Roll, Page 461, #903, Lula Dawson, " "
(1896 Roll, Page 461, #904, Ray Dawson, " "
(1896 Roll, Page 461, #905, Jesse James Dawson, Delaware Dist't.)
(1896 Roll, Page 461, #906, Jacob Levy Dawson, " "
(1896 Roll, Page 461, #907, Hugh A. Donsmore Dawson, " "
(1896 Roll, Page 461, #908, Lorena Albertie Dawson, " "

Q Is this Lula or Luly? A Luly.

The applicant applies for the enrollment of himself, wife and six children:

Q Were these children all born since you were admitted into the Cherokee Nation? A Yes, sir.

The applicant is shown by the certificate of admission, cited in the testimony, to have been admitted to Cherokee citizenship, by the Commission on Citizenship, January 11th, 1883; he is identified on the roll of 1896, but the representative of the Cherokee Nation desires to make inquiry into the methods of that time, and for that reason, the application of the applicant will at present be placed on a "Doubtful Card." He has lived in the Cherokee Nation ever since his admission to citizenship. His wife was married to him under United States law, and was married prior to his admission: she has never been remarried according to Cherokee law: She has lived with him ever since his admission to citizenship, and she is identified on the roll of 1896. The application for her enrollment will be placed on a "Doubtful Card".

Their six children, as enumerated in the testimony are identified on the roll of 1896: They are living at this time, all having been born since his admission (Applicant's). These children will be placed with him on a "Doubtful Card". The applicant's marriageto the mother of these children is established by the marriage license and certificate filed herewith. If any additional papers, adverse are developed in this case, he will be given timely notice thereof.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

(Signed) R. R. Cravens.

Subscribed and sworn to before me this 18th day of September, 1906.

(Signed) C. R. Brookinridge,

Commissioner.

BEFORE THE MUSKOGEE COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the enrollment of T. T. Dawson and others as Cherokee citizens.

Petitions of sundry persons in behalf of the applicants for enrollment mentioned in the title, taken before me, Lewis T. Martin, a Notary Public in and for the Northern District of the Indian Territory, duly appointed, qualified and acting as such, at the office of C. B. Denison in the Gray-Halsell building, in the town of Vinita, Indian Territory, on Thursday the fourth day of October 1900, between the hours of one and a half o'clock p. m. and five o'clock in the afternoon of said day, in accordance with the agreement to take testimony, entered in to between the applicants by their joint motion, by their respective attorneys, which agreement is hereto attached.

T. T. Thompson, being produced by the applicants, being first duly sworn to testify to the truth, the whole truth and nothing but the truth, testified as follows:

DIRECT EXAMINATION BY C. B. DENISON:

Q State your name, age, residence and occupation?
A T. T. Thompson, 52 years old, I live near Vinita, Cherokee Nation, I am a farmer.
Q How long have you resided in the Cherokee Nation? A All my life.
Q Are you a citizen of the Cherokee Nation as now constituted?
A Yes, sir.
Q Upon what is that citizenship based, blood or otherwise?
A Blood.
Q What, if any official position have you held in the Cherokee Nation, and at what time?
A I was elected to the Cherokee Council in 1870 some odd, I don't remember the exact year, I was also on the Commission Court.
Q Do you remember when that was? A Some time in 1870 or 1871, somewhere there, it may have been earlier.
Q Did that Commission or Court have anything to do with admission to citizenship in the Cherokee Nation? A Yes, sir.
Q State, if you remember, how many members of that Commission or Court there were, and who they were besides yourself?
A There were three, Tehee, Told and myself, Tehee was President of the Court.
Q Where were the sessions of that body held? A Tahlequah, Cherokee Nation.
Q Did you have a Clerk? A Yes, sir.
Q Do you remember who that was? A D. W. C. Duncan.
Q Do you know whether the members of that Commission beside yourself, are living or dead? A Yes, sir, they are both dead.
Q Can you recollect how short period of time that Commission lasted?
A About two years I think, two sessions, and there was one session each year.
Q Were the sessions of that body held in Tahlequah, open to the public at all times when it was in session?
A Yes, sir.
Q Were the cases coming before that body heard in open session?
A Yes.
Q Witnesses examined orally? A Yes, sir.

Q Judgments of the Court or Commission pronounced in open session?
A In case of decisions I think they sometimes had secret sessions, but the judgments of the Commission were pronounced openly.
Q What you intended to convey by you answer to the former question was that after hearing the proof the Commission or Court deliberated in secret session upon the testimony taken before reaching a decision or announcing it? A After hearing all the testimony we went into secret session.
Q I will present you with a paper which the Notary will mark exhibit "A" and a copy of which he will attach to your deposition, and will ask you if with the exception of the certificate of record of L. Bragdon, Clerk, and John L. Adair Asst. Ex. Secretary, you recognize it as a paper you have ever seen before?
A I recognize the signature to it, but don't remember the instrument.
Q Which signature on that paper do you recognize? A My own.
Q That signature is in your own handwriting? A Yes, sir.
Q Do you know whether Th mas Tehee, president of the Commission could write in English or not? A No, I don't think he could.
Q How as to Alexander Wolfe, a member of the Commission?
A I don't think he could write either, I don't think either of them ever wrote except by touching the pen.
Q Have you, and are you familiar with the handwriting of R. W. D. Dawson, the Clerk of that Commission?
A Tolerably well, but it has been a long time since I saw any of it.
Q Will you look at the paper again and say whether you recognize his signature attached thereto?
A Yes, that is his signature to the best of my knowledge.
Q Do you preserve any personal recollection of the application before that Commission of F. M. Dawson and other members of the Dawson family, to be admitted as citizens of he Cherokee Nation by that Commission?
A I remember F. M. Dawson and his brother, that is about the only ones I remember.
Q The question was not as to the personal recollection of the individuals, but as to the claim being presented by the Dawsons for admission?
A Yes, there was such a claim before the Commission.
Q Can you state as to the citizenship of Thomas Tehee, whether he was a citizen of the Nation by blood or not?
A Yes, sir, he was always recognized as such, full blood besides.
Q What is your knowledge of Alexander Wolfe?
A About the same, he was also a full blood and recognized as a citizen.
Q Judge Thompson, if you possessed or had, or have now any knowledge of any corruption or bribery of the court or Commission, on any member of it by F. M. Dawson or any of the Dawson family or anybody connected with the presentation of their claim for admission, state it fully?
A None whatever as far as I was concerned, and I don't think there was the slightest of the Court.

CROSS-EXAMINATION BY W. T. HUTCHINGS:

Q You mean to say Mr. Thompson that your name attached to the transcript shown you is in your handwriting?
A Yes, sir.
Q That Mr. Dawson certified that this is a transcript of the decision in the case, he is mistaken, that is the original?
A No, I don't know, that may be the original, if that is not the original I did not sign it, if it is the original I signed it.
Q You state that the witnesses were examined orally before the Court, don't you know that in almost every case you took ex parte

of witnesses when those witnesses were not present?
we ruled exparte evidence out, as well as I remember.
you have any stenographer or anybody to copy the evidence?
n did all of the copying.
evidence copied and preserved?
r, I think it was.
was done with that evidence, where was any of it ever put?
it is at Tahlequah in the office of the Treasurer or

went into secret session did you have Mr. Duncan read
ence to you?
r, we went over the evidence thoroughly.
allow the applicants or their attorneys admission to
your secret sessions?

you got ready to render your decisions did you then send
applicants or their attorneys?
No, sir.
you rendered them in secret also, did you? A Yes, sir.
you any recollection who testified in the Dawson case, as
claim? A No, sir, I have not.
you any recollection as to who they claimed their Cherokee
were? A Yes, sir, they claimed the Rogers.
they claim relationship with any of the present families of
Rogers residing in the Cherokee Nation?

The applicant objects to this question as tending to elicit testimony wholly incompetent and irrelevant to the issue, and not cross-examination of this witness.

I don't know that they did, particularly.
How could your court determine when they claimed descent through some Rogers family, that that family was of Cherokee blood?

The applicant objects to the question upon the same grounds as their objection to the previous question.

A By the evidence they produced.
Didn't you make them prove that that family was well known and claimed to be connected with the Cherokee Nation, and were members thereof? A Yes.
Who was the attorney for the Dawsons? A Old man Houston Benge.
Could either Tehee or Wolfe speak English? A They could understand, but they never spoke English, they had an interpreter.
Did you ever talk to either of them as to whether they got through deciding this case? A No, sir.
How long were you considering the case altogether?
A I will not say as to that, I think we were on it two or three days, I think. I could not say positively now, they were a long time hearing testimony.
How many were only two or three witnesses examined all told, were there?

No, three I think, they had quite a lot of affidavits, we had to consider them.
Your court was a good while arriving at its conclusion after it was closed?
A It was a good while, I don't remember the exact time.

RE-DIRECT EXAMINATION:

Q Remember who the interpreter the Commission had during the Dawson case.
A Yes, Lewis, I forget his given name.

Q Do you know whether he is living or dead?
A I don't know, he seemed to be in bad health at the time we had the case up, I think they are all dead but me and Mr. Duncan.
Q What was he, a Cherokee by blood?
A He was considered a Cherokee by blood.
Q Do you know where he lived at that time?
A No, sir, he lived in the South part of the Nation though, I think in Sequoyah.

(Signed) T. F. Thompson.

Copy of Ex. "A" to T. F. Thompson's testimony.

CERTIFICATE OF RECORD.

United States of America,
Indian Territory,
Northern District.

I, Marshall L. Bragdon, Clerk of the United States Court in the Indian Territory, hereby certify that the instrument hereto attached was filed for record in my office the 9 day of March, A. D. 1893, at 10-30 o'clock A. M. and duly recorded in book C. Micl Record Mortg. & Liens, page 339,

Witness my hand and seal of said court at Muscogee, in said Territory this 16 day of March, A. D. 1893.

(SEAL)

M. L. Bragdon,

Clerk.

Transcript to which this is attached, endorsed on back as follows:

"No. 108, Robt. Dawson et al, VS the Cheroke Nation, Transcript of Judgment, Filed Mar. 9, 1893 10-30 A. M. Marshall L. Bragdon, Clerk.,

OFFICE OF COMMISSION ON CITIZENSHIP,
TAHLEQUAH, CHEROKEE NATION, JANUARY 11th, 1883.

No. 108

Robt. Dawson, F. M. Dawson, Elbert Dawson, Jasper Dawson, John Dawson, Josephine Dawson, Joseph Dawson, Jane Dawson, Molly Dawson, Wilbron Dawson, James Dawson, Rial Dawson,

VS,

The Cherokee Nation.

And now on this, the 11th day of January, A. D. 1883, this case coming on for final hearing and all the evidence produced in the case being carefully read and duly considered by the Commission, it was adjudged and determined by the Commission on Citizenship, that the claimants, Rob't Dawson, F. M. Dawson, Elbert Dawson, Jasper Dawson, John Dawson, Josephine Dawson, Joseph Dawson, Jane Dawson, Molly Dawson, Wilbron Dawson, James Dawson, and Rial Dawson, are Cherokees by blood: and that they are entitled to all the rights and priviliges of Cherokee citizenship within the Cherokee Nation, and that they should be, and they should be, and they are hereby

admitted to the full and complete enjoyment of the same in all respects as native born Cherokees.

D. W. C. Duncan, Clerk of Commission.) Thomas Tehee, President of Com.
Alex Wolf,) Commissioners.
T. F. Thompson,)

I hereby certify that the above is a correct transcript of the decision of the Commission on Citizenship in the above entitled case as appears of the record in my office.

D. W. C. Duncan,
Clerk of Commission.

January 11th, 1903.

Executive Department,
Tahlequah, Cherokee Nation,
January 11th, 1903.

I hereby certify that the within named Commission on Citizenship, composed of Thomas Tehee, President, Alex Wolf and T. F. Thompson, are now and were at the time the within named persons were admitted to Cherokee Citizenship, a duly authorized and Commissioned Commission on Citizenship, and that their actions as such are legal and binding.

Witness my hand the
Witness my hand and the seal of the Cherokee Nation, on the date above written.

John L. Adair,
Asst. Ex. Secretary.

United States of America,
Indian Territory,
Northern District,

I, Lewis T. Martin, a Notary Public in and for the Northern District of the Indian Territory, duly appointed, qualified and acting as such, do hereby certify that the above and foregoing two pages, consisting of this one and the preceding one which is attached hereto, is a true, complete, and perfect copy of the transcript of the judgment of the Commission on Citizenship as the same was presented to me during the examination of T. F. Thompson as a witness, and identified by me at the time by writing thereon [illegible] his testimony of T. F. Thompson, L. T. M. - N. P. Oct. 4, 1900. The foregoing copy having been carefully compared by me with the said original.

Given under my hand and seal of office as such Notary Public, this 4th day of October, A. D. 1900.

(Signed) Lewis T. Martin.

Notary Public.

My commission expires Feb 3rd. 1903.,

D. W. C. Duncan being produced by the applicants after being sworn to testify to the truth, the whole truth and nothing but the truth testified as follows:

DIRECT EXAMINATION BY C. B. DENISON:

Q Please state your name, age, residence and occupation?
A My name is D. W. C. Duncan, my age is 70 years, my residence is Vinita, Indian Territory, my occupation is a farmer.
Q How long has that been your place of residence? A Since 1874.
Q Are you a member of the Cherokee Nation as it is now constituted?
A Yes, sir.
Q Upon what is your citizenship based, a Cherokee by blood?
A Yes, a Cherokee by blood.
Q In January 1883, did you hold any official position in the Cherokee Nation, if so, what was it?
A About that time I held the position of Clerk of the Citizenship Court or Commission.
Q If you remember the names of themembers of that Commission or Court, please give them?
A The President of the Commission was Tehee I believe, and a member by the name of Wolfe whose first name I do not recollect, and Mr. Thompson here.
Q T. F. Thompson?
A Yes.
Q Do you know whether those three members of that Commission were recognized citizens of the Cherokee Nation, and whether their citizenship was based upon blood or not?
A They were supposed to be citizens of the Cherokee Nation and their citizenship was based upon their blood.
Q Will you please look at the paper now handed you which the Notary has marked exhibit "A" to the deposition of Mr. T. F. Thompson, and a copy of which he will attach to Mr. Thompson's depositions, and state whether with the exception of the certificate of H. L. Bragdon, Clerk, and of John L. Adair Asst. Ex. Secretary, you recognize the paper as one you have ever seen before?
A Yes, I think I have seen this before.
Q When, and where, if you remember, did you first see that paper?
A This is a paper I drew up at the time I was acting as clerk of the said Citizenship Court.
Q Looking at its date, was it drawn at you at the time it bears date?
A To the best of my recollection it was drawn at the date specified.
Q Do you recognize the signature to the certificate attached to that paper?
A Yes, that is my signature.
Q State if you know, in whose handwriting the body of the paper is?
A It is in my handwriting.
Q And at that time you were Clerk of that Commission? A Yes.
Q Will you please look at the signatures of the members of the Commission as they appear on that paper, and state if you can, by whom they were written?
A I think the first two is my handwriting, the last I recognize that as T. F. Thompson's.
Q Explain please, how you came to write the signatures of Thomas Tehee and Alex Wolfe to that paper?
A Thomas Tehee and Alex Wolfe were full bloods and could not write, and in their presence, and at their request I wrote their signatures.

that the usual manner of certifying to the action of the
given to applicants as to the decision of their application
citizenship, where admitted?
instances here it was necessary for the Court to sign
any kind it was adopted by that Court for the Clerk
Tehee's and Wolf's names and T. F. Thompson to sign his

didn't catch exactly my idea, but perhaps that answered it,
intended to call you attention to, was whether when
had been admitted to citizenship a paper of this kind
you, signed by the judges as you have explained, and
by you as a transcript of the proceedings was issued?
recollection is that a transcript of the judgment was issued
applicant when they were admitted at their request, the
went red upon the record when they were admitted and
the judges, and whenever the transcript was delivered
applicants I think it was signed by the judges.
had any knowledge at the time the application of the Dawson
F. M. and others whose names are mentioned in that paper,
pending before that Commission, or before or after, of any
ruption or bribery, or attempted corruption or bribery of the
or any of its officers, by F. M. Dawson, or any person connected
manner with the claim of the Dawsons to citizenship in the
Nation, state it fully?
never heard a thing of the kind, I know nothing of the kind,
have ever heard about a question of that kind is what has
recently, since the enrollment business has been
mentioned

CROSS-EXAMINATION BY W. T. HUTCHINGS:

you certify, this paper was a transcript of the record,
have the judges sign it?
know no reason further than that was the practice at that time,
person of the Court being present I presume it was thought
be as good or better than the signature of the Clerk.
that signature of Mr. Thompson, examine the first T in
and the T in Tehee's name and see if it is not all your
writing?
would not call that mine, there is a resemblance between
but I am satisfied it is a mere fortuity, accident.
the evidence taken in those cases?
taken by the witness being present and detailing his
of the case, I wrote it down sentence by sentence as it
said.

whether that evidence is in existance or not?
, the last I saw of it was when I turned the records
Executive office at Tahlequah, and I have not seen it

may you never heard any talk about this being an improper
until very recently?
that would depend upon what you mean by recently, I don't
ever heard of it prior to three years ago, I can safely say -
not.

Q Do you remember through what ancestor they claimed their right to citizenship here?

Objected to by applicants because the question tends to elicit testimony which is wholly incompetent and irrelevant, and because it is not proper cross-examination.

A They claimed their right of citizenship through a man by the name of Rogers, I don't recol ect his first name.
Q Do you know how many Rogers families there are who have citizenship in the Cherokee Nation?
A I do.

(Signed) D. W. C. Duncan.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT,

I, LEWIS T. MARTIN, a Notary Public in and for the Northern District of the Indian Territory, do certify that the foregoing depositions of T. F. Thompson and D. W. C. Duncan were taken before me at the time and place and in the action mentioned in the caption, and said T. F. Thompson and D. W. C. Duncan, having been first by me sworn that the evidence they should give in this matter should be the truth, the whole truth and nothing but the truth, and that their statements were reduced to writing by me on the typewriter in their presence; the claimants being present in person and by their attorney G. B. Denison, and the Cherokee Nation being represented by W. T. Hutchings Esquire its attorney,.

Given under my hand this 4th day of October, A. D. 1900.
(SEAL)

(Signed) Lewis T. Martin.

Notary Public.
My commission expires 2/3/1902.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., April 8, 1902.

In the matter of the application of Francis Marion Dawson et al for enrollment as citizens of the Cherokee Nation,. He being sworn and examined by the Commission, testified as follows:

Q What is your name? A Francis Marion Dawson.
Q How old are you? A Soon will be sixth years old.
Q What is your postoffice address? A Afton now, it used to be Oseuma.
Q What was the name of your wife? A My first wife was Julia Ann Howard.
Q She was a white woman? A Yes, sir.
Q When were you married to her? A I think it was the 8th of January, 1864.
Q Where were you living at that time? A In Arkansas.
Q Who married you? A A man by the name of Dave Sturdy.
Q Was he a preacher? A Yes, sir.
Q A Minister of the Gospel? A Yes, sir.
Q Did you and she live together as husband and wife up to the time of her death? A Yes, sir.
Q Did you have any children by her? A Yes, sir.
Q What are their names? A William R. Dawson.
Q The next one? A Francis Marion Dawson Jr.
Q The next one? A Johnnie.
Q The next child? A Elizabeth.
Q The next one? A Arizona Allred.
Q Those are all the children you had by your first wife? A Yes, sir.

Joseph R. Dawson, being sworn and examined by the Commission, testified as follows:
Q What is your name? A Joseph R. Dawson.
Q How old are you? A I will be 51 the 13th day of June.
Q Are you related to the applicant here in this case, Francis M. Dawson? A Yes, sir.
Q How are you related to him? A Brother.
Q Did you know his former wife, Julia? A Yes, sir.
Q Is she living or dead? A She is dead.
Q Was she a Cherokee or white woman? A I couldn't say what; She they married in the states.
Q Do you know when he was married to her? A Yes, sir.
Q When was it? A About the close of the war.
Q Who married them? A Parson Sturdy.
Q Were you present when they were married? A Yes, sir.
Q Did they continue to live together as man and wife up until the time his wife Julia died? A Yes, sir.

John K. Stevens, being sworn and examined by the Commission, testified as follows:
Q What is your name? A John K. Stevens.
Q How old are you? A 56 years old.
Q What is your postoffice address? A Afton.
Q Are you acquainted with the applicant here in this case, Francis M. Dawson? A Yes, sir, as we call him, Paud Dawson.
Q How long have you known him? A My first acquaintance with him was in '61.
Q Did you know his first wife, Julia? A Yes, sir.

Q Do you know whether or not they were married? A Yes, sir, they were married.
Q Were you present at the marriage? A No, I wasn't present at the marriage.
Q Did you see them soon after their marriage? A Yes, sir.
Q Did you continue to know them for any length of time afterwards? I knowed them as long as she lived.
Q During the time you knew them did they live together as husband and wife? A Yes, sir.
Q Were they recognized in the community as such? A Everybody recognized them.

This testimony will be filed with and made a part of the record in the following Cherokee cases:
Arizona Allred et al D-635, John Dawson, D-580, William R. Dawson D-581, Lizzie Dawson D-584 and Francis M. Dawson Jr. D-588.

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I, the undersigned stenographer to the Commission to the Five Civilized Tribes, do hereby certify that I recorded the proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

(Signed) E. C. Rothenberger.

Supl.-C. D. #324.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 17, 1902.

SUPPLEMENTAL TESTIMONY in the matter of the enrollment of FRANCIS M. DAWSON, ET AL., as citizens of the Cherokee Nation:

The case having been set for final hearing March 17, 1902, the following proceedings were had:

APPEARANCES:
Mr. A. S. McKennon, of counsel for applicants;
Mr. W. T. Hutchings, of counsel for Cherokee Nation.

Mr. Hutchings: Comes now the Nation on the calling of this case and announces that it is ready for trial, provided permission is given to hereafter examine before the Commission, either at this place or Fort Gibson, the witness S. H. Benge, who has been regularly summoned to attend at this day and time but who is too sick to travel at this time and probably will be for some time to come. As evidence of a good faith of the Nation we hereby present an affidavit of the facts sought to be proven by the said Benge. If the applicant's counsel are willing to concede that the witness if present would testify to the facts herein set forth, the Nation is ready to proceed to trial without reservation of any kind. If they are not it desires to reserve this privilege of hereafter, either tomorrow or otherwise, this case being set for to-day and tomorrow, of examining before the Commission, or its authorized officer, this witness as above set forth.

Mr. McKennon: Applicants object to the introduction of the paper presented and do not admit that the witness, Samuel H. Benge if present would testify to the facts therein stated. They consent and desire that the testimony of said Benge be taken before the Commission at its office in Muskogee but not elsewhere, and protest against it being taken at any other place, with the understanding, however, that when taken we have opportunity to introduce any evidence we may desire in rebuttal.

Mr. Hutchings:
The Nation will pay all the expenses of the opposing Counsel, their client and Commission officers in taking the deposition at Fort Gibson.

Commissioner Breckinridge: The allegations of this witness are material in their character and are quite tangent. The Commission of its own volition would acquire information of that character if it knew of its existance anywhere. While the functions of the Commission, as well known are in many respects judicial, yet it is bodied with somewhat complex powers, such as Congress creates from time to time to do business of certain character, and it is ordered to make a correct roll, which is a duty largely independent of hearing simply what is brought before them; it must be the architect and constructor of that roll and if evidence is not brought before before the Commission it must go out and get it, to be uniform on that construction of the law. The Commission, therefore, desires this information independent of any counsel on either side both with respect to the applicant and to the Nation, and if this witness is

is not able to come one of the Commissioners will go to Fort Gibson and to his bed-side, or send a proper official, if necessary to take his testimony. The only matter to consider, therefore, is one of convenience with respect to getting this testimony. Now, I understand that this witness is an extreme sufferer from Bright's Disease he is an old man and he may never be able to get out of the house, and it may be an injustice to him to subject him to a trip here, and therefore it seems to me better that counsel for plaintiff submit to a form of taking a deposition or else accompany an official of this Commission over to Fort Gibson and let his testimony be taken there.

After consultation with the attorneys upon the two sides it is found to be agreeable that the parties start to Fort Gibson tomorrow morning at half past eight o'clock, and it is agreed then and directed with an official of the Commission with a stenographer leave from the office of the Commission for Fort Gibson at 8:30 tomorrow morning.

FRANCIS M. DAWSON, the applicant, re-called for additional cross-examination on part of the Cherokee Nation:

MR. HUTCHINGS:

Q What is your name? A Francis M. Dawson.
Q Where do you reside? A In Afton.
Q You have been examined in this case heretofore, have you?
A I don't know which case it is.
Q In your own case? A Yes, sir.
Q And you the one that is commonly called Bud Dawson? A Yes, sir.
Q You made the original application in the Dawson family for admission to citizenship in the Cherokee Nation, didn't you? A. sir; my brother.
Q What was his name? A A. E. Dawson.
Q You and Robert Dawson and Elbert Dawson and others [illegible]
[illegible] 24, '81, about that time? A Yes, sir.
Q And you were admitted about the 11th of January '83? A Yes, sir.
Q There were other members of your family that applied [illegible] admitted after that time? A Yes, sir.
Q Do you or not remember the evidence offered in their [illegible] into the cases was the relationship between yourself [illegible] and others and the evidence of your admission by the Tehlequah Court. In all the subsequent admissions I mean the only evidence of [illegible] the fact that you and your brothers had been admitted before that they were kin to you; what was the only evidence of [illegible] any subsequent cases, wasn't it; so far as you know?
Q That is afterwards?
A Yes, afterwards? A I think there was some other evidence introduced.
Q Don't you know that there was never any evidence of any kind in any other case except evidence of Dr. Baker of Arkansas? A No, sir.
Q Who else? A Oliver Miller.
Q Who was Oliver Miller; the records in this case have been examined and approved [illegible] mutilated? A Oliver Miller [illegible]
Q What was he, who was he? A He is a kin to me [illegible]
Q Well, what station in life did he occupy; was he a farmer?
A Yes, sir, farmer.
Q Were you present when he testified? A Yes, sir.
Q Were you present when Dr. Baker testified? A Yes, sir.

Q Have you a fair recollection of the testimony of those two men?
A No, not at all.
Q You don't read do you, Mr. Dawson? A No, sir, I dont read nor write; I can barely write my name.
Q Do you think you would remember the testimony of Dr. Baker if your mind was refreshed on it? A Part of it I think.
Q Were you present when you were admitted? A I was not in the room.
Q You were in Tahlequah at the time? A I was in the town of Tahlequah at the time.
Q I will read this paer to you and desire for you ro say whether or not it was the testimony of Dr. Baker in your case:
(Affidavit of Dr. Arthur Baker read to witness, and asked to be copied in the record later.)
Q Is that the correct transcript of the testimony? A It has been so long ago, I could not say; a part of it is, I could not remember it all.
Q Does that state the facts as to the family history correctly so far as you know about it? A So far as I know.
Q Now, you were a son of what Dawson? A Robert Dawson.
Q How many children did Robert Dawson have, and give me their names?
A Elbert Dawson, the oldest; Lila, Jesper, Francis Marion-
Q That is yourself? A Yes, sir; Elizabeth Dawson, Josephine Dawson, John Dawson, Joseph Dawson, Jane Dawson, James Dawson, Edna Dawson, Mollie Dawson, Wilburn Dawson.
Q Thirteen? (No response.)
Q Now, Rober Dawson's father was whom? A Sam Dawson.
Q Who was Sam Dawson's wife, your grandmother? A I have been told.
Q My family history is all you know? A She was called Polly Dawson.
Q Who was Anna Pruitt? A I don't know.
Q Never heard of anybody in the family by the name of Anna Pruitt? A No, sir, that was away back in the old country; I have heard talk about it, old Dr. Baker talked about it.
Q Your grand-mother's name was Polly Dawson? A Yes, sir; I don't remember seeing her but once, she died when I was small, died in Texas.
Q Pollie Dawson? A Yes, sir.
Q Ans she was known to be Pollie Rogers, her maiden name? A Yes, sir.
Q Daughter of Captain John Rogers? A Yes, sir.
Q Now, she died in Texas what time? A I don't remember.
Q Can't you guess at it? A Oh, I could guess.
Q Give your best recollection? A About '58 or '59, or no, '46 or '49; I don't say positive, just guessing at it.
Q How old a boy were you then? A I was born in '42.
Q Have you any distinct recollection of her? A No, sir.
Q Have you any recollection of all the children of Sam and Pollie Dawson; that is, your father, uncles and Aunts? I didn't see all of them.
Q Do you know by family history the names of all of them? A Yes, sir.
Q Will you give them to me?
A Betsy Ann Dawson, I believe her name was.
Q Did she marry a Petty? A Yes, sir; the next is Robert Dawson.
Q Your father? A Yes, sir.
Q Next one? A I think the next was James Dawson, and I think the next one was a girl, Edna Dawson.
Q Did he have two daughters? A Yes, sir.
Q Well sir? A The next one was Joe Dawson; I never saw him; Riley Dawson.

Q That is Samuel R. Dawson, Riley Dawson? A Yes, sir.
Q Any other one? A That is all I know anything about.
Q Did he have any child by the name of John? A Yes, Jack.
Q Didn't you get Jack misplaced with Joe? A No, it was Joe; I have heard my father speak of him.
Q Then they have seven children? A I never see them all.
Q How many of them did you ever see? A I see uncle Riley Dawson and James Dawson and Jack Dawson and Betsy Ann Petty; I don't think I saw but one of Pa's sisters and brothers, they went to Mississippi I think.
Q Do you know what your family history says that the mother of your grandmother, Pollie Rogers' name was? A We have no history.
Q Well, as it was brought down to you; did you ever hear anybody say what your great grandmother's name was? A No, I don't remember.
Q Who is the other man, Oliver Hill that testified in your case? A He testified in James Dawson's case; he never testified in my father's case.
Q Well, didn't anybody testify in your case but Dr. Baker?
A Yes, sir, several other witnesses.
Q Who were they? A I don't remember; my mother got them witnesses around Tahlequah, old people.
Q Were you present? A No, sir.
Q You were only present when Dr. Baker testified? A Yes, sir.
Q Now, do you find any mistakes in Dr. Baker's statement there? A I could not say all of that was correct or not, part of it is correct.
Q What part is correct? A Why about knowing the family over there.
Q Who is Buck Dawson? A My brother.
Q What is his name? A He always called Mr. Buck, it is Albert, E. Dawson.
Q Who went with you the first time you went up to make application for citizenship do you remember? A With my brother.
Q The first time? A I met my brother in Texas.
Q Which one? A E. Dawson.
Q That is Albert or Buck? A Yes, sir.
Q You were living in Arkansas? A Yes, sir.
Q And he was living in Texas? A Yes, sir, and another one of these brothers, Dr. Dawson now:
Q Dr. Dawson now? A Yes, sir.
Q What is his name? A James.
Q And you three went there? A Yes, sir.

Mr. McKennon: Applicants by their counsel object to all the statement of the witness relating to the testimony introduced before the Cherokee Citizenship Commission, and the history of the family as detailed by him, because the same is incompetent and irrelevant, and cannot be used for the purpose of impeaching the integrity of the judgment of said Commission, or either of the Commissioners in admitting orphans of the Dawson family.

Commission: The objection of the Attorney for the applicants to the testimony above will be noted. The same will be filed and noted for what it is worth.

(Attorney for applicants waives examination.)

C. H. TAYLOR, being duly sworn, testified as follows on part of the Cherokee Nation:
MR. MCKENNON:

Q State your name? A C. H. Taylor.
Q Where do you reside, Mr. Taylor? A Near Coffeyville.
Q Were you an attorney before various citizenship Courts along in '01 to '8? in the Cherokee Nation at Tahlequah? A Yes, sir.
Q Were you attorney for F. M. Dawson commonly known as Bud Dawson? A Yes, sir.
Q Were you present at the taking of testimony in that case? A No, sir; I wasn't present.
Q Do you know who composed the court that decided the case at that time? A Yes, sir.
Q Who were they? A Tom Tehee and Alex Wolfe and Toby Thompson.
Q Do you know whether or not they were all there when the case was decided? A No, sir, there were only two of them present.
Which two? A Tehee and Wolfe.
Q Who was the Clerk of the Court at that time? A Mr. Duncan, D. W. C. Duncan.
Q Do you know what witnesses were used in the case of Bud Dawson? A No, sir, now I was the attorney in the case and the evidence had already been filed before the Court.
Q When were you made attorney? A I was only called in as an attorney at the— Well, Mr. Duncan came down there, and Mr. Bryant had the case and several other attorneys had the case and he employed me.
Q Did you record the evidence in this case? A No, sir.
Q Did you deliver any money? A Now, I was the attorney in the case and I don't think it would be right for me to make any statement.
Q Now, you have claimed your privilege, I ask that you answer the question? Did Dawson ever send you any money with the direction to pay it to either member of the Court or the Clerk of the Court, D. W. C. Duncan, and if so state the amount? A I had a heap of trouble over this matter.-

Commission: Just answer the question, Mr. Taylor.

A Then, the attorney I don't believe it is right for me to answer that question.

Commission: Do you refuse to answer? A Yes, sir.

Q Did the matter to which you object to testifying occur prior to the rendition of the decision admitting to citizenship or afterwards? (No response)

COMMISSIONER BRECKINRIDGE:

Do you desire to reply to the last question? A I don't think it is right; I was attorney in the case.

Mr. Taylor, do you object to answering that question? A Yes, sir.

You refuse to answer that question, do you? A I had rather not answer it.

Either answer it or say you won't answer it? A I had rather not answer it.

Mr. Taylor, you have answered a number of questions down to this point and it is at this point that you prefer to plead your privilege, as an attorney, do you? A Yes, sir.

Commissioner Breckinridge: The power in regard to these matters is lodged in the United States. The Court is clothed with special power with reference to matters which arise through this commission. Of course the Commission desires and the Government needs for the ends of a correct roll the fullest information possible, but it is subject to the limitation of law, and it is not for this Commission to decide of the law in a matter of this character with any authority as I understand it at this time, but to report the matter to the United States Court and let the Court pass judgment.

Under Section 21 of the Curtis law as it is commonly called Act of June 28th98, the Members of the Commission shall in performing all duties required of them by law, have authority to administer oaths, examine witnesses and send for papers and persons, and the court is clothed with authority to enforce obedience. The law having enumerated certain powers goes on to say so far as all others are concerned to enable said Commission to make rolls as herein required, and to punish anyone who may in any manner or by any means obstruct said work. Now, the Commission will report the facts to the United States Court and let the Court decide whether or not you are within your lawful privilege. It seems that you refuse to answer questions, or at least one question, which tends to establish as to whether or not you are claiming what what is commonly considered a matter of privilege--according to an authority referred to by an attorney, but the enforcement of an answer seems clearly to be a matter for the Court to deal with.

Q Now, Mr. Taylor, in regard to the last question asked you by Mr. Hutchings, one of the Counsel for the Cherokee Nation, I direct that you make answer, and if you refuse I shall report the matter to the United States Court: do you refuse? A Yes, sir.
Q Now, you have read to you, Mr. Taylor, the first of the two questions propounded to you by Mr. Hutchings, and which you declined at the time to make answer; viz: as to whether Mr. Dawson sent you money to pay to the Court or to any officials of the Court, it seems to come to the question as to whether there was any collusion between you and Mr. Dawson and any member of the Court; now, I understand that you refuse to answer that question upon the grounds that you were Mr. Dawson's attorney? A Yes, sir.
Q Now, I require that you answer that question, do you refuse?
A Yes, sir.
Q I shall also report that refusal to the United States Court as it seems to come under the provision of law, relating to conspiracy between you and Mr. Dawson which apparently considered a privilege matter, and you base your refusal now, not upon the ground that you are incriminating yourself, but that you were counsel for Mr. Dawson. I will report the matter to the Court and you will be informed at the time of any proceedings in the matter I caution you not to talk with Mr. Dawson or any of the applicants in this case.

Mr. McKennon: Applicants do not object and have not objected to the witness answering on account of his privilege as an attorney or for any other cause whatever, they only want to object to the incompetence and irrelevancy of the testimony, with the privilege of cross-examining upon any testimony given by the witness.

COM'R BRECKINRIDGE:
Q You still refuse having the consent of the attorneys in the case to make answer? A I will just ask your Honor to let the matter go over until morning.

Commissioner Breckinridge: It will rest until in the morning at its present status; it is after business hours now.

As for the objection made by Captain McKennon, Counsel for the applicant, it will be taken into consideration, but will not be granted at the present.
(The Commission adjourns until 1:30 P. M. to-morrow afternoon, March 13, 1902.)

Dept. C. L. #304.

Department of the Interior,
Commission to the Five Civilized Tribes.
Muskogee, I. T., March 18, 1902.

SUPPLEMENTAL TESTIMONY in the matter of the enrollment of [illegible] H. DAWSON ET AL [illegible] Cherokee Nation:

[illegible] Counsel for Applicants.
[illegible], Counsel for Cherokee Nation.

[illegible] sworn, testified as follows:

[illegible] H. Berry.
[illegible] Gibson.
[illegible] years old, going on 71.
Q Are you a citizen of the Cherokee Nation? A Yes, sir; Cherokee by blood.
Q State what official position you have held in the Cherokee Nation and what your general connection with the Nation officially in the past 40 years? A Well, I have held several; I have been Sheriff, Councilman, Senator, Delegate to Washington; had a hand in making the treaty of 1866, I am the only one living that signed that treaty; President of the National Council of different tribes of Indians.
Q Were you acquainted with F. H. Dawson, commonly called Bud Dawson? A Yes, sir; I knew him.
Q State you connection with and what you know about his citizenship case before what is known as the Thomas Tehee Citizenship Court? A Mr. Dawson come down, I was living down below here, he come and employed me to lend to his case and we went to Tahlequah, I believe and I ain't mistaken in [illegible] and filed his case there; we went several times and continued his case on for the want of evidence, and finally while we was up there we run across one old darkey by the name of Tush Rogers; we got his testimony and after we got that testimony we considered that it was sufficient to go into the trial with. [illegible] lived here at Fort Gibson, he was a horse trainer and [illegible] here; he claimed that he knew the Rogers and [illegible] after that we thought we had sufficient evidence we [illegible] to the Court for trial, and the Court [illegible] decision against Mr. Dawson [illegible] that "our case is dough", just made that remark, [illegible] and they rendered a decision in [illegible] evidence at all however; I [illegible] decision was then given in his [illegible] back from Tahlequah, why we got to talking [illegible] and I told him: "It was a pretty hard blow when they [illegible] decision against us." He said: "yes, but Duncan was [illegible] to read, but he received with five hundred dollars.
Q What position did Duncan occupy? A He was a Clerk of the Court.
Q Was Duncan an educated man or-? Yes, sir; he was an educated man.
Q Who were the members of the Court? A Tom Tehee, Alex Wolfe and [illegible] Thompson.
Q How many of these could speak English at all? A One.
Q Which one? A Thompson.
Q Who was the Attorney that represented the Nation in those cases? A Wyly Sanders.

[illegible] What was his given name? A Wilson Sanders; was it Wilson Sanders? A Wilson Sanders.

Q Was he an educated man, or could speak English well? A No, sir.

Q Did Mr. Lawson say anything about the matters having cost him a good deal of money? A He said it had cost him a right smart.

Q Any remark made on the way back about the opening up of the case, and if so, what? A He asked me if I thought the case was ever investigated eventially and I told him I didn't know.

MR. McKINNON:

Q You never a witness in the Dawson case, Judge, in any of the investigations that have been made since that time? A I don't know that you might call it a witness; that young man come to Tahlequah, and asked me to help him up there that the [illegible] going against him, him and his mother and all was about to [illegible] and I interceded and done what I could there before the [illegible]. I was not a witness but that is at I don't for him.

Q That was Mr. Graham, wasn't it? A Yes, sir.

Q Have you had conversations with Mr. Graham since that time about [illegible]? A Now, I might, I don't recollect, I might have had conversations with him.

Q Well, after the Dawes Commission began taking a census of the [illegible] and when they were about Sallisaw down here, did you have conversation with him here in Fort Gibson about the matter?

A Now, I just can't tell you; I have seen him on several occasions, but the conversations we might have had I can't state.

Q To refresh your memory I will ask you if he did not tell you that they were making a fight on the Dawson family and he wanted to know of you whether that judgment in favor of Robert Dawson's family was fairly rendered, and did you not then tell him that it was all right, that it was fairly obtained? A Not as I recollect of; all I know; that is as I have stated he talked to me in regard to his father, himself and probably his brothers and sisters, I don't remember how many there were, but he told me they were rejected, that is just the words he used.

Q When was it? A It has been sometime ago.

Q Was it in Fort Gibson? A Well, that is I saw him here in Fort Gibson, sometimes I saw him in Tahlequah.

Q Did he come here in Fort Gibson ask you particularly about the [illegible] judgment, as to whether it was fairly obtained or not? A [illegible] having a claim on the Dawson case, that is the

Q [illegible] principal Dawson family? A Yes.

Q [illegible] other written statement here made, when was this [illegible] (Referring to affidavit heretofore referred to.)

A [illegible] I reckon.

Q Who did take this? A Mr. Starr.

Q Was anyone present when this was taken? A No, sir.

Q Who have you told about this matter, Judge? A No one as I know.

Q [illegible] how it was that they knew that you know this?

A No, sir.

Q Have you ever made any statement? A Never made any statement that I recollect of except I might have talked with Scales, we had him talked about these cases a good many times; if I ever made a statement it was to Joe Ab Scales.

Q How did Mr. Starr know? A I could not tell you how Mr. Starr knew.

Q [illegible] alone here as a Notary Public? A He came alone here as a Notary Public. All he said when he come, he says "we understand that you know something in regard to these cases", I said " what cases," and he went to work and named Shoemake case and Dawson case.
Q And thereupon you made this tatement? A He said he wanted to [illegible] me.
Q Are you certain Judge that after the rendition of tht judgment [illegible] came back here to Fort Gibson with you?
A Yes, sir; we was together.
Q Let me ask you if it was not a very cold day when he came here [illegible] went over ahead of you and you went over to Tahlequah the [illegible] after he left? A My recollection was he and I [illegible]
Q [illegible] here together? A Yes, sir.
Q [illegible] leave you there and go back direct to Arkansas?
A [illegible] we came here together. If my memory serves me right. [illegible] mistaken but then I don't believe I am, because from [illegible] up here to my house, that is according to his state-
Q [illegible] much of it did they pay you? A I don't know as that is [illegible] with the case whatever the money they paid me.
Q [illegible] they pay you? A Paid me the money.
Q [illegible] it to you? A Dawson there and that fellow, young [illegible] paid me some.
Q Mr. Graham? A Yes.
Q At the same time? A Oh, no, he wanted me to intercede for him [illegible] Tahlequah and paid me to do something for him which I did.
Q I will ask you if Mr. F. M. Dawson here did not obtain two copies [illegible] the judgment one of which you sent in a letter in which you [illegible] to his brother living in Texas and that brother in Texas, the [illegible] they called Buck, didn't send you $50 that they paid you? A No, I never got a letter of Buck whatever you might call him, I don't recollect it and if I ever got a nickel from him I don't recollect it. [illegible] paid me what money I got from it. I don't know nothing [illegible] his brothers; he told me he had an uncle living over i [illegible], but not living down in Texas, I don't know about it.
Q [illegible] did he pay you the money? A Paid it here at home.
Q [illegible] you went out? A He paid me fifty dollars before we [illegible] and he said when we went up yonder he paid me fifty dollars more; [illegible] want to know what I got, I got one hundredn dollars.
Q [illegible] acting as his attorney in the case? A Yes, sir.
Q [illegible] many judges were there present when the judgment was rendered? [illegible] name?
A Well, sir, A Well, according to my recollect there was all [illegible], but if they were not all there, Tom Thompson was sick [illegible] at Wolfe.
Q Do you remember that they were all present? A No, I think [illegible] present though.
Q [illegible] was present at the ime? A Oh, I could not tell you, [illegible] several people in the house; could not tell you at all.
Q Were there several in the house the evening before the judgment [illegible] rendered against them as you say? A Yes, there were several in [illegible] house.
Q [illegible] several in the house when the judgment was rendered the next day? A I don't know how many there was.
Q Do you remember the names of any of them? A Why not exactly, [illegible] full bloods.
Q How long didyou remain out at Tahlequah on that trip?
A I guess I was there about three days.

Q Tending to this case alone, or did you have other cases? A no, sir.
Q Do you know of your own knowledge that the judges received any money (this question asked at the instance of Mr. Graham present) A I don't know whether the judges received nay or not.

---oooOOOooo---

I, J. O. Rosson, do hereby certify upon my official oath as stenographer to the Commission to the Five Civilized Tribes that I correctly recorded the testimony had this day in the above case, and that the foregoing is a true and complete transcript of my stenographic notes thereof.

(Signed) J. O. Rosson.

March 13, 1902. Commission convened pursuant to adjournment.

Appearances:
Mr. A. S. McKennon, of counsel for applicants.
Mr. W. T. Hutchings, of Counsel for Cherokee Nation.

C. H. TAYLOR takes the stand and continues his testimony.
BY MR. HUTCHINGS:

Q Mr. Taylor, you said you would consider the matter yesterday and let us know whether you would answer those questions today: have you decided what you would do about the matter? A Well, it is like this, of course I don't want to be held as in contempt of the Court.
Q You would be held in contempt and the other Court would make you answer? A That being the case of course I would make a statement.
Q Are you acquainted with D. W. C. Duncan, the Clerk of what is known as the Tehee Citizenship Commission Court? A Yes, sir.
Q Did you ever have any conversation with him about letting him know of the different character of cases that would come up before the Court that you knew of, whether they were good ones or bad ones? A No, the only thing that ever come up in that respect; he asked me if whatever large cases that would come up before the Court to let him know.
Q Did you have any talk with him about the Dawson case during the progress of its trial or before and ever introduced Mr. F. M. Dawson to him, or carry him to him? A I spoke to him when Mr. Dawson came to Tahlequah to see about his case, and he said that he would take the papers over to his room, the Dawson papers.
Q Did you see him again that night? A Yes, sir; after supper I went down to his room.
Q Did he ask you about the Dawsons or Dawson case? A He asked me where Dawson was.
Q Which Dawson are you referring to now, F. M. Dawson, known as Bud Dawson? A Bud Dawson.
Q Well, what didyou reply to him? A I told him that I thought he had gone to church.
Q Did you find Dawson after church? A Yes, sir, he told me to come and bring Dawson down and I did so; Dawson was in church.
Q You carried Dawson to him? A Yes, sir.

...conversation? A Only a minute.
...was said if any while you were present? A Mr. Duncan
... Mr. ... there is a hitch in your evidence."
... he said? A He said "if that was
... right," and I turned and went away,
"Gentlemen, I will go home."
... any other conversation or communi-
... that? A No, sir.
... yourself? A Yes, sir.
... directions the next morning about
... sir, he asked me to call it up the case.
... sir.
... offered? A No, sir;
... testimony offered.
... to call up the case? A Yes, sir.
... the next morning? A Yes, sir.
... of the Court were there present that
... two, two full-blood Indians.
... ? A Tehee could talk a little,

... sessions all the time or what is called
... I don't remember about
... the case was submitted to attorneys would
... out and they would determine the case.
... go out to that sort of executive session the
... on the Dawson case? A Well, we went out when the
... submitted.
... the decision rendered that morning in their favor?

... you of the decision of the Court? A Why, Mr. Dawson.
... whether he went out with you or was in there
... consideration of the case? A I think he went out with

... at any time thereafter receive any money, checks or other
... money from Mr. Dawson with direction to turn it in part
... D. Duncan, the Clerk of that Court? A Mr. Dawson
... dollars and said he would send the balance in a short
... he would send some more money in a short time.
... he send any more afterwards? A Yes, sir, in the
... or two weeks he send a hundred dollar check,

... direct you to do with it? A He directed me to give
... half of it.
... A Yes, sir.
... your time after that? A Well, in
... he sent me a hundr d dollars more.
... any of that and if so how much, to
... to give him half of it,
... it? A I did, sir.
... Mr. Arthur Baker was the principal
... behalf of the Dawson case? A No, sir, I don't because
... any connection with the case, but I heard that he was
... case.
... argument was made when you submitted the case? A No, sir.
... submitted it on the testimony? A Yes, sir.

MR. McKENNON:

... a citizen of the Cherokee Nation? A Yes, sir.
... born and reared in the Cherokee Nation? A No, sir;
... to live in the old Nation.

[illegible] A Come here in 1898.
[illegible] Cherokee Nation?
[illegible] haven't you?
[illegible] Fort Smith on charges in
[illegible] there
[illegible] to the jail
[illegible], and I
[illegible] it has been.
[illegible] case
[illegible] are the
[illegible] against the law in
[illegible], it was
[illegible] answering
[illegible] the main
charge. Clem Rogers went before the Court there and stated that I had got in at least three hundred families, that they were white people and not entitled to citizenship and that was the main trouble.
Q Well, now, was the charge based upon that or was it based upon your letters you sent out to other people? A That was the charge for using the mail for fraudulent purposes.
Q The use of the mails for fraudulent purposes not in connection with this case was it? A Not particularly of this case.
Q Then the trouble you had was the prejudice of Clem Rogers and others caused by your connection with the Dawson case; that is what you mean to say? A Yes, sir.
Q Why did you say because you were charged with an offense based upon [illegible] well, the prejudice grew out of this case.
Q Then, you had full conversation with the representatives of [illegible] as to [illegible] in this case, did you not [illegible] you came on the stand? A Yes, sir.
Q You had told them of these matters before you came on the [illegible] and you did? A [illegible] to be conscientious [illegible] when you came on the stand [illegible] scruples as to answering as to matters which arose between you [illegible] your client, and himself, in relation to this [illegible] matter and declined to answer [illegible] privilege as an attorney [illegible] A Yes, sir, I did [illegible] make a statement at [illegible] in the matter.
Q You had voluntarily made a statement to the representatives of the Cherokee Nation? A Yes, sir, I had stated to Mr. Hastings; he summoned me and I came down here but I didn't want to make a statement to him but he insisted.
Q He had no power to compel you to make that statement? A No, sir.
Q You could [illegible] A [illegible] considered did not hurt you, but when you came on the stand you were very conscientious about it? A I didn't want to make a statement at all unless I I would be put in jail here if I [illegible]
Q But you had stated that with the [illegible] by which they could ask you these questions when you [illegible] A I had told Mr. Hastings.

Q You knew when you gave him that information that you would be brought on the stand as a witness, did you not, by reason of that?
A No, I didn't know that I would be compelled to make a statement in the matter, a sworn statement.
Q You thought you would not be compelled to answer?
A I didn't think the law would compel me to make a statement.
Q Why then did you make a statement to him about it? A Oh, he was asking me about it, and I told him that I didn't want to make a statement, and I didn't for quite a while after I came down here.
Q When the enrollment division of the Dawes Commission was in Ardmore, in the winter of 1900, did you not there meet F. M. Dawson and did you not then and there say to him "I told Shoemake I would see him if he would employ me in his case and if he didn't I would whip him, and the same to you?" A No, sir; I said to him that I says that if there is not something done that I will likely be summoned against you and Mr. Shoemake both.
Q What did you mean by that? A Well, I just meant this, I just talked the matter with him to say what he wanted to do in the matter; I just spoke a word or two about it. I was going out of town just at the time.
Q Then you told him if something was not done you would be summoned as a witness against him; what did you mean by that? A Well, I just meant that the chances were that the Nation would summon me and not him.
Q What did you mean by the expression "if there was not something done" that you would be summoned as a witness?
A Well, I meant this, if I was re-employed in the matter if he was to have a case and I was re-employed I would not be required.

Q You could be required to make a statement as to declarations made to you by your client to you in one instance, but if a little more money was put up you could not be required to make a statement; is that what you mean? A I didn't think I could be forced to make a statement at all in the matter.
Q Why didyou make that expression to him "if something wasn't done you might be summoned as a witness" if you believed you could not be made to make a statement? A I meant if I was employed in the case.
Q If he would put up you would not testify? A That they could not force me to testify.
Q About the month of February, 1901, in the town of Wagoner, Indian Territory, did you not send your son to get Graham to come to the hotel at night, and did you not then and there say to Gid Graham; "Your people are on the doubtful list and if you will give me $500. I will make it all right and see that you are enrolled and if you don't I will see that you don't get on"? A No, sir; I got a letter from Gid Graham in which he asked me to certify that the case was all right and after I met him I told him that I could not do it, that the case was crooked, he then said to me, he says, "I will give you a hundred dollars", he says "will you take a hundred dollars," I said "No, sir." I didn't take any bid, that is I dddn't set any price with him.
Q You did not say to him then what I have embraced in that question now? A No, sir.
Q You did have a conversation with him about that time and at that place, did you not? A Yes, sir.
Q You say you didn't make any bid or set any price? A No, sir; he offered me a hundred dollars.
Q Why did you send for him to come to the hotel? A In answer to his letter.

Q Did you not, yesterday morning on the street in Muskogee, Indian Territory, in a conversation with W. H. Shoemake say to him: "You have made a great mistake in not keeping in your employment and to have the Dawsons and it will go hard with you and you will see it"? No, sir; I says to Mr. Shoemake, I says: "Who have you employed in your case," and he says "Judge Thomas and Mr. Owen." I said "It might have been a advantage to you if you had retained me in your matter;" "Well, he says "there was nothing wrong in my case" and I says "no, there is nothing wrong on earth in your case that I know of." He said all he wanted was justice and I said "I don't know a thing on earth against you," and I says "there is not a thing on earth wrong in your case as I know it and I think fairly and squarely and decided in your favor."

Q You said nothing to him about the Dawson case? A Yes, I said to him "it might have been well if the Dawsons had retained me in their case." I said "I am not out on the report of the Nation and I don't want to make it out to-day and I want if I can possible avoid it."

Q Was that before or after you talked with Mr. Hastings, the representative of the Nation? A It was afterwards.

Q You went to -- and if you had gone to do your duty you could have done it, could you not? A Yes, sir; if they had employed before I went I could.

Q Now, that if they had employed you before hand you would not have given this information to Mr. Hastings? A I would not be authorized, before the attorney.

Q And you propose to give this information: did you know that you had to give him any information? A Who do you mean.

Q Mr. Hastings. A I was because he asked me.

Q Well, had he authority to command you to do it? A No, sir; I don't know whether he did or not.

Q As a lawyer you know that he did not have authority to compel you to make a statement to him? A I told him that I was an attorney in the case and I didn't want to make any statement at all.

Q Why did you do it? A Well, he intimated to me it would go further. He said to me "I will not make this matter -- I will not use it;" that is, what I stated to him was part in confidence.

Q And he pledged you his word that it would not be used? A Well, told him I could make a statement in confidence, and that I didn't want to make a statement before the Court.

Q Well, that did he reply, as you said just now? A Oh, he says make the statement and then I told him--I regretted very much to do it, and I regret very much to make a statement here. I tried to avoid it yesterday.

Q You stated just now that he said it would not be used; did he say it or not? A Well, something to that amount; oh, he says it won't make any difference or so on, to that effect.

Q Now, don't you know that Mr. Hastings never intimate to you that the statement he was asking you to make would not be used? A Well, I didn't think that I could be forced to make a qualified statement before the Court here, because I thought my license would protect me in that matter.

Q Yet it did not protect you or prevent you from making a statement to the attorneys for the Nation? A No, sir.

Q Now, in this conversation with the one to which I before referred did you not ask him to again employ you and tell him if he would you would make it all right for him? A No, sir; I didn't say that; no, I said if he had employed me in the matter "maybe it would have been better for you." Now, he offered me when I was down here last week, he offered me five dollars to go down and tell the lawyers on the matter, I didn't go I was busy.

Q That was not your price? A No, no, I had nothing to say in his case that would be to his advantage; I knew nothing against him.
Q Now, then, you say that your were present on the morning that the judgment was rendered in favor of the Dawsons? A I was not in the Court house.
Q You were present in Tahlequah? A Yes, sir.
Q How long had you been at Tahlequah? A I was living there at that time.
Q Then were you first employed by them? A By Dawsons?
Q Yes, sir. A The evening before the case was tried.
Q You say that after he judgment was rendered Dawson handed you [illegible] A Yes, sir.
Q And told you to hand to Duncan? A No, sir.
Q What was your statement? A That he paid me $20 and says "I will send you some more in a short time, week or so.
Q And then he sent you $100? A Yes, sir.
Q And wrote you to give D. W. C. Duncan $50 of it? A Yes, sir.
Q And then sent you another $100 and told you to give him half of it? A Yes, sir.
Q How much did they pay you? A Well, that was the agreement, was that he would pay me $50 a family.
Q How much did he pay you? A I think there was $250; now I am not sure about the $50, but it appears to me like there was a $50 sent, and Mr. Duncan asked me, as well as I remember, says "have you got a letter from Dawson," I told him "yes, sir." It was either that or the $100, and he says "I would like to have some money", and I went to Stapler's and got it changed-- I won't be sure about it being $50 or $100--I went to Stapler's and got him to cash the check and give him his part of it.
Q How much did they pay you for your services? A That is all I got.
Q How much? A I think it was $100, $120.
Q What did you do for them? A Didn't do a thing only called up the case and submitted it; never read the evidence.
Q Submitted it without remarks? A Yes, sir.
Q And for that you say they paid you $120? A Yes, sir; $120.
Q Was Houston Benge present when that was done? A No, sir; I don't think he was.
Q Did you see him then at that time in Tahlequah? A I don't remember.
Q Were you associated with him in any manner in connection with the case? A No, sir.
Q You had a great deal of business of that character, have you before the Courts? A Yes, sir.
Q Were you paid like fees in other cases for like services?
A Yes, sir.
Q In many of them? A Yes, sir, good many.
Q All like cases? A Oh, citizenship cases.
Q When was it you were in jail at Fort Smith? A I don't remember; Mr. Pollette can remember, he was there, he was my attorney.
Q Was it about 1883? A It was somewhere along there, along in [illegible] somewhere.
Q That has been your principal business as a lawyer, has it not?
A Yes, sir.
Q You have never practiced much in any other way have you? A Very little.
Q Were you in the habit of working your cases through in the same manner in which you state you worked this through? A No, sir.

Q This was an exception was it? A I never worked this case through. I simply called the case up by request of Mr. Dawson. I read the evidence; don't know what proof there was in it; he just asked me to call the case up.
Q And he agreed to pay you $50 a family for doing that? A Yes, sir.
Q Was that what you required of him? A That is what he agreed to pay. I says "what will you give?" He says "I will give you $50 a family."

MR. HUTCHINGS:

Q At the same time that the attorney for the Nation was talking to you about the Dawson case he also made inquiries about the Shoemake case didn't he? A Yes, sir.
Q And you told him at that time before you knew anything about whether you would be made or compelled to testify that so far as you knew there was [illegible] you knew detrimental to the Shoemake case? A Yes, sir; that is true.
Q You told him at the same time that you not only expected to claim your privilege as an attorney in the case, but that you told him, Mr. Hastings, with the full belief that the Court would sustain your position? A Yes, sir.

Mr. McKennon: That is very leading.

Q Now, did you think that the re-employment, being the attorney in the pending case would strengthen your position or weaken it, when you spoke to Mr. Dawson? A What I thought in the matter was before ever I would be sworn out in the matter, a long time ago, that if I had been employed in the matter of course my position would have been such that I would not have been required or could not have been forced.
Q Did you think under those circumstances that Mr. Hastings would approach you about the subject? A No, sir; I don't think I would be forced to, having license to practice law.
Q Did Mr. Hastings tell you at the time that he was going to put you on the stand? A Yes, sir.
Q And let the Court decide? A Yes, sir.

MR. McKENNON:

Q Now, have you a license to practice in the United States Courts? A Yes, sir.
Q In the Territory? A Yes, sir.
Q And also in the Indian Courts? A Yes, sir; do you want to see them?

JAMES W. LEWIS, being duly sworn, testified as follows on part of the [illegible] Motion:

MR. HUTCHINGS:

Q State your name please? A J. W. Lewis.
Q James W. Lewis? A Yes, sir.
Q Where is your post office, Mr. Lewis? A Afton.
Q How old are you? A [illegible] years old.
Q What is your business? A I work at the tin business and gun work.
Q Do you know one James Dawson, the brother of F. M. Dawson and the other Dawsons? A I know the James Dawson.
Q That is the one I mean. Did you James Dawson? A Yes, sir; I know him.
Q How long have you known him? A Well, some four or five years, I guess.
Q How long? A Four or five years I think.

Q When did you come to the country? A I have been in the country 30 odd years.
Q Well, when did he come to the country, do you know? A Along about somewheres in eighty if I recollect right, might have been later than that.
Q How did you happen to get acquainted with? A He lived right close by me and I built a house for him.
Q Did you have any conversation with him at the time you built that house? A Yes, several different times.
Q About how he became a citizen of the Cherokee Nation, about the circumstances? A Yes, sir.
Q Did he make any statement to you about the use of money in getting his citizenship, and if so, state what he said?
A Well, he told me that it cost him $700 to get his rights.
Q Didn't tell you to whom he paid it? A No, he didn't and I didn't ask any questions.

LR. McKENNON:

Q How old was he at that time, do you know? A I do not know exactly, must have been somewheres near about 70 years old, he might have been older than that, I don't know.
Q He was a very old and feeble man? A Yes, he was old and feeble.
Q He seldom ever got out away from his house? A No, sir, only short distance.
Q When you first knew him he was that kind of man? A Yes, sir.

J. L. CLINKENBEARD, being duly sworn, testified as follows on part of the Cherokee Nation:

LR. HUTCHINGS:

Q State your name? A J. L. Clinkenbeard.
Q What is your post office address? A Vinita.
Q How old are you? A 56.
Q Were you ever an applicant for citizenship before the Tehee citizenship Court in Tahlequah? A Yes, sir.
Q About what time was that? A September '81, I think.
Q Did you meet there about that time, one Elbert or Buck Dawson?
A Yes, sir.
Q How did you happen to meet him? A He and I stopped at the same place, man's by the name of Sharbow.
Q You and he stopped there, did you, board there? A Yes, sir.
Q Well, did you have any talk about citizenship cases, yours and his? A
A Yes, sir.
Q Where did he state that he was from? A Texas.
Q Well, state what you can remember of the conversation between you from time to time about citizenship in the Cherokee Nation?
A Well, we were there on the same business and we talked about it at different times, and in talking about the evidence we had there I, of course, told him how many witness I had and what I could prove and so on, and he said that he didn't have but one witness, Dr. Baker from Arkansas, a man that was 85 or 90 years old, he said, and he hadn't come and said he was to have met him there, but he hadn't come.
Q Well, what did he say about the doctor's knowing anything?
A Well, he said he was 85 or 90 years old and didn't know straight up.
Q Well, did he say anything about giving him whisky?
A Well, he said he could give him four drinks of Arkansas whiskey and he would swear that black was white.

Q Did he say anything about what money would do in Texas or Indian Territory? A Well, in talking about the evidence, he said that reminded him that made the cases go down in Texas and he said "I come to get the lay of the land" and he says "I found out it goes here," or words to that effect.
Q Did he say what he had to spend on the question? A Well, he said that he could stand a thousand dollars on it and not be hurt very much; finally he said he could stand more than that.
Q What did he tell you what he thought about the necessity of witnesses anyhow? A Well, I don't know as he said as to that, but I understood from what he said that he thought money would beat witnesses.
Q Well, where did he go from there? A He and I left there together; he came to Muskogee by way of Fort Gibson and there we parted.
Q Did you ever see him after that? A I saw him about two years or something like that afterwards.
Q Where? A Vinita.
Q Did you refer to the citizenship matter? A I asked him how he come out and he said all right.
Q Was he deformed in any way this man? A He had a crippled hand or stiff finger; I don't remember just what it was now.

I.R. McKENNON:

Q Your first conversation with him was in '01 was it? A Yes, sir.
Q What time in '01? A September.
Q You were then an applicant for citizenship? A Yes, sir.
Q Have you admitted? A No, sir.
Q You are still an applicant? A No, sir.
Q You are still working to get in as a citizen of the Cherokee Nation? A No, sir; haven't quit it entirely.
Q What business are you in now? A I am running a dairy in Vinita.
Q When did you make these statements now to the representative of the Cherokee Nation? A Well, sir, I haven't; I saw Mr. Hastings I believe here last Saturday the first time.
Q How did they ever know that you had had these conversations with Mr. Dawson? A I don't know.
Q You don't know how they found that out? A No, sir.
Q You say you saw Mr. Hastings here last Saturday? A Yes, sir.
Q Now, did you approach him or did he approach you? A He approached me.
Q You know why? A No, sir; I suppose somebody I have told something at some time about this, I don't know when or who. I don't remember of having talked to anyone about it. I have saw Mr. Hastings for years.
Q Now, you say—now was that expression about his giving Dr. Baker three or four drinks of liquor? A He said the old man; he said that Dr. Baker, he was expecting him there and he didn't come, and he said he didn't care where he did or not; he said he was 85 or 90 years old; he said he didn't know straight up; said he could give him three or four drinks of Arkansas whiskey and he would not know black or white.
Q Now, he said that did he? A Yes, sir.
Q You are just as positive of that as you are of any other statement he made are you? A Yes, sir.
Q You say you next saw Dawson at Vinita? A Yes, sir.
Q How long afterwards was that? A About two years, I think something near that.
Q Did he move to the Territory? A Yes, sir he lived at Vinita at one time.

Q You speak about having a dairy business there at Vinita, to what extent? A I am only milking about four cows now, I sent the others to the country.
Q Do you run a dairy wagon there? A No, sir.
Q You serve on the jury a good deal? A I have been serving on the Petit jury there this winter.
Q Generally? No, sir.
Q Are you a kind of a professional juror? A No, sir; I was on the regular petit jury, I was on the regular panel a d served.

C. G. BRAUGHT, being duly sworn, testified as follows on part of the Cherokee Nation:

H. J. HUTCHINGS:

Q State your name? A C. G. Braught.
Q What is your age? A 62 29th day of last January.
Q What is your Post office? A Fairland.
Q How long have you been living in the neighborhood of Fairland? A Been living there 19 years.
Q Do you know one Bud Dawson or F. M. Dawson as his name is? A I do.
Q How long have you known him? A About 18 years.
Q How close do you live from him? A Half a mile of him.
Q Does he still own that place? A I think he does.
Q Were you an applicant for citizenship along about '81 or '2 at Tahlequah? A Yes, sir.
Q Did you have at any time a conversation with Bud Dawson about his and your citizenship cases? A Yes, sir.
Q State what he stated to you of citizenship cases in general and about his own in particular, you can state the time that you had these conversations as near as you can? A Well, I think it was in '83, he told me if I ever got in I would have to put up; he said it cost him $700 to get in; he said he paid one witness three hundred dollars.
Q Did he state the name of that witness? A No, he did not.
Q Who did he say he made arrangements with? A He said he made arrangements with the Court; that is, heads of families to get them in at one hundred dollars apiece.
Q Do you know what time of the year tht was, whether it was in the summer or not? A I think it was in June.
Q Did he make any other statements to you at any other time? A No, sir, I don't think he has in regards to that matter.
Q You have been living neighbors with him? A Yes, sir.

W. McKENNON:

Q You say this was about June of '83? A I think it was in June, 1883, I won't be positive whether it was June or not.
Q You were an applicant; were you admitted? A No, sir.
Q Have you been admitted? A No, sir.
Q You are still an applicant? A Yes, sir.
Q Still trying to get in? A Yes, sir.
Q Where was this conversation had? A Had at Bud Dawson's house.
Q What part of the premises? that is, in his residence? A Yes, sir.
Q In the house? A Yes, sir.
Q Who was present? A There wasn't anybody present; he just built the house and there wasn't anybody there.
Q Was there more than one room? A I won't be positive but I don't think there was but one room, log house.
Q Just one room? A Yes, sir.

Q And in that room he made this statement to you? A Yes, sir.
Q He and you are enemies are you not? A No, I don't think we are enemies.
Q You are not friendly at all? A Friendly part of the time, and part of the time we ain't.
Q Haven't you had considerable trouble about he lands between your farms? A No, sir; we ain't had any trouble.
Q Didn't you have his little boy arrested recently for a difficulty?
A Yes, sir.
Q And you say that you are not on bad terms with him?
A Why we speak, have conversation, have right right along all the time.
Q Is it not a fact now that you and he have been all the while at outs? A No, sir.
Q You don't have any unkind feeling towards him? A No, sir.
Q What were your other remarks? A I said no, sir, I didn't have any unkind feeling towards him.

(It being 4 o'clock, the Commission adjourns until 8:30 o'clock to-morrow morning.)

March 19, 1902.
Commission convened pursuant to adjournment.

Appearances:
Mr. A. S. McKennon, of Counsel for Applicants.
Mr. W. T. Hutchings, of Counsel for Cherokee Nation.

C. G. BRAUGH, re-called, further testified:

MR. McKENNON:

Q Mr. Braught, you were a claimant under the Watts family are you not? A Yes, sir.
(witness excused.)

CHARLES D. KENNEY, being duly sworn, testified as follows on part of the Cherokee Nation:
MR. HUTCHINGS:

Q State your name? A Charles D. Kenney.
Q What is your post office? A Dawson now.
Q Are you a citizen of the Cherokee Nation? A Yes, sir; supposed to be.
Q Recognized as such are you? A Yes, sir.
Q How old are you? A There is no family record, my parents died when I was young. I [illegible] at my age, I am somewhere between 44 and 45 years old.
Q Were you personally acquainted with one Elbert or Buck Dawson?
A I knew Buck Dawson when I saw him.
Q Did you know him in the state of Texas, if so state what time?
A I knew Buck Dawson, knew him and saw him at different dates in Texas.
Q Well, in the year '81 in Clay County, Texas, did you ever see him?
A It was in '81 or 82, I think I knew him in both years.
Q Did you ever have any conversation with him in the presence of Bill Smith, Miles Fleming and Joe Fleeton about his application for citizenship in the Cherokee Nation? A Mr. Dawson and [illegible] were talking in regard to [illegible] down there before me one time and

it was mentioned, I was going up on the strip and Buck Dawson says "he an Indian" and Jiles said "yes, he is an Indian", and "By God," I believe is the way he spoke, "if I was an Indian I would not be punching cattle, I would have stock eating my grass."
Q What did he say about making application? A He said he was going to the Chickasaw Nation and prove up and get him some grass.
Q Who was that? A Buck Dawson.
Q Well, did anybody suggest about his going to the Cherokee Nation? A Yes, sir, I told him, I says "why don't you go to the Cherokee Nation, why don't you go up home" I believe is the way I spoke it, "up amongst God's people," and he says "are they all white like you?" and Jiles spoke up and says "majority of them."
Q Well, what did he say to Jiles then? A He says "let's go up Jiles", just in a whole crowd of cow punchers, and Mr. Flippin says "Hell, I am going; brother John is getting ready to go now."
Q Well, then what did he say to you? A He says "Who are your best lawyers up there, Kenney," and I told him "Hooley Bell was pointed the wealthiest man in our country."
Q Well, do you know whether he claimed to have any Indian blood or what he was claiming in that country, whether white man or Indian? A No, sir, I could not say what he was; he was generally known there as Buck Dawson, a citizen of the State of Texas, that is all I know of him.

Mr. McKennon: The applicants object to all of the testimony of this witness because it is wholly incompetent and irrelevant.

Mr. McKennon:
Were you born a citizen in the Cherokee Nation? A I can't tell you where I was born; I was raised here part of the time and [illegible] County, Texas. B. F. Alberty was my guardian.
Were you admitted to citizenship by the Council or Court? A I [illegible] both of them passed on me; I can't tell you the date.
What tribunal first? A It was sometime in '80 though.
Were you permitted on, I was re-instated at Council.
What year? A I think it was in '87 or '88.
Haven't you been arrested for crime and charged with crime? A Well, I didn't know that I was on trial: I have been arrested a [illegible] times I guess from here to the Rio Grande.
What kind of offense? A For gambling, stealing; if I am on trial I have had lots of them, I have been on the road.
R. HASTINGS, of Counsel for Cherokee Nation:
Were you ever convicted? A No, sir.
Mr. McKennon: Applicant makes further objection to the testimony of this witness on account of his criminal character [illegible] by him.

[illegible] testified as follows [illegible] behalf of the Cherokee Nation:

R. HASTINGS:

State your name, please? A [illegible].
What is your post office? A [illegible]
What is your age? A 69.
Are you a Cherokee by blood? A Yes, sir.

Q Did you know one James Dawson? A Well, yes; I did; I have seen him time or two.
Q Were you in Tahlequah about the time he had an application before the Spears or Snake Fuzzy Citizenship Court? A Yes, sir; I was there about the time the case was settled.
Q Did you know Aaron Butler? A Yes, sir.
Q Who was he? A He was a Cherokee Interpreter for the Court.
Q Do you know James Smith? A Yes, sir.
Q Who was he? A He was the Nation's Attorney before the Court.
Q Well, did you about that time have a conversation with either Aaron Butler or Jim Smith in company with Mr. James Dawson? A Yes.
Q State the full particulars of it? A About that time this man Dawson and Butler came to me while they were all together, all three of them, and Butler came and called me off to one side, that was down at a colored church, it was after dark, and they called me off there and this man Dawson borrowed some money from me, he said he had to have it that night, his case was going to be submitted the next morning.
Q Well, did he say anything about whether he could get his case submitted if he had some more? A Well, from the language to me and Butler, he wanted this money; Smith had agreed to submit the case without further evidence in the matter.
Q Well, did you let him have the ten dollars? A Yes, sir.
Q Where did they go then? A They walked off up towards town.
Q Did they go together, those three? A Yes, sir.

MR. McKENNON:

Q Was that James Dawson, the leading applicant in that case?
A Yes, best of my recollection that was.
Q How old a man was he? A I don't know; I could not tell you; he looked, I don't know, he might have been--could not tell you just about how old he was.
Q Well, about how old was he, 25, 30 or 40? A Yes, he was older than that, from my judgment I guess he must have been 45 or 50 years old.
Q Is he living or dead? A I don't know.
Q Where have you been living? A I have been living down here near Tahlequah.
Q What was the man's name, Dawson's name? A Jim Dawson I think.
Q You are certain of that? A Yes, sir; I am pretty certain.
Q They came to you with Smith, the Prosecuting Attorney, and Butler, the Interpreter? A Yes, sir.
Q Dawson took you off to one side? A Butler took me to where Dawson was and introduced me to Dawson and vouched for Dawson being all right for the money.
Q When did you first make a statement of this matter to anybody?
A I guess--I don't remember when.
Q How long have you been in Muskogee this time?
A I have been here since, I was summoned here last Friday.
Q Did you ever make any statement to anybody about this before that time? A Yes, I talked to Butler about it.
Q When? A Oh, about, first I remember it was been about two years ago, and Butler was talking to me about it; it was at my house.
Q Were you born a citizen? A Yes, sir.
Q You weren't admitted to citizenship by the Courts or Council?
A No, sir.
Q You have been living in the Cherokee Nation all your life?
A Well, I was born and raised here; I haven't been here all the time; I have been out and in.

Q You have never seen that man Dawson since? A If I have I have never known it, but I seen him the next day.
Q You saw him and took a good look at him, and know about what kind of man he was? I saw him around there about several times.
Q You think he was about 35 or 40 years old? A That would be my guess at it, my recollection

Mr. McKennon: Applicants object to the testimony of this witness, all of it, because it is wholly incompetent and irrelevant.

DELIA A. BREWER, [illegible], testified as follows on part of the Cherokee Nation:
MR. HUTCHINGS:

Q State your full name? A My husband's name was C. P. Brewer, but generally I sign my name Mrs. D. A. Brewer.
Q What was your full maiden name? A Delia A. Vann; well it was really Delilah but I never was called by that name, it was De altogether in my young days.
Q What was your father's name? A His name was Joseph Vann.
Q Was he called by any nicknames and if so how many, and what?
A None but the Cherokees, the full-bloods called him Joe Aney.
Q What does that name mean when you talk English? A Rich Joe.
Q Did any of them call him Big Joe Vann? A I don't know; he was a large man; larger than the other Joe Vann.
Q There was another Joe Vann? A Yes, sir.
Q Did your father have any sisters and brothers? A He had quite a number of sisters.
Q Did he have a half sister? A Had two half brothers.
Q Did he have a half sister? A Had several half sisters.
Q Who did they marry? A Different persons; I knew the names of all of them but I have a bad memory, but I know that there was one, a Mrs. Ibbie Wolfe, and Mrs. Lamer, she was first a Mrs. Nicholson and she became a Mrs. Lamer and lived in Alabama and never come to this country, but she has grandchildren in this country.
Q Well, did any of your father's sisters or half sisters ever marry a Rogers? A No, sir.
Q Never had any Rogers kin-folks? A No, sir, I certainly would have heard of them through my family, there was a great many of the kin-folks I never saw, but I heard of them.
Q The Dawson case was talked of here for many years, they claiming kin?
A I never knew until I understood they claimed to be kin to the Vanns, and I flatter myself that my family was prominent enough that they never claimed kin.
Q They never claimed kin at all? A No, sir.
Q Did your father ever had a sister or half sister by the name of Willie, Anna or Alsey? A No, sir.

Mr. McKennon: Applicants object to all the testimony of this witness because it is incompetent and irrelevant.

SAMUEL TOLLIVER DAWSON, being duly sworn, testified as follows on part of the Cherokee Nation:
[illegible]:

Q State your name? A Samuel Tolliver Dawson.

Q What relationship are you to the Dawsons? A Well, I am not acquainted with none of these Dawsons, I guess I am cousin, that is what he told me.
Q Who was your father? A Samuel Riley Dawson.
Q What did you say your father's name was? A Riley Dawson.
Q Do you know what his full name was? A Samuel Riley Dawson.
Q What children had your father? A Why, he had got, you mean his first children or his whole family?
Q I want all of his children? A I don't know, I will have to think a while on them, there was nine or ten of them.
Q Just one or two of them I want to; is Mrs. Lewis your sister?
A Yes, sir.
Q Your full sister? A Yes, sir.
Q She was a daughter of S. R. Dawson, Jr.? A Yes, sir.
Q Now who were the parents of your father, Samuel Dawson?
A Why Sam Dawson was his father.
Q Sam Dawson was his father? A Yes, sir.
Q What was Sam Dawson's wife, if you know their family history, what your father said or what your grandfather said? A I have heard that she was a Pruitt, my father said; of course I don't know.
Q What was her given name? A Annie.
Q Did you ever see your grandfather, Samuel Dawson? A Yes, sir.
Q Saw him? A Yes, sir.
Q Do you know about how old he was when he died? A He was somewhere up about 90.
Q About how old were you when your grandfather died? A I don't remember exactly how old I was, I must have been somewhere near 12 years old when my grandfather died.
Q Was your father his youngest child? A Yes, sir.
Q Do you know about when your father was born? A Well, no, I don't, he died in '90 and he was 67 years old.
Q He died in about '90 and was about 67 years old when he died?
A Yes, sir.
Q And he was the youngest child? A Yes, sir.
Q Now, do you know how many children your grandfather had, that is brothers and sisters of your father? A I heard him say seven.
Q Well, did you ever hear your father or grandfather speak of whether or not your grandmother was a white woman or an Indian?
A Well, I heard my father speak about it, I don't know that I ever heard my grandmother say anything about it.
Q Well, what did he say about it? A I have heard him say his mother was not an Indian.
Q Did your father come here and apply for citizenship?
A Yes, sir.
Q You did? A I think so.
Q Do you know his name and statements about he ground he expected to get in? A He said his brothers had proved their rights here and all his brothers drew away rights he did, but I don't know.
Q Well, in that connection did he say whether his mother was an Indian or white woman? A Never heard him say that his mother was a white woman in speaking about that, I don't know whether he said anything about that or not; I have heard him say his mother wasn't no Indian.

Mr. McKennon: Applicants object to the testimony of this witness because it is wholly irrelevant and incompetent.

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(Taking of testimony continued by Stenographer M. D. Green)

...erely upon my official oath as ... to the Five Civilized Tribes that ... testimony and proceedings in this case, and ... complete transcript of his steno-

(Signed) J. O. Lawson.

...Lawson.)

..., I. T.

...

...

...

...son.

...uel Riley Lawson.

...Samuel.

...? So far as you know, Mr. ...

...ie Priett.

...you, was the son of Samuel ...

...Priett? A Yes, sir.

...Robert, and a brother ...

... I was told.

...? A Yes, sir.

... A Yes, sir.

... A Yes, sir.

...in? A Sister.

..., Samuel Lawson? A Yes, sir.

... A I, yes, I can

...

... A Yes, sir.

... I was, but we never went

...r, Samuel

...

..., did ... Indiana?

Q. You know whether in the family your grandmother was spoken of by the name of Annie, always? A Yes, sir.

BY MR. McKINNON: Applicants object to the testimony of this witness because it is wholly irrelevant and incompetent.

ALEX S. LEWIS, being first duly sworn and being examined, testified as follows:

BY MR. HUTCHINGS:

Q State your name? A Alex S. Lewis.
Q What is your post-office? A Dawson, Indian Territory.
Q How old are? A 59 years.
Q What was your wife's maiden name? A Elizabeth Parales Dawson.
Q Who was your wife's father and mother? A Her father was Samuel R. Dawson and her mother was the wife of Samuel R. Dawson, did you want her maiden name?
Q Well, if you know the maiden name of your wife's mother, state how you know it? A Well she was called Margarett, Margarett Queen was her maiden name.
Q The maiden name now of your wife's father's mother? A Why the maiden name of my wife's father's mother?
Q Yes, sir? A From what her husband and my father-in-law told me it was Annie Pruett.
Q What was the name of your wife's father's father? A My wife's grandfather on her father's side, Samuel Dawson.
Q And his wife's maiden name was Annie Pruett? A Yes, sir.
Q Did you know the old gentleman, Samuel Dawson, you wife's grandfather? A Yes, sir.
Q Personally? A Yes, sir.
Q What opportunities had you to get acquainted with him? A He lived with his youngest son, my father-in-law, and visited us, my wife and I, after we were married, at first with us quite a while; I lived near my father-in-law and we visited very often.
Q When did he die? A '74.
Q Have you any particular method of recalling that date? A Well, I was away from the house when he was taken sick, and they sent for my wife and myself, and so when I got home my wife had gone to her father's to see her grandfather, he was sick, and I remember my first wife was a baby at that time.
Q And when was your first child born? A He was born December, '73.
Q You know how old you wife's father was when he died? A Why he was up in 60, but I don't remember his age.
Q Did the old original Samuel Dawson ever tell you his age? A Yes, sir, several times.
Q How old was he at the time of his death? A He was passed 94.
Q Did he ever tell you whether or not his wife Annie Pruett had any sister or brother? A Told me she only had one brother named Bob Pruett.
Q Have any of the members of the family named their children after him? A Make it a little plain, it is a little long; my wife's oldest brother was a particular favorite of his grandfather, and he always took this boy with him everywhere, and he has named one of his,- oldest child for this brother-in-law who was a particular favorite of his grandfather; named it for him I understood.
Q How, what is his name? A Of course I don't know why he named it, but he gave him the name of Robert Pruett, and I understand it was on account of his grandfather thinking so much of Robert Pruett.
Q Did you ever hear the old Samuel Dawson speak of his brother-in-law? A Yes, sir; I have heard him say that he wished he knew what had become of Bob Pruett, he never had heard of him for a long

time; didn't know where he was, or whether he was alive or not.
Q Now, I want the children of Samuel Dawson and Annie Pruett, how many of them did you know, first? A How many did I know personally?
Q Yes, sir? A John James, and Samuel R. Those were the only ones of his children that I remember personally.
Q Well, remember what you know of the family, what other children did he have? A Well he had two girls, as I understand the family history, he had two girls, first, and John Dawson was the third child, and the oldest boy was John Dawson.
Q Was John Dawson the oldest boy? A Yes, sir.
Q Which was the oldest girl? What is she known by now? A I think it was Mrs. Petty, nee Bettie Dawson.
Q And John Dawson was the oldest boy? A Yes, sir.
Q And Samuel R. Dawson was the youngest boy? A Yes, sir.
Q You know anything about the time John Dawson was born, have you ever had occasion looking at it, the oldest boy? A Yes, sir, I know what the oldest son and his wife told me.
Q What was that? A They said he was born in 1811.
Q Who was his oldest son? A Toliver H. Dawson; told me his father was born in 1811.
Q Do you remember now whether the old man had occasion to say whether his wife, Annie Pruett was an Indian or white woman, or whether he said anything about it? A I know what the old man said that she was, I don't know that I ever heard the question approached in that way, I have heard him speak as to her blood, but it was in a different way that he reached it.
Q What blood did he say she was? A Well he said that she was the daughter of Mrs. Pruett, a white woman; and that her father was Captain John Rogers, a white man who lived with the Cherokee Indians, and traded with them.
Q Did he say who Captain John Rogers afterwards married? A Said he had a wife in the Cherokee Nation.
Q But that Annie Pruett was not her child? A No, sir, she was the child of Mrs. Pruett.
Q A white woman? A Yes, sir, that was the half sister of Bob Pruett.

BY MR. McKENNON:

Applicants object to all of the testimony of this witness, because it is wholly incompetent and irrelevant.

Q Whenever you apply for citizenship here? A Yes, sir; for my wife.
Q When? A My father-in-law made the application, I don't know exactly when it was, I think probably about '96, I couldn't say

to the date.
Q Before the Cherokee authorities? A Yes, sir.
Q Did he file an application before the Dawes Commission in 1896 also? A Him.
Q Yes, sir? A I don't think he did, no sir.
Q Did you? A I did.
Q On account of your wife? A Yes, sir.
Q Did you make affidavit to that application? A No, sir.
Q Who did? A I don't know, don't remember now.
Q You applied for your wife as an Indian by blood did you not? A Yes, sir.
Q Are you still an applicant? A No, sir.
Q Is she? A No, sir.
Q She was denied was she? A Yes, sir.
Q Was there an appeal taken from that? A Application was filed if I remember, before the Dawes Commission, and they rejected the case, and then I appealed it to the District Court, and it was rejected there and then I stopped.

Q Have you ever been arrested for any crime? A Yes, sir.
Q What? A Charge of murder.
Q Anything else? A No, sir.
Q Committed on the train? A Yes, sir.
Q In a train robbery? A Yes, sir, in a train robbery.
Q How long did you remain in jail? A Appealed the case to the Supreme Court and it was reversed and sent back, and I was acquitted on that charge.
Q That all the crime you were ever charged with? A Yes, sir.
Q Haven't you been having some trouble with the Dawson family? A Well me personally I have no trouble with any of them, there is one of my boys and one of W. A. Dawson's sons-in-law had some trouble.
Q You are not friendly with the Dawson family? A That son-in-law Mr. Wooley, himself, don't speak, and I don't think his wife speaks to me either.
Q Well you are claiming some sort of lease on the Wooley farm, aren't you? A No, sir, I don't claim any lease on the Wooley farm.

B. W. ALBERTY, being first duly sworn, and being examined, testified as follows:
BY MR. HUTCHINGS:
Q State your name? A B. W. Alberty.
Q What is your post-office? A Tahlequah.
Q What is your present official position in the Cherokee Nation? A Assistant Executive Secretary of the Cherokee Nation.
Q As such have you charge of the citizenship records and books etc. of the Nation? A Yes, sir.
Q Have you made search recently for the original records in the various cases of the Dawson family before citizenship courts in Council? A Yes, sir.
Q Have you got what records you found with you? A I find what's supposed to be the original papers in the case, all that I could find. (Produces papers and hands to Nation's attorney.)
Q Where did you find these papers? A I found them in the desk in which papers of that character are filed away in the Executive Office at Tahlequah. (Applicant's attorneys examine papers produced by witness.)
BY MR. HUTCHINGS: The Nation here introduces in evidence an envelope marked No. 108, the names on the back of it are Robert, Elbert, Jasper, John, Frances, Marion, Josephine, Joseph, Jane, Mollie, Wilburn, James, Rial Dawson, versus the Cherokee Nation; the envelope and its contents.

BY MR. McKENNON: To the introduction of all of which the applicants object, because it is wholly incompetent and irrelevant.

The envelope above introduced by the Cherokee Nation is indorsed as follows:
"No. 108. Rob. Dawson, Elbert Dawson, Jasper Dawson, John Dawson, Frances Marion, Josephine Dawson, Joseph Dawson, Jane Dawson, Molly Dawson, Wilburn Dawson, James Dawson, Real Dawson, vs Cherokee Nation, Petition for Citizenship, filed Sept. 24, 1881. Admitted Jan 11th, 1883, D. W. C. Duncan, Clerk."
In pencil: "Robt Dawson."

The said envelope contains a document as follows:

"Office of Commission on Citizenship,
Cherokee Nation, Tahlequah, January 19th, 1883.

No. 102 Robert Dawson, "et al."
vs.
Cherokee Nation.

Testimony for Claimants.

Witness:

Dr. Baker sworn testified as follows. My name is Arthur Baker I reside at Berrivill, Arkansas, Carroll County, my age is 37 years, I am not a Cherokee , I lived in the Cherokee Nation about three years when I first came to Arkansas I have been acquainted with him since he became a citizen of Carroll County some thirty five years (line drawn through the last three words.) 35 years at my mother's house near Calhoun I became acquainted with the claimants Robt Dawsons grandmother on mother's side, she was frequently at my mother's house; though she Anna Pruit lived in the Marion side. She claimed to be a half sister to Big Joe Vann, also claimed to be half Cherokee; the first time she brought the claimant's mother to my mother's house she the claimant's mother was about grown, when I was a lit le boy she called her daughter Polly Rogers said Capt. John Rogers who ran a boat up the river was the father of the child; I saw the girl frequently there at my mother's and where at Louis Fowlers Store I saw her occasionally until I was 15 or 16 years old and I think then Old Capt John Rogers took her off to school. I saw her no more from the time Old Capt. John Rogers took her off till I saw her here in Arkansas the wife of Old Samuel Dawson. I stayed all night there she and I had a talk over our old acquaintances, and I asked her when she became acquainted with Dawson and she said at the time she was going to school. And she said after she left school that Dawson followed her home to the Nation and they were there married. I have told that precisely in the words she used.

Capt John Rogers claimed to be one fourth Cherokee, the claimant is the son of Polly Rogers and I knew Polly Rogers to be the daughter of Anna Pruet, and I know the claimant to be the son of Polly Dawson Capt Rogers then resided in the Cherokee Country about twelve miles from Calhoun on the Arkansas River.

Anna Pruet resided in the Cherokee Nation as long as I stayed there the Dawsons when I got acquainted with them Cherokees were recognized where they were as Cherokees, Robt Dawsons children is Buck, John, Marion, and two girls; the children named in the petition I recognize as being the claimants.

Cross Examination by Solicitor:

Ques. 1 How many children did Polly Rogers have?
Ans. 1 Five, I think that's all.
Ques. 2 Did you say something about her having married twice?
Ans. 2 The claimant was married twice.
Ques. 3 Could Anna Pruet speak Cherokee?
Ans. 3 Yes she could speak it well
Ques. 4 Did Polly Rogers speak Cherokee?
Ans. 4 She could when she was young.
Ques. 5 How far do you live from Anna Pruet?
Ans. 5 Just across the river about 3/4 of a mile.
Ques. 6 Was Calhoun in the Cherokee Nation?
Ans.6 It was on both sides of the river, part in the Nation and part out in the State.

Ques. 7 Which Harnage was it went to Texas?
Ans. 7 George went first then John went they were the sons of old man Harnage that lived up here near the line.
Ques. 8 Did the claimant go to Texas?
Ans.8 No the claimant didn't go to Texas.
Ques. 9 What connection was claimant and Polly Rogers?
Ans. 9 The claimant is the son of Polly Rogers Marion here is the grandson of Polly Rogers.
Ques. 10 Where does claimant now live?
Ans. 10 He lives in Carroll County, Arkansas.
Ques. 11 Do you know what relation old Captain John Rogers was to Charlotte Rogers here on Coowescoowee?
Ans. 11 They claimed kin but what kin I dont know there were two Capt. John Rogers' in the Nation I am speaking of the time when I first came to this 1830 Country about the year 1830.
Ques. 12 Was Anna Priest the maiden name of Claimant's grandmother
Ans. 12 Yes that was her maiden name the Indians called her Sinoe.

his
(signed) Arthur. A. x Baker.
mark

Witness' hand paralyzed is the reason he signs by a mark this "x". "

The above document is indorsed on back as follows:

"Certified copy of Affidavit, Arthur A. Baker in Dawson case, Dobt," Decided by the Tehee Court in 1883. A. Riley Dawsons Step daughter a white woman married a white man, named August Dulaska."

BY MR. HUTCHINGS: We further introduce envelope No. 101, of E. Dawson for his grand-children, versus the Cherokee Nation, and its contents, to-wit: The Petition and affidavit of F. M. Dawson, and the testimony of Joseph Dawson.
(Hands papers referred to to applicant's attorneys.)

BY MR. McKINNON: To the introduction of all of which the applicants object, because it is wholly incompetent and irrelevant.

The envelope above introduced is endorsed as follows:
"No.101. E. Dawson vs the Cherokee Nation. For his grand children. Petition for citizenship. Filed Sept. 14th, 1883, [illegible] C. Duncan, Clerk of Com. Decided Sept.13, to be Cherokees.

The contents of said envelope are as follows:

"Office of Commission on Citizenship.
Tahlequah, Cherokee Nation, Sept. 14, 1883.

E. Dawson,
No.101. vs for his grand children,-
Lulu Dauthett,
Dallas Dauthett,

F. M. Dawson for Claimant introduced sworn and in open Court testified as follows:
My name is F. M. Dawson. Am Cherokee by blood reside in the Cherokee Nation am 30 (40 written over it) years old.

I saw the Claimants, Lulu Dauthet and Dallas Dauthet in Vinita, and know them to be the grandchildren of my brother E. Dawson who is a recognized Cherokee by blood. L. M. Dauthet, the father of the Claimants, Lulu and Dallas is a white man Dauthet's wife the mother of Lulu and Dallas was a Cherokee, the daughter of my brother E. Dawson, she is now dead. The oldest of these applicants is about 9 years old. I have known them about 8 years. These children is now living with their father. One is a girl and the other is a boy. I had been acquainted with her mother all her life. If she had been now living she would have been about 25 years old - - She has been dead about 4 years as well as I can recollect, She was about 17 years old when she was married.

his
(signed) F. M. x Dawson, "
mark

Office of Commission on Citizenship,
Tahlequah, Cherokee Nation, Sept. 14, 1903.
E. Dawson
for his grand children
Lulu Dauthett
Dallas Dauthett.

Joseph Dawson introduced for Claimants, sworn in open Court testified as follows:

Jos. Dawson, am a Cherokee live in the Cherokee Nation, am 31 years old.

Lulu Dauthett and Dallas Dauthett, the Claimants are Cherokees. Fannie Dawson was their Mother. Fannie Dawson was a Cherokee, that is what I was always told. Her father was E. Dawson. E. Dawson was my brother. Mrs. Dauthett is not living now: the last time I saw Lula, and Dallas Dauthett, they were in Texas. But I have heard since that they are in the Cherokee Nation. E. Dawson recognizes them as his grandchildren and I have known them ever since they were born.
By Solicitor:

Lula is about 10 years old. The Dallas is about 5 or 6 years old. I heard that their father is now at Vinita Cherokee Nation, E. Dawson is Filbert Dawson. The applicants' Mother has been dead about three or four years. She died at Hillsboro, Texas.

I was not present when their mother and E. Dawson had their children to the best of my recollection, or 9. Fannie, Francis, Cartenna, Janie, Bob, Smith, Forsh, Bert, Ella. All living but two, Fannie and Smith. They are all living in Texas when I left there. I am a brother to F. M. Dawson, we are full brothers. My father has been admitted to Cherokee Citizenship by this Court.

his
(signed) Joseph x Dawson,
mark "

To the Commission on Citizenship,
Tahlequah, C. N. Sept. 12, 1903.
E. Dawson for grandchildren,
Lulu Dauthett,
Dallas Dauthett,
vs
Cherokee Nation.

Now comes E. Dawson petitioning for the Cherokee rights of his grandchildren, Julu Dauthett & Dallas Dauthett, by virtue of their Cherokee blood, which was derived from the

Dawson family, who is acknowledged Cherokees by admission of your Hon. Court, at its last session in January, 1883, in view of the facts ask your Hon for a speedy and favorable consideration of our claims.

(signed) E. Dawson for grand children,
By C. M. Taylor."

This last document is indorsed on back as follows: "No. 181, Petition of Lula, Douthett & Dallas Douthitt, for Citizenship Filed Sept 14, 1883, D. W. C. Duncan, Clerk."

BY MR.HUTCHINGS: Now we desire to introduce the judgment in the case of S. R. Dawson, and others, of the Commission on Citizenship, found on page 20, of Record Book B, of the Citizenship cases in the Cherokee Nation, said book having been turned over to and now in the custody of the Commission: the judgment being dated April 26th, 1889.

BY MR. McKENNON: To the introduction of which the applicants object, because it is wholly incompetent, immaterial and irrelevant.

Record above introduced is as follows:

"Office of Commission on Citizenship,
Tahlequah, C. N. August 11th, 1887.

Docket No.	Names,	Age	Sex	Post Office,	Attorney
	1 S. R. Dawson,	66		Catoosa,	
	2 Parlee Dawson,	44	female		
387	3 America J. Dawson,	35	"		
	4 Katharine J. Dawson,	32	"		
	5 J. G. Dawson,	31	male		Bell &
	6 Elias P. Dawson,	29	"	Applicant for)	Bryant.
	7 Toliver Dawson,	27	"	Cherokee Nation.	
	8 Eliza Dawson,	20	female		
	9 Fanny Dawson,	18	"		
	10 John Riley Dawson,	11	male	R.	
	11 Robert E. Dawson,	9	"		
	12 Claud Dawson,	7		Ancestor	
	12 Cleveland Dawson,	3		John Rogers	
	-- filed August 11th, 1887."				

In red ink written along Age column is the following: "Rejected April 26, 1889."

"Now this day comes the above case for final hearing, Samuel R. Dawson, bases his application for re-admission to citizenship in the Cherokee Nation upon the ground that he is the son of Samuel Dawson a white man, Polly Rogers the alleged daughter of Captain John Rogers and Chilsey Pruitt, said to be a half sister of Joseph Vann, commonly known as Rich and the wife of Cherokee blood. It is admitted that John Rogers and Chilsey Pruitt died before the roll upon which their names would appear if living at the time and specified in the 7th section of the Act of December 8th, 1886, creating the Commission on Citizenship, were made but in support of the application it is urged that certain members of the Dawson family and full brothers of the applicant were re-admitted to citizenship by the Commission on Citizenship commonly known as

"The Tehee Court", and the "Spears Court", and are now residing as citizens in the Cherokee Nation. In the opinion of this Commission the sufficiency of the considerations which determined the decision of the Commissions of the testimony now introduced to authorize the admission of the present applicant is not relivent to the issue now pending. The 7th section of the Act of December [illegible], before named provides, that "The Commission shall give a hearing to any person applying for citizenship in the Cherokee Nation upon the ground of Cherokee blood or descent, but such applicant must be a person, or the lineal descendant of a person [illegible] upon the census rolls of Cherokees taken by the Chiefs mentioned" as are hereafter enumerated. Neither the name of the [illegible] nor that of the person of whom he claims to be a lineal descendant appearing upon either of said rolls the Commission adjudge and decree that Samuel R. Dawson and family are not entitled to re-admission to citizenship in the Cherokee Nation as Cherokees by blood. This opinion includes the cases of Andrew J. Dawson, James K. P. Dawson, Jounnah Barber nee Jounnah Dawson and Jane Queen, nee Jane Dawson, and their families, as enumerated in their respective applications.

(signed) Will P. Ross,
Chairman.
(signed) R. Bunch, Commissioner,
John E. Gunter, Com'nr.

This April 26th, 1889.
(signed) D. L. Williams,
Cl'k Com'n."

BY MR. HUTCHINGS: The Nation now introduces the envelope in the case of James K. P. Dawson, and the contents, being the original testimony in the case of E. Dawson; also the judgment in said case, found on page 116, in book C., containing the records of the Citizenship Commission of the Cherokee Nation, the date of said Judgment being April 26th, 1889; this book being also in the custody of this Commission.

BY MR. McKENNON: To the introduction of all of which the applicants object, because it is wholly incompetent, immaterial and irrelevant.

The envelope above introduced is indorsed on back as follows:

"Case, James K. P. Dawson, APPLICANT FOR CHEROKEE CITIZENSHIP. Address, - - - Age, - - Years, - - Roll of 1835, Ancestor, Riley Dawson, filed the 5 day of Oct. 1887, Docket 680, Book C Page 116, Testimony on Journal - - Page - - - Decision of Commission Rejected 26 day of April 1889 Rejected."

The contents of said envelope are as follows:

"[illegible] Dawson, et al.,) Office Com. On Citizenship,
(vs) (Tahlequah, I. T. Sept. 27th, 1888.
Cherokee Nation.)

E. Dawson, who being duly sworn, upon his oath, deposes and says as follows, to wit:

I am a citizen of the Cherokee Na ion and reside in Coowescoowee Dist. and am 53 years old. I am acquainted with the applicant, Andrew J. Dawson, he claims to be a relation of mine. I have known him personally about three (3) years. He said his father was Joe Dawson. I know the party, the applicant, from circumstances, and have no doubt but that he is a realtion of mine.

Joe Dawson, the father of the applicant was my father's brother. Joe Dawson was considered to be a Cherokee, I think he died on the Hiwassee river in Tenn. I think he had four (4) children. I haver saw any of them but Andrew J. Dawson, and Jim Dawson.

-Cross Ex.-

Joe Dawson has been dead about 35 years he lived west of the Mississippi River, I understand. My father had four brothers. I don't know how long Jou Dawson had been living in Tenn. before he died. All what I know of the applicant being the son of my Uncle Jou Dawson, is from what he himself has told me, - My grandfather, Sam Dawson was a white man. The applicant could be of the Dawson name and not be related to me- My grandfather being a Dawson and a white man.

Attest

Connell Rogers,
Clk. Cor. on Citizenship."

This document is indorsed on back as follows:
"Testimony of E. Dawson in case A. J. Dawson."

The judgment above introduced, and found on page 116 of Book C of the Dockets of Cherokee Citizenship Corrission, it as follows:

"James K. P. Dawson,
OFFICE COMMISSION ON CITIZENSHIP.

Tahlequah, Ind, Ter., Oct. 5, 1897.

Docket No.	Names	Age	Sex	Post Office	Attorney
	1 James K. P. Dawson,-		male		
	2 William A. Dawson,				
	3 Richard A. Dawson,				
					C. H. Taylor.

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Applicant for
Cherokee Citizenship,
Census Rolls 1835
Ancestor,
Riley Dawson.

vs.

Cherokee Nation. "

In red ink along age column are the words: "Rejected April 20, 1909."

"Adverse to Claimant.
See decision in this case in the case of S. K. Dawson in Book (3) Page 20.
This April 20, 1909.

Will P. Ross,
Chairman.
D. S. Williams,
Clk Com.
J. E. Gunter, Com."

BY MR. HUTCHINGS:

The Nation desires to introduce the original envelope and its contents in the case 196, of Rebecca Dawson, being the application and judgment in the case, also the judgment as copied into the record, Book C, on page 144, the date of said judgment being August 28th, 1889.

BY MR. McKENNON: To all of which the applicants object, because it is wholly incompetent, immaterial and irrelevant.

The envelope just introduced is indorsed on the back as follows:

"196, 1, Name Rebecca Dawson, APPLICANT FOR CHEROKEE CITIZENSHIP. Address Emmet, I. T., Age 48 years, 1835, to 1852, Roll of 18-- Ancestor Haton, Filed the 5 day of Oct 1887, Docket 1017 Book C Page 144, Testimony on Journal- Page - - Decision of Commission, Rejected 28 day of August 1889. Submitted by Mr. Rasmus, Aug. 28, 1889." R"

The contents of said envelope are as follows:

"APPLICATION FOR CITIZENSHIP.

To the Honorable Commission on Citizenship:
Gentlemen:- The undersigned, your petitioner, this day makes this her application for re-admission to citizenship in the Cherokee Nation, in accordance with the Consittution, and with an act of the National Council approved December 8th, 1886, creating your Commission, And respectfully makes the following statement of the grounds for this, her application, to-wit:

That Rebecca Dawson is the Grand Daughter of one Haton, who the undersigned firmly believes was enrolled upon the Census Rolls of Cherokee by blood, citizens of the Cherokee Nation, taken and made in the years 1835,-48 - 51 - 52.

The undersigned hereby presents the above facts as the lawful grounds for this application for Cherokee citizenship by blood, and respectfully awaits the time when Application shall be truly heard and tried in accordance with the aforesaid law.

Age, 48 years; Postoffice, Emmett, Chic. Na. family with their relationship attached is as follows:

Name Sex Age Relationship.

In witness of which application I hereto set my hand on this the 4- day of October 1887.

(signed) Rebecca Dawson,

Boudinot & Rasmus,
Attorneys."

- - - - - - - - - - - - -

"COMMISSION ON CITIZENSHIP.
Cherokee Nation, Ind. Ter.
Tahlequah, August 28th, 1889.

Rebecca Dawson)
V. S.
Cherokee Nation.) The above case was called and submitted by

Rasmus withour evidence the Commission decide that Rebecca Dawson, Age 48 yrs is not a Cherokee by blood a d are not entitled to ci..izenship in the CherokeeNation Post Office Emmet Texas - - I. T.

(signed) WILL P. ROSS,
Chairman,
J. E. Gunter, Com."

- - - - - - -

The judgment found in Book C, Records of Commission on Citizenship, Cherokee Nation, page 144, is as follows:

"Rebecca Dawson.
OFFICE COMMISSION ON CITIZE SHIP.
Tahlequah, Ind. Ter., Oct. 5th, 1887.

Docket No	Names	Age	Sex	Post Office Attorney.
1	Rebecca Dawson	48	female	Emmett, I. T.

1017

Boudinot & R.
Applicant for
Cherokee Citizenship.

Census Rolls, 1835,
to 1852.
Ancestor,
Moton.

V. S.
Cherokee Nation.

- - - - - - -

Office Commission Citizenship,
Cherokee Nation, Ind. Ter.,
Tahlequah, Aug. 28th, 1889.

The above case was called and submitted by Attorney Rasmus without evidence. The Co mission decide that Rebecca Dawson, aged 48 years is not a Cherokee by blodd and not entitled to Citizenship in the Cherokee Nation.

Attest:
E. C. Ross,
Clerk Commission.

Will P. Ross,
Chairman.
J. E. Gunter, Com."

BY MR. HUTCHINGS: The Nation next introduces the iriginal envelope and contents in the case 198, of Mary Dawson, the contents being the application for citizenship, and the judgment as written up by the Court; also the judgment of the Court as copied in Book C, page 145,- said judgment being rendered August 28th, 1889.

BY MR. McKENNON: To all of which the applicants object, because the same is immaterial, irrelevant and incompetent.

The envelope just introduced is indorsed on back as follows:

"198, 2, Name, Mary Dawson, APPLICANT FOR CHEROKEE CITIZENSHIP. Address, Bowie, Texas, Aged 54, years, 1835 to 1852 Roll of 18- Ancestor, Moton, Filed the — day of 0 18— Docket 1018, Book C Page 145, Testimony on Journal— Page— Decision of Commission Rejected 28th day of August 1889. Submitted by Mr. Rasmus, Aug, 28, 1889."

"APPLICATION FOR CITIZENSHIP".

To the Honorable Commission on Citizenship:

Gentlemen:- The undersigned, your petitioner, this ... makes this Application for re-enrollment to citizenship in the Cherokee Nation in accordance with the Constitution, and with an Act of the National Council, approved December 8th, 1869, granting your Commission. And respectfully makes the following statement of the grounds of this her application, to-wit:

That Mary Dawson is the Grand Daughter of one Moton who was enrolled as a duly enrolled upon the Commissioners Rolls of Cherokee by blood, citizens of the Cherokee Nation, taken and made in the years 1835,-48 - 51 - 52.

The undersigned hereby presents the above facts as the legal grounds of this her application for Cherokee Citizenship by blood, and respectfully asks the time when her Application could be truly heard and tried in accordance with the aforesaid Law.

Age, 54 years; Postoffice, Bowie, Texas, family with their relationship attached is as follows:

No.	Name	Sex	Age	Relationship.
1	Walter Dawson	M	16	Son.

In witness of which application I hereunto set my hand on this the 4th day of October 1887.

Mary Dawson,

Tomlinson & Rogers,
Attorneys."

- - - - - - -

COMMISSION CITIZENSHIP,
Cherokee Nation, Ind. Ter.,
Tahlequah, August 30th, 1889.

Mary Dawson,)
vs (Application for Cherokee
The Cherokee Nation) Citizenship.

The above and foregoing have been submitted by W. F. Rogers, Attorney for claimant, with no evidence, the Commission decide that Mary Dawson age 54 yrs, and her son Walter Dawson, age 16 yrs, are not of Cherokee blood, P. O. Bowie, Texas.

W. F. Rogers,
Chairman,
J. [illegible] Porter, Com."

- - - - - - -

Said envelope contains the following:

APPLICATION FOR CITIZENSHIP

To the HONORABLE COMMISSION ON CITIZENSHIP: Gentlemen:- The undersigned, your petitioner, this day makes this his application for re-admission to citizenship in the Cherokee Nation, in accordance with the Constitution and with an act of the National Council, approved December 8th, 1869, granting your Commission. And, respectfully makes the following statement of the grounds of this his application, to-wit: That James P. Dawson is the son of one Miles Lawson. who was enrolled as a duly enrolled upon the - - - Rolls of Cherokees by blood, citizens of the Cherokee Nation, taken and made in the years 1835, the undersigned hereby presents the following facts as the legal grounds for this his application for Citizenship [illegible] respectfully asks that the same be truly heard and tried

in accordance with the aforesaid law.
Age - - years; Post-office - - -; family with their relationship attached is as follows:

Names,	Sex	Age	Relationship.
William A. Dawson	Male		Son.
Richard A. Dawson,	"		"

In witness of which application I hereto set my hand on this the 4th day of Oct 1907.

(signed) James K. P. Dawson,

C. H. Taylor, Attorney."

- - - - - -

The judgment as recorded in Book C, page 145, of the records of the Cherokee Commission on Citizenship, is as follows:

"Mary Dawson,

Office of Commission Citizenship.

Tahlequah, Ind. Ter., Oct. 5th, 1907.

Docket No.	Names	Age	Sex	Post Office	Attorney
1	Mary Dawson,	54	female	Bowie, Texas.	
2	Walter Dawson,	18	male		

Boudinot & R.
Applicant for
Cherokee Citizenship.

vs.

Cherokee Nation.

Census Rolls 1835 to 1852
Ancestor

- - - - - -

Office Commission on Citizenship,
Cherokee Nation, Ind. Ter.,
Tahlequah, Aug 26th, 1909.

This case coming on to be heard and having been submitted by W. H. Davis, Attorney for applicant, and no other evidence, the Commission decide that Mary Dawson was, at the time of the Census Roll of 1852 on which she is enrolled, a resident of Cherokee Nation and entitled to enrollment as a Cherokee by blood. Post Office Bowie Texas.

Attest:

W. C. Rose,
Clerk Commission.

Will P. Ross,
Chairman.
J. [illegible], Com."

- - - -

Mr. HUTCHINGS: The Clerk will introduce the original envelope in the case of Andrew J. Dawson, which said envelope contains the original application, also the judgment in that case recorded on page 32, of Book A, of the records of the Citizenship Commission of the Cherokee Nation, which said records are now in the custody of the Commission: the judgment is dated April 26th, 1 09.

BY MR. McKENNON: To all of which the applicants object, because the same is immaterial, irrelevant and incompetent.

The envelope just introduced above, is endorsed as follows:

"Name, Andrew J. Dawson, APPLICANT FOR CHEROKEE CITIZENSHIP. Address, Nevada, Mo. Age 44 years, - - 1835, Roll of 1835, Ancestor, - - Filed the 11 day of February 1887, Docket 37 Book A, Page 38 Testimony on Journal - - Page, Decision of Commission, Rejected, 26 day of April, 1889. Rejected."

The contents of said envelope are as follows:

"To the Commission on Citizenship.

Tahlequah, I. T.,
January 27, 1887.

	Age		
Andrew J. Dawson,	44	years	Male
E. E. Dawson,	16	"	"
Olive M. Dawson,	14	"	female
William H. Dawson,	11	"	Male
Jessy K. Dawson,	9	"	"
Clemnie D. Dawson,	8	"	Female.

U.S.
Cherokee Nation.

Know ye, that Andrew J. Dawson, and five children claiming his right to Cherokee Citizenship by virtue of his Cherokee blood, he being a cousin of E. Dawson and others of the same name admitted to citizenship by the Tahlequah Court on Citizenship, which is matter of record, we submit that as proof of the Justness of his claim, his ancestors will be found on the roll of 1835.

Respectfully,
A. J. Dawson &
five children,
by C. H. Taylor,
Attorney."

Post-office, (signed)
Nevada, Mo.

" " "

The [illegible] produced [illegible] page 38 of Book A, Records of Cherokee Commission on Citizenship, is as follows:

"Andrew J. Dawson,
Office Commission Citizenship,
Tahlequah, I. T., Feby 11, 18[illegible]

No. in Family	Name	Age	Sex	
1	Andrew J. Dawson,	44	Male	Nevada, Mo.
1	E. E. Dawson,	16	"	
1	Olive M. Dawson,	14	Female	
1	William H. Dawson,	11	Male	Applicants for
1	Jessie K. Dawson,	9	"	Cherokee Citizenship,
1	Clemnie D. Dawson,	8	Female	C. H. Taylor.

Rolls 1875,

Rejected April 26, 1889, (red ink.)

U.S.
Cherokee Nation.

Ancestors,

Filed Feby 11, 1907.

Adverse.

See decision in this case in that of L. P. Dawson, Book 2.30.
Decided April 30- 1909.
E. P. Williams,
Clk Com."

- - -

Mr. HUTCHINGS: We next desire to introduce the records in the case of Andrew J. Dawson, before the Commission to the Five Civilized Tribes, filed September 7th, 1896, and the judgment of the Commission thereon. Number of said case being 4,694. And the judgment of said case on page 104, Book P., Dawes Commission Record, 1896. Judgment was rendered November 17th, 1896, denying the application.

Mr. McKINNON: To all of which the applicants object, because the same is immaterial, irrelevant and incompetent.

The records just introduced, being those filed before Dawes Commission, 1896, in Andrew J. Dawson, et al., are as follows:

Registry Receipt,
Post Office at Vinita, Sep. 7, 1896, Cherokee Nation, Ind Ter.,
Registered Letter, No. 409, Rec'd, of A. J. Dawson, addressed
to S. H. Davis, Tahlequah, I. T., (signed) D. A. Frazier,
P.-P. M.

- - -

"Commission to the Five Civilized Tribes,
Vinita, Ind. Ter., Sept. 7, 1896.
Dear Sir: Answer to your petition.
Evidence of service of copies of brief on Governor may be secured as follows: If convenient get him receipt to [illegible] your papers. If you cannot do this, register to him, [illegible] interested person to make affidavit in form [illegible] follows:
I, S. H. Davidson, do solemnly swear that on the 7th day of September, 1896, I saw a package registered at the Post Office at Vinita, Indian Territory, addressed to Hon. S. H. Mayes, Chief of the Cherokee Nation, Tahlequah, Ind. Ter., that registry receipt no. 409, received from postmaster, hereto attached, is a receipt for said package, which contained true copies of the application of Andrew J. Dawson, on behalf of the [illegible] of E. Dawson and F. M. Dawson in support of same.
(signed) S. H. Davidson.
Subscribed and sworn to before me, on this 7th day of September, 1896.
(signed) T. M. Kennedy,
Notary Public, First Judicial Division,
of the Indian Territory.

Attach receipt to this affidavit and send with papers to the Commission at Vinita, Indian Territory. This takes the place of the former instructions, as we understand that packages are not promptly receipted for by the Chiefs and Governors.

xxx _____
For the Commission."

- - -

APPLICATION FOR ENROLLMENT.

To the Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss and Alexander B. Montgomery, United States Commissioners, authorized by an Act of Congress of June 4th, 1896, to hear and determine claims for citizenship in the Cherokee Nation:

Gentlemen:-

The undersigned, your petitioner, Andrew J. Dawson. ~~William H. T. Dawson Jesse K. D.~~ (Line in ink drawn through those names) for and on behalf of Bonnie E. P. Dawson, Olive Land Dawson, William H. T. Dawson, Jesse K. Dawson, Glen Dale Dawson, James K. P. Dawson, William A. Dawson, Maggie E. Dawson, Richard A. Dawson and Mary E. Dawson and heirs, this day make their application to you for the purpose being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of the funds and allotments of lands in the Cherokee Nation by virtue of their Cherokee blood, and petitioners state that they are Cherokee Indians by blood, deriving the same from Captain John Rogers, Polly Rogers, Daughter of Captain John Rogers, married Samuel Dawson, whose name will be found on the authenticated rolls of the Cherokees by blood, taken in the years 1817, 1818, 1819 and 1835 & 1838 the same to be submitted to your Honorable Commission for a full and complete investigation, and if found correct as stated, to be granted all the rights, privileges and immunities of other Cherokee citizens, and petitioner herewith files his proof in support of said claim, and respectfully awaits the time when his application will be heard and tried.

Respectfully submitted,
Andrew J. Dawson,

Enrollment of family, with relationship attached, as follows:

Names.	Ages.	Relationship.
Bonnie E. P. Dawson,	25	Daughter,
Olive Land Dawson,	23	Daughter
William H. T. Dawson,	20	son,
Jesse K. Dawson,	18	son.
Glen Dale Dawson,	16	Daughter.
James K. P. Dawson,	7	Brother.
William A. Dawson,	13	Nephew.
Maggie E. Dawson,	3	Neice.
Richard A. Dawson,	17	Nephew.
Mary E. Dawson,	6	Neice.

IN WITNESS WHEREOF, I hereunto set my hand this Third day September 1896.

(signed) Andrew J. Dawson."

Jurat on back of following:

United States of America,
Indian Territory,
Northern District.

Andrew J. Dawson, of lawful age, being duly sworn states that he knows the facts set forth in the above and foregoing application and that the same are true as he verily believes.

(signed) Andrew J. Dawson,

Subscribed and sworn to before me on this the 3rd day of September 1896.

(signed) J. A. Tillotson,
Notary Public.

(Seal)
My Commission expires June 8th 1899.

- - - - - - -

Indian Territory,)
Northern Judicial Dis- (SS.
trict)

Andrew J. Dawson, of lawful age, being by me first duly sworn on oath says that he is 52 years old that his post office address is Afton, I. T. Affidavit further says that he is a citizen of the Cherokee Nation and a Cherokee Indian by blood deriving his Indian blood from Polly Rogers daughter of Captain John Rogers, that Polly Rogers, a daughter of Captain John Rogers married Samuel Dawson near Calhoun, Tenn. on the Hiwathia river while emigrating to the west.

Affidavit further says that Samuel Dawson and Polly Rogers are his Grandfather and Grandmother and that Captain John Rogers was recognized by the NationalCouncil of the Cherokee Nation as a Cherokee citizen in the laws of the Cherokee Nation of 1852 as follows: An act of the Council of 1842 page 60, an act of Nov. 17th 1843, page 90. also an act of Nov. 16 1849 page 204.

Affidavit further says that he is a blood relation of E. Dawson, J. F. Dawson, Joseph Dawson, and John Dawson who were admitted to citizenship by the Cherokee Nation and whose names appear upon the authenticated rolls of 1893.

(signed) Andrew J. Dawson.

Subscribed and sworn to before me this 3rd day of September A. D. 1896.

(signed) J. A. Tillotson,
Notary Public.

(Seal)
My Commission expires June 8th 1899."

"Indian Territory,)
Judicial Dist.) S.S.
)

F. M. Dawson, of lawful Age, being by me first duly sworn on oath says that he is 54 years old: that his post office address is Afton, Indian Territory, Affidavit further says I have known Andrew J. Dawson for the past 10 years and have known him and recognized him as a Cherokee Indian and a cousin of mine, he claims to have originated from the family of Joe Dawson and he was a brother of Robert Dawson my father, and he being an offspring of Sam Dawson, who married Polly Rogers, a daughter of Captain John Rogers, who was a recognized Cherokee Indian.

his
(signed) F. M. x Dawson
mark

Subscribed and sworn to before me this the 4th day of Sept 1896."

(signed) Frank L. Sharp
Notary Public. (Seal)"

- - - - - - -

"Ind Ter
Northern Dist
This affidavit made this 4th day of Sept 1896 by E. Dawson of this Dist in the Cherokee Nation I have known A. J. Dawson 10 years and have known him and recognized him as a Cherokee Ind and a cousin of mine, he claims to originate from the family of Joe Dawson and he was a brother of Robert Dawson and being an ofspring of Sam Dawson who was (line in ink drawn through word was)married Pollie Rogers a daughter of Captain John Rogers who was a recognized Cherokee Indian.

(signed) E. Dawson.

Subscribed and sworn to before me this 4th day of Sept 1896.

(signed) J. Barricklow,
Notary Public,

My commission expires June 8, 1899.
(Seal)"

Indorsed on back: "No. 1509, A. J. Dawson vs Cherokee Nation Filed Sept 7-1896 A. S. McKennon, Com'r."

- - - - - - -

Before the Honorable Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, A. B. Montgomery, Commissioners.
In the matter of the application of
Andrew J. Dawson, Nation's No.....
Commission's No.....
for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy.

2nd. That the application does not state facts sufficient if true, to show that the applicant . . . entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that John Rogers through whom the petitioner claims to derive right to citizenship in the Cherokee Nation, is not now, - . . and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory, as at present located and defined; that his name does not appear on any of the authenticated rolls of said nation; that neither nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof,

See case Nation's No. 1573.

Having fully answered, your respondent asks to be hence dismissed.

S. H. Mayes, Principal Chief Cherokee Nation.

B. Hutchings, Hastings & Boudinot, Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answers are true, to the best of his knowledge and belief.

(signed) John L. Adair,

Subscribed and sworn to before me this the 5 day of Oct 1896.

(signed) D. J. Ball,
Notary Public.

(Seal)"

Indorsed as follows: "Nation's No. 4679.
Commission's No. 4694, In re application of Andrew J. Dawson, DEMURRER AND ANSWER. Filed Oct 21 H. M. Jacoway, Sec."

The foregoing documents, comprising the 1896 papers as above set forth, are inclosed in envelope indorsed:

"No. 4694, Petition of Andrew J. Dawson, and heirs, Cherokee, 9-7-96. Rejected."

Which envelope is inclosed in jacket, marked "No.4694."

\- - - - - - -

BY MR. HUTCHINGS: Now we desire to introduce the records in the case of Joanna Barber, et als., No. 1864, the United States Court number being 9C, and the Nation desires to call especial attention to the testimony of W. C. Rogers and Sarah Carter as set forth in this case.

BY MR. McKENNON: To all of which applicants object, because it is wholly irrelevant, immaterial and incompetent.

Records in said case are as follows:

blood is shown by proof here-with filed.

APPLICATION FOR ENROLLMENT.

To the Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss and Alexander B. Montgomery, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine claims for Citizenship in the Cherokee Nation:

Gentlemen:- The undersigned, your petitioner, Joanah Barber, for and on behalf of himself and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to

share in the distribution of funds and allotments of land in Cherokee Nation, by virtue of their Cherokee blood, and I herewith submit the affidavits of E. Dawson, S. R. Dawson, T. A. Dawson & F. M. Dawson in support of said claim, and respectfully await the time when our application shall be heard and tried.

Respectfully submitted,
(signed) Joanah Barber.

Enrollment of family, with relationship attached, as follows:

Names	Age	Relationship.
Joanah Barber,	66	Daughter of Elizabeth or Betsy
Isaac J. "	65	Petty, as Dawson, who had a
Otis E. "	26	daughter of Polly Dawson, nee
T. R. "	24	Rogers who was a daughter of
James E. "	19	Capt Jno Rogers and Ailey Rogers
Johny "		nee Vann a Cherokee Indian by
Joel A. Barber	39	blood as is shown by proof here-
		with filed.

In witness of which I have hereunto signed my name on this 8 day of August 1896.

(signed) Joanah Barber."

Indorsed as follows: "Pet & Ex. No.... Petition of Joanah Barber for herself & children."

TO THE HONORABLE HENRY L. DAWES AND OTHERS COMPOSING THE COMMISSION TO THE FIVE CIVILIZED TRIBES:

Your petitioner, Joanah Barber, would state and show from the proof submitted to the Commission that she is a Cherokee by descent and by blood, having been born in Carroll County, State of Ark. on the 8 day of Dec 1817. My father was John Petty. My mother was Elizabeth Petty, or Dawson. That I do reside in the Cherokee Nation, and have resided there for 10 years. And she avers these facts can be established by proof to the satisfaction of the Commission under such rules and regulations as it may prescribe. And she further avers that these facts being proved she is entitled to be adjudged under the laws of such Nation and the laws of the Congress of the United States and the treaties of such Nation with the United States, a citizen of such Nation, with all the rights, privileges and protection of citizenship in such Nation. Wherefore she herewith respectfully submits to the consideration of the Honorable Commission such proof and on the hearing she be adjudged entitled to such citizenship and her name be placed upon the proper roll as a citizen of such Nation.

(signed) Joanah Barber.

INDIAN TERRITORY,)
(ss
FIRST JUDICIAL DIVIS)

Now on this 8 day of Aug personally appeared before me T. J. Watts a Notary Public in and for the said Territory, Joanah Barber, who being duly sworn upon her oath states that the facts set forth in the foregoing petition are correct and true.

Subscribed and sworn to before me this 6 day of August 1896.

(signed) W. J. Watts,
Notary Public.
(Seal)"

- - -

"(COPY)
In the matter of the claim of Joanah Barber nee Joanah Petty to Cherokee Indian Citizenship in the Cherokee Nation, Indian Territory.

Affidavit of S. R. Dawson.

Delaware District,)
Cherokee Nation,)
First Judicial Division,)
U.S. Court, Indian Territory. (SS
)
)
)

S. R. Dawson, to me well known to be a reliable and respectable, after being duly sworn according to law states on oath, that he is a bona-fide citizen of the Cherokee Nation by blood- that he is a resident of said Nation- that his post-office address is Afton, I. T.; that he is fifty-one years of age- that he is well acquainted with the claimant Joanah Barber and has as long as he has known any person- that she is of Cherokee Indian descent- that her maiden name was Joanah Petty- that she was the daughter of one Elizabeth Petty, a person of Cherokee Indian descent- that Elizabeth Petty's maiden name was Elizabeth Dawson- that said Elizabeth Dawson was the daughter of Polly Rogers, a person of Cherokee Indian descent, who intermarried with Samuel Dawson, a white man- that the said Polly Rogers was the daughter of Captain John Rogers and Ailsey Vann both well known Cherokee Indians.

Affiant is not directly nor indirectly interested in the result of this application.

(Impress of National Seal)

(signed) S. R. Dawson.

Subscribed & Sworn to before Jany 6 1898
(signed) W. P. Hubbard,
Notary Public."

"United States of America,
Indian Territory, (ss
First Judicial Division.

I, William F. Rasmus, a Notary Public within and for the Judicial Division aforesaid, do hereby certify that the next above in the within one page of an affidavit is a true and literal copy of the original as presented to me at Tahlequah, Ind. Terry, this the Third day of July A.D. 1897.

(signed) William F. Rasmus,
Notary Public, First Judicial Division, Indian Territory.
(Seal) My Commission expires Feby 3, 1897."

(A copy)

In the matter of the claim of Joanah Barber (nee Joanah Petty)

to Cherokee Indian Citizenship in the Cherokee Nation, Ind Ter.

Affidavit of E. Dawson,
Coowescoowee District,)
Cherokee Nation,)
First Judicial Division,) ss
U. S. Court, Ind. Ter.)

E. Dawson, to me well known to be reliable and responsible after being duly sworn according to law states on oath that he is a Bonified citizen of the Cherokee Nation by blood- that he is a resident in said Nation that his Post office address is Tahlequah, Ind Ter.-that he is 38 years of age- that he is well acquainted with the claimant Joanah Barber and has been as long as he can remember- that she was a person of Cherokee Indian descent the her maiden name was Joanah Petty- that she was the daughter of one Elizabeth Petty, a person of Cherokee Indian descent- that Elizabeth Petty's maiden name was Elizabeth Dawson- that said Elizabeth Dawson was the daughter of one Polly Rogers a person of Cherokee descent, who intermarried with Samuel Dawson, a white man, that the said Polly Rogers was the daughter of Captain John Rogers a well known Cherokee Indian.

Affiant is not directly nor indirectly interested in the result of this application.

(signed) E. Dawson.

Subscribed and sworn to before me this the 24th day of Febry 1893

(signed) A. E. Williams,
Notary Public.

(Impress of
National Seal
here.)
Com. Expe. Sept. 26/96.

United States of America,
Indian Territory, S S
First Judicial Division.

I, William F. Rasmus, a No ary Public within and for the First Judicial Division, Indian Territory, do hereby certify that the next above and the within one page of an affidavit is a true and literal copy of the original presented to me at Tahlequah, Ind Ter. this the third day of July A.D.1893.

(signed) Wm. F. Rasmus.

(Seal) Notary Public, First Judicial Division: Indian Territory, My Commission expires Febry 7, 1897.)

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United States of America,
Western District of Arkansas. SS.

In the case of one Joanah Barber claimant for citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before Cherokee Indian authority at Tahlequah, Cherokee Nation, Indian Territory.

Personally came this day before me William F. Rasmus, a Commissioner U. S. Court within and for the District aforesaid duly authorized to administer oaths W. A. Dawson, to me personally well known to be reputable and entitled to credit, and who being by me first duly sworn according to law, deposes and

and says: My name is T. A. Dawson, my age is [illegible] years; my post-office address Tulsa, Ind. Terry. I am a former [illegible] occupation, I am a citizen of the Cherokee Nation, I. T. by virtue of Cherokee Indian blood.

And affiant declares in relation to the above named case as follows, to-wit: That he is personally well acquainted with the claimant, Joanah Barber, whose maiden name was Elizabeth (commonly called Betty) Petty, Dec'd nee Elizabeth Dawson, - a Cherokee Indian by blood, and the [illegible] sister of [illegible] Dec'd, a recognized Cherokee Indian by blood- she [illegible] sister of Robert Dawson Dec'd a recognized Cherokee Indian by blood- and [illegible] brother of said Elizabeth Dawson- that therefore the said claimant, Joanah Barber is (affiant's) first [illegible] Cherokee Indian blood and that he has knowledge of said [illegible].

(Signed) T. A. Dawson.

[illegible] to before me at Tahlequah, Ind. Ter. this [illegible] A. D. 1904.

(Seal) (Signed) [illegible],
Clerk of the Cherokee Nation."

"[illegible] STATES OF AMERICA.)
[illegible] District of Arkansas.)ss

In the matter of the application of the children of [illegible] Cherokee Nation, Indian Territory, for Cherokee Indian blood, before Cherokee [illegible] at Tahlequah, Cherokee Nation, Indian Territory.

Personally came into open court before me William P. Bynum, a duly appointed, qualified and acting Commissioner of the U. S. Dist. Court within and for the District and Circuit aforesaid, duly authorized to administer oaths [illegible] T. A. Dawson, to me made to appear well known to be reputable [illegible] entitled to - - a citizen - duly sworn according to law [illegible] says: My name is [illegible] T. A. Dawson my age is about 57 years, my post-office address is Afton, Ind. Terry, I am a [illegible] by occupation. I am a citizen of the Cherokee Nation, by virtue of Cherokee Indian blood.

And affiant declares in relation to the above named case as follows, to-wit: I am personally well acquainted with the claimant Joanah Barber, whose maiden name was Elizabeth (commonly called "Betty") Petty, nee Elizabeth Dawson, a Cherokee Indian by blood, said Elizabeth Petty was a full sister of [illegible] Robert Dawson Dec'd, a Cherokee Indian by blood- and I acknowledge the relationship of Cherokee Indian blood of Joanah Barber to be as first [illegible]- and I know that the said Joanah Barber therefore is of Cherokee Indian blood.

(Signed) T. A. Dawson.

Subscribed [illegible] sworn to before me at Tahlequah, Ind. Terr. this 17th day of November A.D.1903.

(Seal) (Signed) W. [illegible],
[illegible] to the Commissioner.

Indorsed on back as follows: "No. 1 Filed Feb 24 1907, Jas. A. Pinkston, Clerk."

"Page 26, Docket "B"
Joannah Barber.
Office Commission on Citizenship,
Tahlequah, C. N. August, 1907.

Docket. No.	Names	Age.	Sex.	Post Office.	Atty.
1	Joannah Barber	51	female	Vinita, I. T.	
2	Ailey J. Barber	34	female		
3	Irene Barber	21	female		
4	Emma Barber	22	female		
5	Ella Barber	30	female		
6	Mary Barber	17	female	applicant for	
7	Chloe Barber	17	female	Cherokee Citizenship	
8	Joel Barber	71	male	Rolls 1880	
9	Calaway Barber	27	male		
10	Oliver Barber	1	male	Ancestor	
11	Riley Barber	15	male		
12	Edgar Barber	9	male		
	W.S.			John Rogers &	
	Filed Aug. 12, 1907.			Alex Pruett	

Se decision this date in case of L. F. Dawson, ... claimant in this book page 26.
... April 30th, 1909.
D. C. Williams, Will. P. Ross, Chairman,
Clerk Com. J. B. Gunter, Com."

"S. F. Dawson.
Office Commission on Citizenship,
Tahlequah, C. N. Aug. 11th, 1907.

Docket. No.	Names.	Age.	Sex.	Post Office	Atty.
1	S. F. Dawson,	50		Catoosa, I. T.	
2	Perle Dawson,	42	female		
3	America J. Dawson,	75	female		
4	Katherine J. "	75	female		
5	J. C. Dawson,	41	male		
6	Elias F. Dawson,	27	male		
7	Oliver Dawson,	27	male	Applicant for	
8	Mary E. Dawson,	40	female	Cherokee	
9	Fanny Dawson,	14	female	Citizen	
10	John Riley Dawson,	2	male		
11	Mont. L. Dawson,	9	male		
12	Edna Dawson,	7	female		
13	Cleveland Dawson,	5		Ancestor	
	Filed Aug. 11, 1907.			John Rogers	
	Rejected April 30, 1909.				

Now this day comes the above case for final hearing, Samuel P. Dawson bases his application for admission to citizenship in the Cherokee Nation upon ... and ... he is ... Samuel Dawson, a white man, Polly Rogers, the ... ... for a Certain John Rogers, and Calloway Pruett said to be half sister of Joseph Vann, ... Nation and who were of Cherokee blood. It is admitted that John ...

Chilsey Proctt died before the rolls upon which their names would appear as living at the time, and specified in the 7th Section of the Act of December 6th, 1906, creating the Commission on Citizenship were made, but in support of the application it is urged that certain members of the Dawson family the full brothers of the applicant are admitted to citizenship by the Commission on Citizenship commonly known as the "Tahlee Court" and "Spears Court" and are now residing as citizens in the Cherokee Nation. In the opinion of this Commission the sufficiency of the consideration upon which determined the decisions of those Commissions or the testimony now introduced to authorize the admission of the present applicant is not relevant in the issue now pending. The 7th Section of the Act of December 6th, 1906, before mentioned provides that the Commission hearing any person applying for citizenship in the Cherokee Nation upon the grounds of Cherokee blood or descent, but such applicant must be a person, or the lineal descendant of a person whose name appears upon the census rolls of the Cherokee taken by the United States, hereinafter mentioned, neither the name of the applicant nor that of the person of whom he claims to be a lineal descendant appearing upon either of said rolls, the Commission adjudge and decree that Samuel R. Dawson and family are not entitled to re-admission of citizenship in the Cherokee Nation as Cherokees by blood. This opinion includes the case of Andrew J. Dawson, James M. P. Dawson, Joannah Barber, nee Joannah Dawson, and Jane Queen, nee Jane Dawson and their families as enumerated in their respective applications.

Will. P. Rose, Chairman,
F. Bunch, Commissioner,
John B. Sumter, Commissioner.

This April 26th, 1908,
D. S. Williams, Clerk Com."

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United States of America,)
Indian Territory, (ss.
Northern District.)

W. C. Rogers being duly sworn on oath deposes and says: that he is a citizen and resident of the Cherokee Nation, Indian Territory. That his post-office address is Skiatook, Ind. Ter. That he was born and raised in the above named Indian Territory; that he is 46 years of age.

Affiant further states that he is slightly acquainted with Irena J. House, an applicant for admission to citizenship in the Cherokee Nation as shown by copy of her application.

Affiant further states that his father's name was Charlie Rogers- who was a son of Captain John Rogers and the said Capt. John Rogers was the only man of that name that ever lived in the Cherokee Nation that this affiant ever heard of; that the said Capt. John Rogers this affiants grandfather lived at Grand Saline, I. T. and died in Washington, D. C.

This affiant states that his father Charlie Rogers had one sister and five brothers viz. Synthia Rogers, Lewis Rogers, George Rogers, Nelson Rogers, Granvil Rogers and Randolph Rogers; that he (this affiant) was well and personally acquainted with the above said parties- except Granvil and Randolph Rogers, who were killed when this affiant was quite young.

This affiant at the time he was 34 years of age, and his father, Charlie Rogers died, that his father never had any other family (living in infancy) born of any former or other than the ones above mentioned; that the said Polly Rogers named in the application for citizenship of Irene J. Hoffa, was not a sister of his father; that his father never had but one sister viz. Cynthia Rogers who this affiant never heard of; that this affiant was well acquainted with his aunt Cynthia Crump-"

Just here the following is inserted on separate paper:

"EXECUTIVE DEPARTMENT OF
CHEROKEE NATION. I, John L. Adair, Executive Secretary of the Cherokee Nation, do hereby certify that I have compared the foregoing with the original record in my Department, and that the same is correct transcript therefrom.

In witness whereof I have hereunto set my hand and caused the Great Seal of the Cherokee Nation, to be affixed, this, the 5th day of Feb. 1896.

(signed) John L. Adair,
(Seal) Executive Secretary."

Then the above affidavit continues:

"(nes) Rogers that she lived with this affiant's father for a number of years prior to hers death.

Affiant says that he often talked with him, Charlie Rogers, about his aunt Cynthia Crump (nee Rogers) about his relatives; that they never spoke of any other sister in their family; that this affiant was about 20 years of age when his aunt, Cynthia Crump died; that they told him there never was (words "never was" marked over with ink) father never had any other daughter or daughter other than Cynthia Rogers

Affiant states that his father told him a number of times, that this affiants grandfather Capt John Rogers never had any other family other than the one above mentioned; that this affiant never heard his father Charlie Rogers or any of his relatives speak of his grandfather Capt John Rogers owning, or running a boat up any river.

Affiant states his father Charlie Rogers was born on Big Mulberry, South-east of Van Buren, Arkansas, in the year of 1817.

Further affiant saith not.

C. . Rogers.

Subscribed and sworn to before me on this the 22nd day of October, 1896.

(signed) William T. Hall,
Notary Public,
(seal) My Commission expires January 16th, 1900."

"United States of America,)
Indian Territory,) ss
Northern District.)

Thos. Starr Boyer being first duly sworn states; that he is a citizen of, & resident of the Cherokee Nation, Ind. Ter. and is now postmaster in Tahlequah, I. T., that he is 55 years of age.

Affiant states that she is the daughter of Charlie Rogers that her father died when she was about four years old. Affiant further states that T. C. Rogers is her brother, and that she has read the foregoing affidavit of T. C. Rogers, and knows the contents thereof; that the facts therein set forth are true as she verily believes.

(signed) Sarah Carter.

Subscribed and sworn to before me this the first day of October, 1900.

William H. Hall,
Notary Public.

My Commission expires January 10th 1900."
(Seal)

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Before the Honorable Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. - (name torn off) A. B. Montgomery, Commissioners.

In the matter of the application of Nation's No.1572
Jennie Barber Cornish Int' Tr...
et al-
for citizenship in the Cherokee Nation.

Your petitioner, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and denies the said application, and for grounds thereof says:

1st. That the Commission has no jurisdiction over the matter or subject matter of this controversy, and not legally has, therefore, to hear nor determine the same.

2nd. That the application does not state facts sufficient, in law, to show that the applicants are entitled to citizenship.

Respondent not waiving the aforesaid demurrer, but insisting upon the same for cause to said application, says that Jennie Barber through whom the petitioners claim to derive their rights to citizenship in the Cherokee Nation, is not now, and never has been a citizen of the Cherokee Nation, since the [illegible] Nation, by the Indian Territory Act [illegible] and declared; that her name does not appear upon the [illegible] and that [illegible] Nation; that neither [illegible] ever [illegible] Nation and Indian Territory, as [illegible] thereof.

Wherefore, respondent asks to be [illegible] dismissed.

S. H. Mayes, Principal Chief Cherokee Nation.

[illegible], Hastings & Woodward, Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been duly sworn, on oath states that the facts set forth in the foregoing answer are true, as he verily believes to the best of his knowledge and belief.

(signed) John L. Adair,

Subscribed and sworn to before me this [illegible] day of [illegible] 1900.

(signed) [illegible]

(Seal)

POOR ORIGINAL
BEST AVAILABLE COPY

Endorsed on back as follows: " 1874 90 Patrick's No. 1877, Commission's No..... In the application of No 2 Joanna Barber Demurrer and Answer Filed Mar 13 1897 Jas. A. Pinston, Clerk/ Filed Oct 7 1896 N. M. Jacoway, Secy."

"BRIEF.

BEFORE THE HONORABLE COMMISSION OF THE UNITED STATES OF AMERICA,

duly appointed and empowered to Act, under and by virtue of the Act of Congress of June 4" 1896, to hear and determine all claims for citizenship of the Five Civilized Tribes of Indians, to-wit:
Cherokee, Creek, Choctaw, Chickasaw and Seminole Indians.

In the matter of the application for citizenship in the Cherokee Nation, of Joanna Barber and her children, to-wit:

Chas F. Barber, Willie L. Barber, James E. Barber, Johnnie Barber and Joel A. Barber.

In the matter of the application for citizenship in the Cherokee Nation of Joel A. Barber and his children, to-wit: Lathie Barber, Oliver Barber, George A. Barber, Francis C. Barber, Jessie Barber and Ethel Barber.

In the matter of the application for Citizenship in the Cherokee Nation of Mary A. Barber and her child, to-wit: Ironia Barber.

In the matter of the application for citizenship in the Cherokee Nation of Ella L. Burnly and her child, to-wit: Claude F. Burnly.

In the matter of the application for Citizenship in the Cherokee Nation of Ella Moore and her children, to-wit: Anna J. Moore, Jackson D. Moore, Whaley Moore and Gladys Moore.

In the matter of the application for Citizenship in the Cherokee Nation of Attie L. Hunt and her child, to-wit: Emma Hunt.

In the matter of the application for Citizenship in the Cherokee Nation of Alcey J. Swart and her children, to-wit: Georgia A. Swart and Effy L. Swart.

In the matter of the application for Citizenship in the Cherokee Nation of Josiah J. Garlinghouse and his children, to-wit: Myrtle O. Garlinghouse, Cora L. Garlinghouse and Birtie . Garlinghouse.

In order that the Honorable Commission may clearly and fully understand the proof and rights of the Claims of the aforesaid Claimants, we deem it necessary to present to the Honorable Commission, the genealogy of one of said claimants, to-wit:

Joanna Barber, whose maiden name was Joanna Petty, is a daughter of Elizabeth Petty, nee Dawson and a granddaughter of Polly Dawson, nee Legora and a full blood Cherokee Indian by blood as shown by the proof herein submitted.

Joel A. [illegible] is a son of Joanna Barber, nee Petty and grand son of Elizabeth Petty, nee Dawson and a great grand son of Polly Dawson, nee Rogers and a great great grand son of Captain John Rogers, who was a Cherokee Indian by blood as shown by the proof herein submitted. Mary A. Boyer, whose maiden name was Mary A. Barber, is a daughter of Joanna Barber and grand daughter of Elizabeth Petty, nee Dawson and a great grand daughter of Polly Dawson, nee Rogers and a great great grand daughter of Captain John Rogers, who was a Cherokee Indian by blood, as shown by the proof herein submitted.

[illegible] Rogers, who was [illegible], is a daughter of Joanna Barber, nee Petty and a great granddaughter of Elizabeth Petty, nee Dawson and a great great granddaughter of Polly Dawson, nee Rogers and a great great great granddaughter of Captain John Rogers, who was a Cherokee Indian by blood, as shown by the proof herein submitted.

Attie L. Hart, [illegible] was Attie L. Barber, isa daughter of Joanna Barber, nee Petty and a great granddaughter of Elizabeth Petty, nee Dawson and a great great granddaughter of Polly Dawson, nee Rogers and a great great great granddaughter of Captain John Rogers, who was a Cherokee Indian by blood, as shown by the proof herein submitted.

Mary J. Hart, [illegible] was Mary J. Barber, is a daughter of Joanna Barber, nee Petty and a great granddaughter of Elizabeth Petty, nee Dawson and a great great granddaughter of Polly Dawson, nee Rogers and a great great great granddaughter of Captain John Rogers, who was a Cherokee Indian by blood as shown by the proof herein submitted.

Joanna J. [illegible], [illegible] was Joanna J. Hart, is a daughter of Mary J. Hart, nee Barber, and a great granddaughter of Joanna Barber, nee Petty and a great great granddaughter of Elizabeth Petty, nee Dawson and a great great great granddaughter of Polly Dawson, nee Rogers, and a great great great granddaughter of Captain John Rogers, who was a Cherokee Indian by blood as shown by the proof herein submitted.

Therefore, the Claimants respectfully pray your Honor the Commissioner, that after a careful examination of their application and the testimonial investigation of the proof herein submitted, you will adjudge each of said Claimants, together with their [illegible] Cherokee Children, entitled to citizenship in the Cherokee Nation, and that you enter the name of each Claimant, together with the names of their aforementioned Children, upon the Cherokee roll, and that they be given all the rights, privileges and immunities of citizens of the said Cherokee Nation.

(signed) Hubbard, Garland & Latta,
Counsel for Petitioners."

Indorsed on back as follows: "No 3 Filed Feb 24 1897, Jas. A. Winston, Clerk."

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Commissioners,
Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss, Alexander B. Montgomery--H. M. Jacoway, Secretary.

DEPARTMENT OF THE INTERIOR,

Commission to the Five Civilized Tribes,
Vinita, Indian Territory, Oct 2 , 1896.
Filed Sept. 8, Answer Filed,
Application denied.

Joshua Barber,
vs.
Cherokee Nation.

I, H. M. Jacoway, Jr., Secretary, do hereby certify that the above and foregoing is a true and correct copy of Cherokee Record A. page 297 of the Commission to the Five Civilized Tribes.

Given under my hand and official signature this the 12 day of Feb. 1897.

H. M. Jacoway, Jr.,
Secretary."

Indorsed as follows: "1864 No. 4 Filed Feb 24 1897 Jas. A. Winston, Clerk."

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"BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Joshua Barber et al,
vs.
Cherokee Nation.

No.1864.

AFFIDAVIT FOR APPEAL.

Now come the said Joshua Barber et al applicants for citizenship in this case by T. B. Watts, one of their attorneys, and pray an appeal from the decision of the Honorable Commission to the United States District Court as provided by the Act of Congress, approved June the 10th, 1896.

And the said T. B. Watts, being duly sworn and acting on behalf of said applicants on said appeal prayed for in this case in his affidavit for the purpose of delay but that justice may be done the appellants.

(Signed) T. B. Watts,

Sworn and subscribed to before me this 22" day of Dec A.D. 1896.
(SEAL) (Signed) J. O. Lindsey,
Notary Public.
My Commission expires March 8th 1897."

Indorsed: "Court, 90."

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"Received of [illegible] Jr., Secretary of the Commission to the Five Civilized Tribes, the original papers, in the case of [illegible] vs. [illegible] Nation, as follows:

/ / / / / / /

Witness my hand and official seal at Muskogee this the [illegible] day of [illegible] 1897.

(SEAL) (signed) J. Q. Winston, Clk."

Indorsed: "Court [illegible] receipt for original papers in the case of [illegible] et al vs. Cherokee Nation. Received and filed this . . . day of . . . 189. . . Secretary."

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"IN THE UNITED STATES COURT FOR THE INDIAN TERRITORY,
MIDDLE JUDICIAL DIVISION, AT MUSKOGEE, I.T. U.S.A.

Joe [illegible] Oscar Otis E. Parker, William F. Parker, Jr. [illegible] Parker, Jessie Parker, Joel A. Parker, [illegible] A. Parker, [illegible] Lone, Addie L. Hall, Alger J. Stuart, APPELLANTS.

vs.

CHEROKEE NATION, APPELLEE.

PETITION FOR APPEAL FROM THE DECISION OF THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Come now the appellants in the above entitled cause and petition the Court to grant an appeal in said cause from the decision of the Commission, known as the Dawes Commission, created by Congress to treat with the Five Civilized Tribes of Indians, to-wit: the Cherokee, Creek, Choctaw, Chickasaw, and Seminole Indians, and to pass upon and decide applications for citizenship in the said Five Civilized Tribes, which decision by said Commission was rendered by authority of, but not in accordance with, an Act of Congress passed and approved June 10th, 1896, and by which decision on the 29 day of October, 1896 the aforesaid appellants were denied their rights to citizenship in the Cherokee Nation, Indian Territory.

The facts relied upon by the appellants to establish their rights to citizenship in the Cherokee Nation, as aforesaid are as follows: to-wit: The affidavits of E. Dawson, S. [illegible] Lawson [illegible] A. Dawson, F. M. Dawson.

Said affidavits fully and conclusively establishing the fact that said applicants are Cherokee Indians, by blood and descent, and entitled to rights of citizenship in the Cherokee Nation.

Said affidavits, together with the application, of said appellants, were, prior to September the 10th, 1896, filed with and submitted to said Commission for its investigation, examination and decision.

That a certified copy of said application, together with the accompanying affidavits, was served upon the Chief, or Attorney General, of said Cherokee Nation, prior to September the 10th, 1896.

The errors of the Commission in rejecting the claims for citizenship of said appellants are the grounds for appeal to this Court, to-wit:

FIRST. The Commission erred in rendering its decision on said claims adversely to the appellants and against the proof submitted by said appellants.

SECOND. The Commission erred in investigating the claims of appellants and denying the same, the consent of a majority of the members of the Commission.

THIRD. The Commission erred in rejecting the appellants the right and privilege of examining the proof submitted by appellee in support of its answers filed by the appellee and denying the appellants the right of filing a replication to appellee's answer or cross-bill or proof in rebuttal of the same.

FOURTH. The Commission erred in denying the appellants the benefit of a trial of their said claims de novo, as provided for by the laws and constitution of the United States.

FIFTH. The Commission erred in refusing appellants the right to be present in person, or by attorney, during the trial and determination of their claims before said Commission.

SIXTH. The Commission erred in refusing to issue process for witnesses and refusing to hear the witnesses and testimony offered by appellants.

SEVENTH. The Commission erred in deciding against the right of these appellants to be enrolled as citizens of the Cherokee Nation.

EIGHTH. The Commission erred in deciding against blood, holding that blood was not a test of the right of citizenship in said Cherokee Nation.

NINTH. The Commission erred in deciding against the question of residence, holding that residence in the Cherokee Nation was not a test of the right of citizenship in the said Cherokee Nation.

TENTH. The Commission erred in not entering upon their docket or record the grounds upon which the claims of appellants were denied and refusing to notify the appellants the grounds of denial or rejection.

ELEVENTH. The Commission erred in examining the claims and proof of appellants and denying the same while the Commission was not clothed with any legal authority, nor had jurisdiction, to render decision on said claims or deny the same.

TWELFTH. That the Act of Congress approved June [illegible], 1906, was unconstitutional and did not confer any legal right to confer jurisdiction on said Commission to deny and refuse the rights to citizenship of said appellants, and said Commission erred in determining the rights and equities to said appellants.

THIRTEENTH. That Congress has no power by enactment to create, appoint and empower a judiciary, and said Commission erred in denying the claims of said appellants without any legal authority to do so.

Therefore, the appellants pray that an appeal be granted to this Court and that a trial, de novo, be granted the appellants, and that said appellants be permitted to introduce new testimony, and that the proper writs issue commanding said Commission to send all the papers, and the record and proceedings in said cause, to this Court, that the Cherokee Nation, the appellee herein, may be cited to appear

at this Court and plead and defend against the said [illegible] why the appellants should not by the rules, orders and decisions of this Court be adjudged entitled to citizenship in the said Cherokee Nation, and the appellants will ever pray.

(signed)
W. B. Watts,
A. H. Garland,
W. J. Watts,
Attorneys for Appellants."

Indorsed on back: "Cherokee Citizenship Case, No. 00 No 5 Joan A Barber et al vs Cherokee Nation Filed Dec 13 1896 J.e A Winston Clerk Watts, Garland & Watts, Attorneys for Appellants."

"SUMMONS.

[illegible]
United States of America,)
Indian Territory, (ss.
Northern District.)

THE PRESIDENT OF THE UNITED STATES OF AMERICA,

To the Marshal for the Northern District, Indian Territory:

You are commanded to summon the Principal Chief of the Cherokee Nation, or the Attorney General of said Nation, to appear on the first day of next May term of the United States Court for the Northern District, Indian Territory, at Muskogee, Indian Territory, which is the 4th day of May, 1897, A.D. 189-- to answer petition praying an appeal from the decision of the Commission to the Five Civilized Tribes duly filed in said Court by Joan A Barber, Chas F. Barber, Wm F Barber, Jas E Barber, Jennie Barber, Joel A. Barber, Mary A. Barber, Emma Moore, Attie L. Hurt, Alsey J. Swart, who claim to be entitled to be enrolled as citizens of said Nation, to the United States Court for the Northern District, Indian Territory, which petition is now pending in said Court, and upon his or their failure to answer petition within thirty days from the time of the service of this writ, the same will be taken for confessed, and you will make due return of this summons within ten days after the actual service of this writ.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, this 13th day of Dec. 1896 A.D.189--

(signed) J. A. Winston, Clerk.

(SEAL)"

"MARSHAL'S RETURN.

I received this summons the 22" day of December A.D. 1896 and served the same as follows: W. T. Hutchings, Attorney for Cherokee Nation Under Accepted Service on the within at Muskogee, Indian Ter. this 13" day of January 1897

(signed) W. B. Watts

U.S. Marshal

By .....Deputy."

Indorsed on back as follows: "Citizenship Case No. 90 ... Nation... Sur one....At ... Citizenship."

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"Joanna Barber et al.
vs. No.90.
Cherokee Nation.

Mr. M. A. Gibson, Special Master, to whom the above cause was referred, submits the following report:

'IN THE UNITED STATES COURT IN THE INDIAN TERRITORY,
NORTHERN DISTRICT, AT MUSKOGEE.

JOANNA BARBER ET AL)

-VS- : REPORT OF SPECIAL MASTER.

THE CHEROKEE NATION.)

----------oOo----------

I, M. A. Gibson, Special Master herein, show to the Court that under the general order herein, I have examined the proofs and pleadings herein, which is hereto attached and made a part hereof, and find as follows:

I

This this cause was instituted on September 8th, 1906, before the Dawes Commission to the Five Civilized Tribes, by Joanna Barber, and Isaac J. Barber, her husband, and their children, Onie E., William L., James E., Johnnie and Joel A. Barber. That Joel A. Barber has the following children, Lattie Toliver, George A., Frankie O., Jesse and Ethel Barber. That the application includes also Mary A. Bowyer and her child Inez Bowyer, Emma L. Murray and her child Claud Murray, E. A. Moore and her children Anna J., Jackson D., Ruby M. Cleghs, Attie L. Hunt and her child Dorman Hunt, Alber J. Smart and her children Georgia A. and Emzey E. Smart, Josie J. Garlinghouse and her children Myrtle C., Corn L. and Bertie E. Garlinghouse. That this application was by the Commission tried and rejected on October 29th, 1906, with no reasons given for the decision, and that subsequently on December 27, 1906, the claim is appealed to this Court. That the parties all live in the Cherokee Nation, Indian Territory.

II

That the parties claim the right to be admitted to citizenship in the Cherokee Nation by reason of their descent from Polly Rogers, who is claimed to be a Cherokee Indian by blood. That there are filed in support of their application the affidavits of S. R. Dawson, E. Dawson, Francis M. Dawson, and M. A. Dawson, who testify that Joanna Barber is the daughter of Elizabeth Reavy, nee Dawson, who was the daughter of Polly Rogers, who was a white woman by the name of Samuel Dawson, and that Polly Rogers was the daughter of Captain John Rogers and Allegoy Vann. That these witnesses are all Cherokee citizens by blood, and that the said

claimants, and according to their testimony, related to the [illegible].

The appellee introduces to contravert this testimony the decision of the Cherokee Commission on citizenship, rendered in the year 1[illegible]7, in which these claimants were rejected by this Commission and also the affidavits of E. C. Rogers a grandson of Captain John Rogers, and Mrs. Sarah Carter, a granddaughter of Captain John Rogers, both of whom state that they never heard of any daughter of said Captain John Rogers by the name of Polly Rogers, and that Cynthia Rogers was his only daughter.

III

The claimants in this case are residents of the Cherokee Nation, and the relatives of the Lawson family, who are recognized citizens of the Cherokee Nation by blood, are entitled to be enrolled as citizens by blood, while the appellee contends that John Rogers, through whom the petitioners claim, is not now and never has been a citizen of the Cherokee Nation since the removal west; that his name does not appear on the rolls of the Cherokee Nation, and that he nor his ancestors ever resided in the Cherokee Nation so entitle them thereof.

The premises considered, in view of the unsettled condition of affairs in the Cherokee Nation at the time when Captain John Rogers, the ancestors through whom these claimants trace their Cherokee blood, lived, and especially in view of the absence of a marriage law and of record pertaining to marriage, I am of the opinion that these claimants have shown that they are descended from Capt. John Rogers, who resided in the Cherokee Nation, and was a recognized citizen, though they do not show that he was ever enrolled as such, and I therefore find that the claimants are all residents of the Cherokee Nation, Indian Territory, and that they are all Cherokee Indians by blood. That Rogers resided in the Cherokee Nation since 1[illegible]7, and probably longer, though the proof does not state definitely how long he has resided.

I [illegible] that the Court allow the sum of [illegible] for [illegible] services herein as special master.

Respectfully submitted this 1[illegible] day of August, 1[illegible]07.

(signed) W. A. Gibson,
SPECIAL MASTER.

[illegible]

"Creek Freedmen Final."

[illegible] C. J.

Mrs. [illegible] contends that the claimants have their right to be enrolled as citizens of the Cherokee Nation upon the grounds that they are the descendants of a Cherokee Indian by blood, but their ancestors through whom they claim have never resided in the Cherokee Nation as now constituted. It appears that they have resided in the Cherokee Nation since 1[illegible]7, and probably longer, though the proof does not state definitely how long they have so resided. It does not appear that the applicants or any of their ancestors have ever been recognized as members of the Cherokee Nation.

The judgment of the United States Commission rejecting this case is affirmed, and the application of the claimants

to be enrolled as citizens of the Cherokee Nation is denied."

Indorsed on back: "#30 No.7 Joanna Barber et al vs Cherokee Nation, Final Report of Special Master, Filed August 17, 1897, Jas A. Winston, Clerk."

Foregoing papers in Joanna Barber case enclosed in jacket indorsed: "#30 Joanna Barber et Vs Cherokee Nation."

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"NOTICE.

UNITED STATES OF AMERICA) In the United States Court for
INDIAN TERRITORY (SS said District.
NORTHERN DISTRICT.) In the matter of the application of Joanna Barber et al to be enrolled as citizens of the Cherokee Nation.

To the Commission to the Five Civilized Tribes.

You are hereby notified that an appeal has been taken in the matter of the application of Joanna Barber et al to be enrolled as citizens of the Cherokee Nation, from the said Commission, to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William H. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the 27 day of Dec. 1896. A.D. 189—.

(SEAL) (signed) J. A. Winston, Clerk."

Indorsed: "No. 1664 Joanna Barber et al vs Cherokee Nation, APPEAL ORDER of U. S. COURT."

Foregoing paper enclosed in jacket marked: "No. 1664."

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BY MR. HUTCHINGS:

We now introduce the original record in the citizenship case of Irene J. Moore, et al., before the Commission in 1896, the court number of same being 230, said case being denied by the Commission; appealed to the United States Court, and the decision of the Commission affirmed.

In this case I desire to call especial attention to the certified copy filed therein of the testimony of Arthur Baker, the certified copy having been made in 1894, being the testimony of Dr. Baker in the case of Robert Dawson against the nation, number 138, before the Citizenship Commission, and which was made January 10, 1882.

BY MR. McKENNON: To all of which the applicants object, because the same is immaterial, irrelevant and incompetent.

The papers in Court No. 238, just introduced above, are as follows:

"Office of Commission on Citizenship,
Cherokee Nation, Tahlequah, January 19, 1893.

No. 102.
Robert Dawson et al) Exhibit C.
vs)
Cherokee Nation.)

Testimony for Claimants.

Witness, Dr. Arthur Baker sworn testified as follows:

My name is Arthur A. Baker I reside at Berryvill Arkansas Carroll County my age is 52 years I am not a Cherokee. I lived in the Cherokee Nation about three years when I first came to Arkansas I have been acquainted with him since he became a citizen of Carrolls County some 35 years - At my Mothers house near Calhoun I became acquainted with the claimants Robt Dawson grandmother on Mother's side she was frequently at my mothers house though she Anna Pruet lived in the Nation side; She claimed to be a half sister to Big Joe Vann, also claimed to be half Cherokee, the first time she brought the claimants Mother to my Mothers house she the mothers mother was about grown when I was a little boy. She called her daughter Polly Rogers, Said Captain John Rogers who ran a boat up the River was the father of the child; I saw the girl frequently there at my Mothers and there at Louis Rogers Store.

I saw her occasionally until I was 15 or 16 years of old and I think then Old Capt. John Rogers took her off to school, I saw her no more from the time Old Capt. John Rogers took her off till I saw her here in Arkansas the wife of old Samuel Dawson, I stayed all night there and we and I had a talk over our old matters and I asked her where she became acquainted with Dawson and she said at the time she was going to school and she said after she left school that Dawson followed her home, to the Nation and they were there married. I have told that precisely in the words that she used. Capt John Rogers claimed to be one Fourth Cherokee. The claimant is the son of Polly Rogers, and I know Polly Rogers to be the daughter of Anna Pruett and I know the claimant to be the son of Polly Dawson.

Capt. Rogers then resided in the Cherokee Country about ~~twenty~~ (Word "twelve" marked thus (,,) twelve miles below Calhoun on the Hiwassee River. Anna Pruett resided in the Cherokee Nation as long as I knew there the Dawson when I got acquainted with them Arkansas were recognized where they were as Cherokees. Robert Dawson children is Buck, John, Marian and two girls, The children named in the petition I recognized as being the claimants.

Question by Solicitor:

No. 1 How many children did Polly Rogers have?
Ans. 1 Five I [illegible] that's all.
No. 2 Did you ever see Polly Rogers and Dawson one being married twice?
Ans. 2 The claimant was married twice.
No. 3 Could Anna Pruet speak Cherokee?
Ans. 3 Yes, she could speak it well.

Ques 4 Did Polly Rogers speak Cherokee?
Ans. 4 She did when I was young.
Ques 5 How far did you live from Ada Pruet?
Ans. 5 Just across the river about 3/4 of a mile.
Ques 6 Was Calhoun in the Cherokee Nation?
Ans. 6 It was on both sides of the river part in the Nation and part out in the state.
Ques 7 Which Hornage was it went to Texas?
7 George went first, then John went, they were the sons of old man Hornage, that lived up near the line.
Ques 8 Did the Claimant go to Texas?
Ans. 8 No the Claimant did not go to Texas.
9 What connection was claimant and Polly Rogers?
9 The Claimant is the son of Polly Rogers
Marion here is the grandson of Polly Rogers.
10 Where does claimant now live?
10 He lives in Carroll Co Arkansas.
11 Do you know the relation old Capt John Rogers was to Charles Rogers here in Cooweescoowee?
11 They claimed kin but what kin I dont know there were two Capt John Rogers in the Nation I am speaking of the time when I first came to this country about the year 1830.
12 Was Anna Pruet the maiden name of claimants grandmother
12 Yes that was her maden name the Indian called her Sinee

his
(signed) Arthur x Baker
mark

Witness hand paralyzed is the reason why he signed by a mark his x

I R T Hanks Assistant Executive Secretary do hereby certify that the foregoing document is a true and correct of the original as appears of record in the Executive Department of the Cherokee Nation.

Given under my hand and the seal of the Cherokee Nation on this the 5th day of December 1894.

(signed) R. T. Hanks,
Asst Exec Sec. "

(Seal)

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"To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes in the Indian Territory:

Your petitioner, Irena J. House, undersigned, respectfully states that she is a Cherokee Indian by blood, as asks to be enrolled as a Member of the Cherokee Nation of Indians in the Indian Territory. That she derives her said Indian blood from Jane M. Barber her mother, who is a Cherokee Indian by blood The said Jane M. Barber being a daughter of Elizabeth Petty Who was the daughter of Polly Rogers and Samuel Dawson, the said Polly Rogers being the daughter of Captain John Rogers and Anna (alias Vann) Pruet, Cherokee Indians, as shown by a certified copy of the affidavit of Dr. Arthur A. Baker, which is hereto attached as Exhibit A also affidavits marked exhibits B- C- D- and E.

Your petitioner states the above facts as the lawful grounds for her application for citizenship in the Cherokee

Nation, and prays that her claim may be fully investigated by your Honorable Commission and that she be adjudged to be a citizen of said Cherokee Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is 34 years. My Post Office address is Talala, Ind. Ter. My family consists of the following named persons: My husband and children as follows:
E. J. House, aged 34 years; Chas. C. House, aged 9 years; Benson T. House, aged 8 years, Anny E. House, aged 5 years.

WITNESS my hand this 19 day of August 1896.
(signed) Irene J. House.

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Northern Judicial
District, Ind. Ter. SS.

Personally appeared before me, the undersigned authority, Irene J. House, to me known to be the petitioner in the above petition, who being by me first duly sworn upon her oath says that she is the petitioner in the above petition, that she has read (or heard read) the said petition and that the facts stated therein are true, as she verily believes.
(signed) Irene J. House.
Subscribed and sworn to before me at Talala, Ind. Ter. this 19 day of August A.D.1896.
(signed) J. Harrickla[illegible],
Notary Public, My Commission expires
June 8 1899."
(seal)

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"Exhibit A.
Northern Judicial Division,
Indian Territory.
Joanah Barber being duly sworn according to law. on oath states My name is Joanah Barber I am 61 sixty one years old. My Post office address is Watova Ind Ter- My husband occupation is farmer I am a Cherokee in Coowescoowe Dist I am a Cherokee Indian by blood my mother being Elizabeth Petty (nee Dawson) Daughter of Samuel Dawson and Polly Dawson (nee Rogers) and said Polly Rogers is a daughter of Carp Rogers and Anna Vann (now only called Alsey Vann) the following Irene J. House is my daughter: she was born in Williamson County, Texas May 13th 1867, moved with her husband children to the Indian Terry & settled near Talala I Terry
(signed) Joanah Barber
Subscribed and sworn to before me this 19 day of Aug.1896.
(signed) J. Harrickla[illegible],
Notary Public, My commission expi es
June 8 1899
(seal)

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"EXHIBIT B.

Indian Territory,
Northern Judicial District ss.
F. [illegible]. Dawson being duly sworn according to law
deposes and says:

My name is F. M. Dawson; I am 54 years of age; my post office address is Afton Indian Territory; I am a farmer by occupation and reside in the Cherokee Nation.

I am a recognized Cherokee citizen by blood. I was born in Carroll County Arkansas near Berryville. I derived my Cherokee Indian blood from my grandmother whose maiden name was Polly Rogers through my father Robert Dawson, My grandmother Polly Rogers was a Cherokee Indian and was married to Samuel Dawson my grand father in the old Cherokee Nation in Tennessee. My grand parents Samuel Dawson and his wife Polly came west from the Old Cherokee Country in about 1832 and settled in Western Arkansas and later came on to the Indian Territory and the father of this affiant Robert Dawson and family settled in the Cherokee Nation, Indian Territory, Robert Dawson, the father of the affiant was also a recognized citizen of the present Cherokee Nation by reason of his Cherokee Indian blood.

The said Robert Dawson father of this affiant and Elizabeth Dawson who married John Petty were full brother and sister by blood, both being children of said Samuel Dawson and his wife Polly Dawson whose maiden name was Polly Rogers The said Elizabeth Petty was the mother Of Joanna Barber who is a full cousin by blood of this affiant in the Indian side. The said Joanna Barber is the mother of Irena J. House nee Barber who is a second cousin of this affiant in the Indian side.

This affiant further states that he has seventy five to a hundred blood relatives who reside in the Cherokee Nation and are recognized Cherokee Indians by blood and drew their per capita money all the last payment; said citizens and relatives derived their Indian blood from the same source that the above named Irene J. House, derives her Indian blood and right.

This statement I have made to John H. Koogler, a Notary Public at Muskogee Indian Territory and it has been written down by him at my dictation. Such part of this testimony which refers to matters occuring previous to my recollection I know by means of family history and traditions which facts I have always been taught and told of by my parents and grand parents from childhood up, the facts stated as occuring since my childhood I know of my personal knowledge. Affiant further states that he is not personally interested in the prosecution of the application of said Irena J. House for citizenship in the Cherokee Nation.

(Signed) F. M. Dawson."

"Indian Territory,
Northern District.

I John H. Koogler, hereby certify that the annexed and foregoing statement and affidavit was dictated to me by F. M. Dawson and was subscribed and sworn to by him and was written by me from his oral statement at my office in Muskogee Indian Territory this 14 day of August 1896, and I further certify that the said F. M. Dawson is personally known to me and that he is a creditable person and entitled to belief.

(Signed) John H. Koogler,
(Seal) Notary Public."

Northern Judicial District,
Indian Territory. EXHIBIT D.

E. Lawson, [illegible] duly sworn according to law on oath states: My name is E. Lawson; I am 61 years old; my post office address is Talala, Ind. Ter. I am a farmer by occupation, and reside in the Delaware District- Cherokee Nation. I am a recognized Cherokee Indian by blood, and exercise all the rights and immunities of a Cherokee citizen now living in the present Cherokee Nation. I was born in Carroll County Arkansas near Berryville. I derive my Cherokee Indian blood from my grandmother Polly Rogers through my father, Robert Lawson. My grandmother Polly Rogers was a Cherokee Indian and was married to my own father Samuel Lawson in the old Cherokee Nation in Tennessee. My father, Samuel Lawson and wife Polly Lawson came West and settled in Cherokee Country in about the year 1829, and settled in Western Arkansas, and later came on to the Cherokee Nation. My father Robert Lawson was a recognized citizen of the Cherokee Nation when he died, by reason of his Cherokee Indian blood.

The said Robert Lawson, the father of this affiant, and Elizabeth Lawson who married John Petty were full brother and sister by blood, both being children of the said Samuel Lawson and Polly Lawson his wife she being the same Polly Rogers as aforesaid. The said Elizabeth Petty was the mother of Joanna Barber who is a full cousin by blood of this affiant on the Indian side, the said Joanna Barber is the mother of Irene J. House, whose maiden name was Irene J. Barber and a second cousin of this affiant on the Cherokee Indian side. This affiant further states that he has seventy five to a hundred blood relatives who reside in the Cherokee Nation and are recognized Cherokee Indians of the present Cherokee Nation and exercise all the rights and privileges of such Cherokee citizens, they having drawn their shares of the Strip money at the last per capita payment made by the Cherokee Nation.

Said citizens and relatives derived their Cherokee Indian blood from the same source, as did the above named Irene J. House.

I have made this statement before J. Garrickles, Notary Public at Talala, Ind. Ter, and affiant further states that he has no personal interest in the prosecution of the claim for citizenship in the Cherokee Nation of the said Irene J. House.

That the above facts [illegible] are within the personal knowledge of the affiant or within his years of discretion he knew personally, and the other facts [illegible] occurred before the recollection of affiant he testifies to [illegible] and he has derived [illegible] his family history and [illegible] blood.

That the relationship existing among all his people in the Cherokee Nation he knows from his personal knowledge and [illegible] that they are related to the Cherokee Indian side.

(Signed) E. Lawson.

Subscribed and sworn to before me this 10 day of August 1896 (Signed) J. Garrickles,

Notary Public, My commission expires June 5, 1900. Notary Public.

(Seal)."

"Cherokee Nation,
Coowescoowee District. EXHIBIT E.

Before me the undersigned authority this day, personally appeared W. A. Dawson who is to me well and personally acquainted, and after being duly Sworen; deposeth and says, that he is well acquainted with Irena J. House and knows she is a Cherokee Indian, and that he knows she is the daughter of Joana Barber, who is a neice of Robt. & James Dawson, who are both Cherokee Indians and recognized citizens of the Cherokee Nation.

Affiant further states that Irena House is the grand daughter of Mrs. Petty, who was a full sister of Robt & James Dawson.

Affiant further says that he knows that Irena House is a lineal descendant of Annie Dawson whose ~~children~~ (line drawn through word "children") sons, Robt & James before spoken are recognized citizens.

Affiant further says he has no interest in this suit.

(signed) W. A. Dawson.

Sworn and subscribed to before me this 17 day of August 1896.

(signed) William Lynch
Notary Public.

(Seal) My term expires Feb 6 1900."

Foregoing indorsed on cover as follows:
"No: 3090 5464 Before the Dawes Commission on Citizenship in the Five Tribes. Irene J. House V.S. The Cherokee Nation. Petition and Proof, Fill E. Linton, for Petitioner. Filed Sept 8 1896 A. S. McKennon, Com'r. Denied. Filed Feb 26 1897 Jas A. Winston clerk."

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"Received of W. M. Jacoway, jr., Secretary to the Commission to the Five Civilized Tribes the original papers in the cause of .... vs..... Nation, as follows..... Witness my hand and official seal at Muskogee this the 26 day of Feb' 1897 J. A. Winston, Clerk."
(Seal)"

Indorsed: "Court No.238 No. 5464 Receipt for original papers in the case of Irena J. House vs. Cherokee Nation, Received and Filed this ..... day of..... 189..."

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"Irene J. House et al,
vs. No. 238
Cherokee Nation.

Mr. W. A. Gibson, Special Master to whom this case was referred, submits the following report: (Insert report)

IN THE UNITED STATES COURT IN THE INDIAN TERRITORY.

NORTHERN DISTRICT AT MUSCOGEE.

IRENE J. HOUSE ET AL

VS

THE CHEROKEE NATION.

) 338 REPORT OF SPECIAL MASTER.

----------oOo----------

I, M. A. Gibson, Special Master herein, show to the Court that under the general order herein, I have examined the proof and pleadings on file in this cause which are made part of this report, and find as follows:-

I

That this case is in reality a transcript of Case No. 90, Joanna Barber vs Cherokee Nation, the principal claimant herein being Irene J. House a daughter of Joanna Barber.

That this cause was instituted on September , 1896 at which time application was made to the Commission to the Five Civilized Tribes for citizenship by blood in the Cherokee Nation.

That this case was tried by the said Commission on November 24, 1896 and the applicants denied, no reasons being given for the decision, and that on January 20, 1897, the parties appealed from said decision to this Court.

That this application was made by Irene J. House, her husband, T. J. House, and their children Chas., C. Winston T., and Henry F. House. That they file in support of their application the affidavits of Joanna Barber, T. J. Dawson, Arthur A. Baker, E. Dawson, and W. A. Dawson. That these Dawson witnesses are citizens by blood of the Cherokee Nation, and state that they are related by blood to the claimants herein on the Cherokee side. The claimants base their contention of a right to Cherokee citizenship upon the fact that the claimant Irene J. House is the daughter of Joanna Barber, who is the daughter of Elizabeth Petty, who was the daughter of Polly Rogers, and that Polly Rogers was the daughter of Captain John Rogers and Ailsey Vann, who were recognized Cherokee citizens by blood. That the testimony shows that this Dawson family are recognized citizens of the Cherokee Nation, and that the claimants herein are cousins by blood upon the Indian side, and that they all claim through a common ancestor, Polly Rogers and Captain John Rogers and Ailsey Vann, who were all recognized Cherokee Indians.

II

The appellee introduces in defense the record of the application of these claimants to the Cherokee Commission on Citizenship in the year 1897, and the record of the rejection of the claimants, and further the affidavits of W. A. Rogers, and Mrs. Sarah Carter, a granddaughter both of whom state that they never heard of any daughter of Captain John Rogers by the name of Polly Rogers, and that he had only one daughter, whose name was Cynthia.

III

The Claimants contend that they are residents of the Cherokee Nation and are relatives of the Dawsons, who are

recognized citizens of the Cherokee Nation by blood, are entitled to be enrolled to the Cherokee Nation as citizens by blood. While the applicant contends that John Rogers, through whom the petitioners claim, is not now and has not been a citizen of the Cherokee Nation since the removal west That his name was not at any time on the rolls of the Nation, and that none of his ancestors ever resided in the Cherokee Nation, the burden is upon the petitioners to prove.

IV

[illegible] considered, I find that the claimants are [illegible] Captain John Rogers, and that it was [illegible] that in the condition of affairs at that [illegible] the Cherokee Nation, especially owing to the [illegible] marriage law and of records pertaining to marriage, [illegible] claimants should be the descendents of certain [illegible] daughter, Polly Rogers, of whom the applicants [illegible] they never lay claim.

[illegible] and are residents of the Cherokee [illegible] for many years, where they have resided since [illegible], [illegible] Cherokee Indians by blood.

[illegible] allow the reasonable fee [illegible] Special Master.

[illegible] this 9 day of Nov 1897.

(signed) H. A. Gibson,
Special Master.

[illegible]
No Exceptions Filed."

[illegible] appears indorsed on cover as follows: "230, [illegible] et al V Cherokee Nation Final Report of Special Master, Filed Nov 10 1897 Jas A. Thurston, Clerk."

[illegible] enclosed in jacket indorsed as follows: [illegible] et al vs. Cherokee Nation."

- - - - -

[illegible] well we close for the present.

[illegible] EXAMINATION ON BEHALF OF THE APPLICANTS:

[illegible] first duly sworn, and being examined,
[illegible]

[illegible] name, age and residence? A My name is D. W. [illegible] 35 years, my residence, Vinita, Indian Territory.
Q Are you [illegible] citizen of the Cherokee Nation by blood? A I [illegible].
Q You [illegible] this [illegible] before did you not, before the Dawes [illegible]? A I [illegible].
Q Before this Commission, I will say, this Commission? A The Dawes Commission. I may [illegible] the the Commissioner was, that was [illegible].
Q Were you [illegible] connected with the Cherokee Citizenship Commission [illegible] known as the "Tehee Commission"? A I was Clerk of that Commission.

...what length of time? A I don't recollect the exact length
... me, I think it was about thirty days, during the continuance
... that Commission, existance of that Commission.
... you were the only clerk it had during its existance were you?
A I think I was.
... Clerk of that Commission when it rendered a decision
... of Robert Dawson et al, as found on page 114, of its
... (witness examines record referred to.) now
... commission of this Commission? A I was.
... appears of that Commission were the same as shown by the
... to this judgment were they? A The same, yes, sir.
... Commission, Alex Wolfe and T. J.
... is correct, is it? A That's correct.
... was under consideration by the
... this judgment in the case? A I was.
... F. M. Dawson, Jr. only
... Taylor and Samuel H. Benge, who were
... attorneys at that time? A I might
... Dawson; all I know of him was I saw him
... Mr. Taylor and Mr. Benge
... them a number of years.
... prominent citizens were they? A They were.
... not known generally as a Citizenship Attorney?
A I think he was.
... remember seeing Mr. Benge present at the time this
... was under consideration by the Court? A Why I do not recollect
... Mr. Benge, I cannot recollect, but I can recollect of seeing
... Taylor about the Court room now and then.
... you know who submitted the case to the Court for the
... applicants? A Let me understand the meaning of that; who brought
... the case?
... Who called up the case? A No, I don't recollect.
... you remember whether that Commission rendered any other decision
... than found upon this record in that case? A I never had any
... knowledge only but one decision.
... was that in favore of or against the applicants? A It was in
... favor of them; I will say this: that if there was another decision
... from the one that appears on the docket now before you, I
... no recollection of it.
... Was there a change of venue ordered by you
... Court to some other county? A That is the only one that
I ...
... Did you ever say you can't remember with that case?
... to ...
... influence
... to the Court
... outcome of influence-
... that during; that
... I had was having
... Court which
... reference to transacting that judi-

ment? A I never observed anything of the kind; nothing that awakened a suspicion in my mind that he was engaged in that kind of practice.

Q Did Campbell Taylor at any time after the rendition of that ... ent pay to you any money as coming thro gh him from Bud Dawson for any services which you had rendered to him in that case?

A Yes, he paid me some.

Q What amount? A My recollection is that, I think it was a twenty dollar bill. I don't know but I had better go and state the transaction, all about it.

Q Yes, sir. A Mr. Dawson, Bud Dawson, during the trial of the case occasionally applied to me at my desk for writing paper, issue of a subpoena or transcript, something of that kind. I always treated him with courtesy and proper attention. He seemed to appreciate it, and whenever I did a favor of this kind for him, says he, I have no money, Mr. Duncan, but when I get it I owe it to pay you. I told him I had no charge for work of that kind. And in passing I might state that I never received a cent for any kind of that work which I was in the habit of doing for various parties before the Court.

After his trial was concluded, in the afternoon a little while before supper time I went to my hotel, The Kimmel Brick Hotel in Tahlequah; went to my room, felt a little tired, laid down upon the bed to rest. I recollect Mr. Duncan stepped into the room, drew a chair up to the bedside and sat down and congratulated me on his vindication at the hands of his case, ... mostly upon the testimony in the case being so satisfactorily establishing his Cherokee blood, and that he thought that he was entitled and that he had received justice by the Court. I listened to him, and we talked there I guess some ten or fifteen minutes; after a little he says, I must go to-morrow, I think I go to-morrow, I must go home,- he then lived down in Arkansas somewhere. Says he, Mr. Duncan, I believe I owe you something, I want to pay you something. Alluding, as I understood, to these little courtesies that I extended to him at my desk. Says I, I make no charges, Mr. Dawson, for services; if I have done you ... you are welcome. Well, says he, I feel indebted to you, ... to pay you. I says, that makes no difference; I will ... ent to you. Says he, I have hardly enough money to get ... he shook my hand, and the last word he says to me, you ... don't take anything for your kindness to me. I thought he had ... for my services at the desk. That was the last I saw of ... Dawson, or it must have been a year afterwards; I had located a little claim on the public domain up there in Delaware District, ... what I intended to be a farm, ... stables, I didn't ... other improvements, over there on ... Creek. Went over in the part of the country to look after my ..., and I ran ... Mr. Dawson, he had come into the ... and located and built him a little shanty and was living in it. ... upon him, ... glad to see me: I ... ... ing there; ... has moved into the country, and I ... him, says I, you are encroaching upon me here; he had ... his claim over part of mine, mine had been made no ... it was outlawed under Cherokee law. Well, says Mr. Dawson, I don't feel like doing you any wrong, I will pay you for your claim, and we will settle the matter in ... way, that he as soon as he got his little matters together that he would satisfy me for it. Well we parted it that night. It ran on then for a long time, I don't know how long,- I ... I met him in Vinita, and says he, did Camp Taylor pay you any money that I sent to you? Says I, No, I have not seen Camp Taylor.

Well, says he, I gave him some money and told him to send it to you for me, and, says he, you ask him and he will hand it over to you I guess. Well we parted then. Well, went on for some time, some months; I happened to meet Mr. Taylor in Tahlequah; I met him on the street I think, jocularly I clapped my hand on his shoulder, says I, look here, did Mr. Dawson any money to me by you? He says, yes, and he pulled out what I recollect to be a twenty dollar bill, and handed it to me; I received it, and I received it with the idea that he was compensating me for taking my claim, or possibly for doing him those little services in the Court. Now that is the gist and substance of the whole thing.

Q Was not that twenty-five dollars, Mr. Duncan? A It might possibly have been, my recollection does not serve me exactly, it might have been 25 dollars.

Q Did Campbell Taylor pay you any other money as coming from said Dawson? A Never a cent.

Q Did he on one time pay you fifty dollars out of a hundred dollars which he had received from Mr. Dawson? A Never.

Q Did he on a second occasion pay you fifty dollars out of one hundred dollars which he claimed to have received from Mr. Dawson? A None at all.

Q He never paid you no other money than that you have already stated, from Mr. Dawson? A Not a cent.

BY MR. McKENNON: We offer in evidence the judgment of the Cherokee Citizenship Commission before referred to, and ask that it be filed in evidence in the case of every application made by members of the Robert Dawson family who claim under it, or through Robert Dawson, as citizens of the Cherokee Nation, said judgment being found on page 114, Records of the Tehee Court, 1880 to 1884, cause number 106, judgment dated January 11th, 1883, rendered by Thomas Tehee, President, Alex Wolfe, T. F. Thompson, Commissioners. D. W. C. Duncan, Clerk Commission.

The said judgment just introduced is as follows:

"Office Commission on Citizenship,
Tahlequah, C. N., September 24th, 1881.
No. 108
Robt Dawson,
Elbert Dawson,
Jasper Dawson,
John Dawson,
Josephine Dawson,
Joseph Dawson, Petition for Citizenship
Jane Dawson,
Molly Dawson,
Talford Dawson,
James Dawson,
Final Dawson,
vs.
Cherokee Nation.

Continued by the Plaintiff, Oct. 5, 1881.

January 13th, 1882.
The above case continued by the Cherokee Nation till next.

term. Agreed by the parties that the above shall not be taken up for final disposition before the 4th day of Oct. 1838,

October 4th, 1838

It is agreed by the parties that this shall be finally disposed of at the next January term if the claimant is present demanding the same, if not, the case shall be continued to the September term, 1838.

On this agreement Commission continues the case till the next January term to-wit, January 1839.

And now this the 11th day of January A.D, 1839 this case coming on for final hearing, and all the evidence produced in the case being carefully read and duly considered by the Commission it was adjudged & determined by the Commission on Citizenship that the claimants, Robert Dawson, T. B. Dawson, Elbert Dawson, Jasper Dawson, John Dawson, Jo Smith Dawson, Joseph D awson, Jane Dawson, Polly Dawson, Wilson Dawson, James Dawson, and Phil Dawson, are Cherokees by blood and that they are entitled to all the rights and privileges of Cherokee citizenship within the Cherokee Nation, and that they should be, and they are, hereby admitted to the full and complete enjoyment of the same in all respects as native born Cherokees.

(signed) Thos. Tehee,
President of Com.

D. W. C. Duncan,
Clerk of Commission.

Alex Wolfe,) Commission,
T. F. Thompson,) Com.

Transcript issued to Claimants, January 11th, 1839,
(signed) D. W. C. Duncan, Clerk."

Marginal Note: "Case submitted by claimant January 11th 1839. Case submitted by Solicitor January 11th, 1839."

Q Do you remember how many members of the Court were present when this judgment was rendered, or were all of them? A My recollection upon that point is not positive, but it is my opinion and belief, and I know to be the practice of the court at the time, stating the names of all these Commissioners there, I can say with a great deal of positiveness that they were all present, because I never signed the name of one of the Commissioners unless he was present, authorizing it or directing it.

Q The rendition of that judgment then was concurred in by all of the three judges? A It was.

Q Mr. Duncan, if there had been a decision rendered the day before in this case while the Court was in session, adverse to these Claimants, would you have known it? A I certainly should have known it.

Q Was there any such decision of the Court? A None to my knowledge. I can say positively there was not.

Q How many of those judges are now living? A Only one.

Q Who? A Mr. Thompson.

Q Tehee and Wolfe are dead? A Tehee and Wolfe are dead.

Q How long have they been dead, do you know? A I do not know, quite a number of years. I wasn't living there. I was living in [illegible] when their death occurred, and the events occurred some a long time before I got knowledge of it. It is generally understood that they are dead.

Q ...you recall hearing any other member of the Utah family about the Court at that time? A I have been thinking, and I can't call to mind that I ever saw any other Bureau except Ted, until after they have filed the motion subsequent to the rendition of the judgment.

(At this point a party who was then sitting in the room in which the examination is being held, is called forward, sworn on behalf of applicants, and asked to retire until called.)

BY MR. HUTCHINGS:

Q Mr. Duncan, when did you become a clerk of the Texas Commission Court? A It must have been sometime in December, 1884, at the time the Commission was organized in Austin at the close of the Council in which they were appointed.

Q December 1884? A I think so.

Q What are you doing reading judgments here in your handwriting in 1887? A The Commission held its Court after they were elected sometime.

Q The Court was elected in 1881 wasn't it? A Well, I don't the time, I don't pretend to say when the Court was elected, I wouldn't have said at the time I was chosen clerk. I was chosen clerk just at the close of the session of the National Council of that year.

Q '84? A I think it was '84.

Q You entered up this judgment rendered January, 1887? A Yes, that was the session of the Commission.

Q That was before you were clerk of it? A Well I held a clerkship for some time now continuously.

Q Well but then you do not say that you were their clerk when the decision case was passed on? A No, I don't mean to say that.

Q How could you be clerk when the decision could be passed on in 1887 when you were not elected until 1884? A I am mistaken in that, '84 came after '87,- it was the year preceding 1887, it must have been '86.

Q Your first entry in the Lawson case is January 17, 1887, isn't it? A I don't recollect that my first entry was. (Attorneys show the record to witness) Yes, that is the entry I see on that page.

Q And that was shortly after you became clerk wasn't it? A Yes, shortly after I became clerk.

Q The case had been on before when the docket book you became clerk? A I think so, yes; It was entered in the previous term of the session of the Commission.

Q In whose handwriting was the notes of the Texas Commissioners affixed to this judgment? A Lawson's now?

(Attorney shows record to witness again) A That is my handwriting.

Q All three notes? A All three notes.

Q The record there shows that you immediately gave them that day a transcript of the judgment, do you know who signed it? A Signed the transcript?

Q Yes, sir. A I do not recollect now, this is, did I do writing?

Q Signed the transcript? A Yes, that's it.

Q You always signed the names of Tobin and Wilkinson? A I think I did pretty generally; I don't know of their ever attempting to write their own names.

Q When Mr. Thompson was there didn't he sign his own name? A Sometimes he did, sometimes he simply authorized me to do it.

Q Have you any recollection of any occasion when you had to do it other than the last time you were there on that court recently? A I can't recall to my mind that I had any authorization, but I can only say that I, consulting the record, was authorized to put his name down.

Q Will you look at the original transcript hereby shown you and referred to in the judgment and say who signed the names of the Commissioners there? A (Papers shown to witness) A. I signed them there.

Q You recognize that as your handwriting? A I do.

Q That made you when you were testifying at Vinita before Mr. Martin, on looking at the same signatures, and being cross-examined by me, say that it was not your signature and that the signature thereto attached was the signature of Mr. Thompson? A Occurred in this way: I had not seen any of the records in the case for about nineteen years. The exact transaction in the court had vanished about entirely from my memory; I recollected at that time, however, when I gave in my testimony before the Commissioner, Martin, that that was a practice of the Court at the time I served by which I signed the names of the full-blood members of the Commission, and Mr. Thompson either uniformly or occasionally signed his own name. I based my statement in that deposition upon my knowledge of the rule or practice in the Court, without comparing the docket and refreshing my memory. I made an incorrect statement when I said that that was not my handwriting: I am convinced now that it is my handwriting. That is the way it occurred, the way it happened.

Q Then you consider your recollection of the fact that Thompson, when he was present and rendering a judgment signed it himself, better than your own knowledge of your own handwriting?

A No, I didn't so regard it. I simply spoke without advisement when I gave in that testimony; I subsequently became better informed and concluded that that was my handwriting and not entered by Mr. Thompson under the rule, but was one of those cases in which he authorized me to do it myself, and I did it.

Q Then you have changed your testimony, because you think you have a better knowledge of the surrounding facts now than you had then, and not from the fact of your judgment on your handwriting at present? A I simply corrected my testimony in reference to my statement in regard to this handwriting, this case.

Q And you wouldn't know then as I understand you whether or not that is your handwriting if it was not refreshed by what you consider to be exterior facts? A I should know it by examining it. By thinking over the circumstances, I think I should recognize my own handwriting, but if a question should be propounded instantaneously without any advisement or preconsideration I might make a mistake.

Q You did recognize the names of Thomas Tehee and Alexander Wolfe as being in your handwriting at that time? A I was very clear and positive, and so stated, that the names of those Commissioners were in my handwriting, and I was made certain by reflecting on the rule that they never signed their names with their own hand, but always authorized me to do it. Hence there is no question in my mind in regard to my handwriting in their signatures.

Q And then the third name, right under it, as compared with your admitted handwriting, you had to wait and learn the facts afterwards to determine whether that was your signature or not? A No, I don't think that if I had considered the circumstances, I know what there was a resemblance, what idea of the opinion that that might have been Mr. Thompson's signature was like this: I knew that he had been in the habit of at least sometimes signing his own name, and I was under the impression-and I do not now think I am much deceived- that his signature by me at least was some resemblance to my own, hence I doubted whether I had signed that name or not on that account.

Q [illegible] about it, [illegible] fact is, I [illegible] and not [illegible], didn't he? A [illegible] recollection, but [illegible] I was [illegible] or not, and [illegible] I could [illegible] I was.

Q As he stated, now you too didn't you, that he always [illegible] original bill when he was present? A I do not recollect [illegible] I stated, that I never [illegible] this [illegible] I was examined when the deposition was taken, I [illegible] I did, but now I want to reflect my examination [illegible] I was convinced that I was wrong, when originally I [illegible] for it.

Then you never found out that your testimony given [illegible] a year and a half ago was wrong until you examined the [illegible] before yesterday, and found you were [illegible]? I don't know that I have thought of it since that time until [illegible] day before the day in the Court.

Is the only recollection that you have got now the one [illegible] to your recollection that Thompson was present when this judgment was rendered was the fact that you were [illegible] and signed on it, is that [illegible], is it? A As a fact,—

Q You can answer that yes or no? A That resting the [illegible] my recollection and I recollect now that the Constables were all present at the time that I signed it. I didn't [illegible] out of Court at all.

Q Was it in the forenoon now or in the afternoon? A I don't recollect whether it was in the forenoon or afternoon.

Q In recollecting that they were all present when the record was signed, do you mean to say that they were all present when the judgment was rendered? A Yes, that is, you mean when the question of admission or rejection was voted upon?

A Yes. A They were present.

Q Did you write up the record at the time that they rendered the judgment, or make a memorandum on it, and then write up the record some days afterward? A The record was not written up [illegible] solely upon the decision of any case, but I wrote up the record after adjournment, generally in the evening, and presented it next day or when the next session was had, for signature; that was the practice.

Q But in this instance you wrote it on the very day that it was rendered didn't you? A I didn't recollect as to that.

Q And gave them a transcript the very day it was rendered? A I don't recollect as to that.

Q As indicated the giving of the transcript on the bottom of the judgment the day it was rendered? A I should say it was [illegible] of the transcript.

Q That was a very unusual thing for you to do in entering up [illegible]? A To do what?

Q To mean the bottom that you had given a transcript the same day the judgment was rendered? A No, I don't know that there is [illegible] unusual about that.

Q Any other places in that record or more than one in any event [illegible] you have ever done that? A I don't recollect, and no I don't recollect of giving anybody else a transcript.

Q That is what I am getting at: you have then a transcript and wrote up your judgment and everything right away? A Pretty soon after the decision; whether it was the same day or the evening, and signed next day, I don't recollect.

IT NOW BEING THE HOUR OF NOON, 12 M., THE COMMISSION ADJOURNS UNTIL HALF PAST ONE P. M.

AFTERNOON, TUT-1:45, M. M.,-APPEARANCES,-same as in forenoon: M. M. C. D-ICAL again on the stand.
BY MR. HUTCHINGS:

Q Do you remember what witnesses were before the Court? A I don't recollect now distinctly except Mr. Baker, I remember him quite because of the length of his testimony at the time it took to take it.
Q The Doctor was about the only distinct witness there was? A He is the only one now that I can call to mind.
Q There was probably another old darkey that testified was not there? A I have no recollection to that effect.
Q The case was just decided really on Doctor Baker's testimony, is about the only man that knew anything about the case? A I am not certain that Dr. Baker was the only witness; might have been others that has now escaped my recollection.
Q Doctor Baker's testimony was taken down in writing? A Yes.
Q There was not anybody else testimony in writing was there? A All the testimony that was accepted in the case was taken down in writing.
Q Did you ever see anybody's else testimony in writing except Dr. Baker in that case? A That is not as I recollect, I don't recollect any other but Dr. Baker's.
Q You know whether that was taken deliberately before the trial or at the trial or how was it? A It was taken in the presence of the three Commissioners during the session of the Court.
Q You mean the day that the case was decided or how? A I do not recollect whether the case was on trial more than one day, but my impression is that it was.
Q Do you know whether it was the same term of the Court or not? A I think it was the same term of the Court.
Q How many terms a year did that Court have, when and how did they last? A I don't recollect at present but one term.
Q I don't recollect the serving but one term? A Myself, it seems to me so.
Q You didn't go in until January of 1883; did you your first record is a record of about the 14th of January 1883, as shown in the book, isn't it? A I don't recollect in that regard.
Q How could they take testimony in the case, then continue it, or how could they generally do about that? A I think they decided on the term at the term in which they took testimony.
Q Can you say whether or not this testimony was taken in this case at the time it was decided or at the same term it was decided, or within a week or two of the time it was decided? A My recollection is that it was taken at the term in which it was decided; was taken down, testimony heard that the decision was made at the conclusion of the testimony.
Q Well now, I see on October 4th, 1882, on your numbering, the following entry reads: "It is agreed by the parties that this case shall be heard at the next term of this Court," that would be January, 1883, "If the clerk is not in receipt of the record, this case shall be continued to the next term of this Court. If the clerk is in receipt of the record this case will then be heard, if--." Now I would like to know if you had a

January and September term; and this decision was rendered at the January, 1883 term. Was Baker's testimony taken during the January, 1883, term, at the time this decision was rendered? A. I find it impossible for me to recollect those facts that are recorded there; although I can say about that, that the record shows the correct statement of the facts; but I can't recall those facts.

Q. Well there is a record here that this case was continued on the 13th day of January, 1882, upon agreement that it should be taken from the 4th day of October, 1882; now a record shows that there was nothing done in the case from January 13th, 1883 until October 4th, 1883; would you say that was correct? A. I would say it was correct if it so stands on the book; it is deemed to be a correct entry of the facts.

Q. I will let you see the book for yourself; I don't want to misrepresent your end of it at all. (Shows entry in book to witness.)

A. I can't recall those facts in regard to the agreement.

Q. Who took down the testimony of the witnesses in court? A. I took it down.

Q. You took down the testimony of Dr. Baker? A. Yes.

Q. He was cross examined by counsel for the defendant? A. As to that I don't recollect. He was present, he was always present; I think likely he was cross examined.

Q. All that testimony was taken at or near the time when the judgment was rendered in January, 1883? A. I think it was, my impression is to that effect.

Q. Well the court seems to have had no session as to this case from January 13, 1882 up to October 4th, 1883, according to the record? A. (No response.)

Q. You don't recall taking down anybody's else testimony in the case? A. No sir, I don't.

Q. And the probability is that he was the only witness examined isn't he? A. It might have been so. My recollection is that he was regarded as the main witness of the case.

Q. He was quite an old man, about 75 at that time? A. Yes. He was quite old.

BY MR. McKENZIE:

Q. The testimony of Dr. Arthur Baker, from this record, appears to have been taken on January 13th, 1882? Is that correct as far as you may know, or are able to state? A. I take Dr. Baker's testimony? (Attorney here shows witness papers) A. It appears to be, yes; I don't think that was the testimony that the case was decided upon, because his testimony was to be recalled before the decision, and I wrote it down; please let me see it. (Attorney hands said papers to witness.)

A. Well, all I know about this is as I stated before, I can't recall those facts, but whatever the record says is, I say that the record was made correct, according to the fact. (Witness takes copy of the testimony referred to and reads same.) I don't recollect in reading it very closely to see what transpired, but I gather from the subject matter that testimony that it is in accord with Doctor Baker's statement, in exactly word for word I am not able to say, but that is the tenor of the testimony.

BY MR. McKENZIE:

Q. In all the testimony you endeavored to set down all the material facts that you could in taking it in long hand? A. Yes, very nearly word for word, as I could take it, as well as there was a little variation made necessary by the length of the witness' evidence.

BY MR. McKENNON: Applicants object to all of the witness' testimony relating to the method of taking the testimony of witnesses at the trial, the character and effect of that testimony, and the number of witnesses, except so far as the same may be used for the purpose of testing the memory of the witness, because the same is incompetent, irrelevant and immaterial.

R. F. FORTNER, being first duly sworn, and being examined testified as follows:

BY MR. McKENNON:

Q What is your name? A R. F. Fortner.
Q What is your age? A 54.
Q You are a physician are you not? A I am.
Q Where do you reside? A Vinita, Indian Territory.
Q Do you hold any official position in your position? A Yes, I am President of the National Board of Health, Cherokee National Board of Health, and member of the Legislative Committees of the Indian Territory and of the American Medical Association,-those are some, and the most important positions I hold at this time.
Q Are you a Cherokee citizen? A I am.
Q By blood or intermarriage? A Intermarriage.
Q Your wife is a citizen? A Yes, sir.
Q Do you know D. W. Lipscomb? A I do.
Q How long have you known him? A About twelve or fifteen years, about twelve years I should say.
Q Do you know his general reputation in the community where he resides for honesty and uprightness of character? A I do, I think.
Q Is that good or bad? A It is good.
Q Do you know Campbell Taylor? A I do.
Q How long have you known him? A About six or eight years, don't know exactly how long; known of him for ten years and personally I have known him about say six or eight years.
Q Do you know his general reputation for truth and veracity? A I do.
Q Is that good or bad? A It is bad.

BY MR. HASTINGS:

Q Dr. Do you belong to the same church you belong to? A Yes, sir.
Q And has for a number of years? A Well now I say I think he does; I have always so understood.
Q Don't keep up with all your members? A No, but he has attended church there and my impression was been that he is a member of the church.
Q You didn't have any business before the Citizenship Court of which he was clerk, did you? A No, sir, not that I know of.
Q You were not at Tahlequah while he was clerk of a Court from 1898 to '?? A I don't believe I was.
Q Never had any business before that Court? A Had no business before that, not while he was clerk to my knowledge.

BY MR. McKENNON:

Q You spoke of his membership in the church; he is in good standing as a member of the church is he? A Yes, sir.
Q I will ask you if Campbell Taylor's reputation isn't notoriously bad? A Yes, I have so understood it.

BY MR. HASTINGS:

Q I will ask you if it was notoriously bad in 1898, when these people employed you to represent them before the Court? A What was before my knowledge of it.

Q But so far as you know his and reputation down to so far as you know him? A So far as I know him.

G. W. MILLER, being duly sworn and bei examined, testified as follows:
BY MR. McKENNON:
Q What is your name? A G. W. Miller.
Q What is your age, Mr Miller? A 61.
Q Where do you reside? A Vinita.
Q How long have you lived there? A Well I have lived there altogether about 17 years I guess, or 14.
Q Are you a citizen of the Cherokee Nation? A No, sir.
Q What is your business? A Real estate & I insurance agent.
Q Do you know D. W. C. Duncan? A Yes, sir.
Q How long have you known him? A I have known him twenty years.
Q Do you know his general reputation for honesty and uprightness of character where he lives? A Yes, sir.
Q Is that good or bad? A It is good, so far as I know.
Q Do you know Campbell Taylor? A Yes, sir.
Q How long have you known him? A Well I have known him 18 or 20 Years, I guess.
Q Do you know his general reputation for truth and honesty? A Well you.
Q Is that good or bad? A Well, it is bad, I think.

ATTORNEYS FOR CHEROKEE NATION waive cross examination.

T. H. CURTIS, being first duly sworn and bein examined, testified as follows:
BY MR. McKENNON:
Q What is your name? A T. H. Curtis.
Q How old are you, Mr. Curtis? A 56.
Q Where do you reside? A Afton, Indian Territory.
Q How long have you lived in the Indian Territory? A 20 years.
Q What is your business? A Lumber business.
Q Do you know D. W. C. Duncan? A I do.
Q How long have you known him? A About 20 years.
Q Do you know his general reputation for honesty and uprightness of character in the community where he lives? A I do.
Q Is that good or bad? A As good as any man's.
Q Do you know Campbell Taylor? A I do.
Q How long have you known him? A Some 20 years, I suppose.
Q Do you know his general reputation for truth and integrity and honesty? A Yes sir.
Q Is that good or bad? A Good.
Q Is it extraordinarily good? A Yes
Q Do you even know Mr. Baker, Mr. A. B. Baker, of Bentonville, Arkansas? A Yes sir, I know him from '88 and '89.
Q Where? A Over at Bentonville; I own a saw mill in that country at Bentonville.
Q Do you know his general reputation so far as honesty and uprightness of character and truthfulness? A Yes sir.
Q Is that good or bad? A Good as any man's; he is a [illegible]
Q Do you know Bob Ross? A Yes sir, I do.
Q Do you know his reputation for truth and honesty? A Yes sir.
Q Are you in the habit of taking liquor, drinking liquor? A Not that I know, sir. I never [illegible] a drink in my life.

Q ...character would it be to preclude any such charge against ...? A It was, sir.

BY MR. [illegible]:

Q How long did you know Mr. Baker? A Two years.

Q What does he do here? A He was an old gentleman then, he lived ...t is the edge o' Watsonville, Mr. Baker.

Q How old do you think he was? A I think he must have been ...or 75 years old; an old gentleman.

Q That is it is what, sir? A No sir, it was in '60 or '62, I ...you were that I lived over there.

Q Mr. [illegible] knew Campbell? A Yes, sir.

Q Did he have any family? A Yes, sir.

Q What family did he have? A I don't know how many family he ... I never got acquainted with the old gentleman.

Q He wasn't doing any business with anybody? A No sir.

Q And his character was never called in question one way or the ...how was it? A No sir, no sir.

Q Campbell Taylor was a notorious racial character, was he not, ... you ever hear him mention that? A Yes sir, I never knew much good of him.

Q And whenever a man [illegible] his citizenship case he got Campbell to vote it, because he was notoriously a racial; that's it ain't it? A Well a great lady of them got sir.

Q It was a notorious thing that they had a bad case they would ... sir, it would sort of give a case a bad odor to have Campbell ...ounce it? A Yes, that would be right.

Q You never knew anything about Mr. Brown's connection with ...ize this matter? A No sir, never did.

Q You never heard about his changing some of the records of citizenship cases? A No sir, never did.

Q You have heard lots of talk about this Bryant order? A Yes sir.

Q Rumor had it all around that somebody was doing something ...ong? A Yes sir.

Q You never accused him of it you think? A I never heard him accused of it, no sir.

Q That rumor got out from the first day they were admitted right up to the present? A Well I don't know not from the first day, I have heard it for a good while though.

Q But you never knew who had fixed it on? A No sir.

Q They have been a pretty strong family up there in that country haven't they, pretty large family? A Yes sir.

Q Cast a good many votes up there? A Yes sir.

Q Did you ever know of the Doctor's testifying any in court, Mr. ...ker? A No sir, I never did.

Q What would you think of a man who would testify that in the year ... that was single in 1885 when the youngest of her seven children ...was born in 1887; what would you think, would you think that was a statement to be made by a man who was truthful? A -

MR. [illegible]: I object to the question because it is wholly immaterial, and the mere fact whether or not ... is so, and it is wholly immaterial and incompetent.

Q ...would you think a statement that could be made by a truthful ...? A (No response.)

Q You know her to be old? A Yes sir.

Q She is very an old, decrepit lady? A Yes sir. Quite old, I ... 'em.

Q 14 years from that time he was liable to be in his dotage?
A I don't know, he was an old man when I knew him.
Q He was too old to work, and retired from business then? A Well he quit, got a good deal, but wasn't doing any business particular that I knew of.
Q He would have been pretty old 14 years from that time? A Yes, he would be getting old.

D. M. MARRS, being first duly sworn and being examined, testified as follows:
BY MR. McKENNON:
Q What is your name? A D. M. Marrs.
Q What is your age, Mr. Marrs? A I am 44.
Q What is your business? A I am publishing a newspaper.
Q What paper? A "The Indian Chieftan."
Q Are you Editor of that paper? A Yes sir.
Q You live at Vinita, then? A Yes sir.
Q Are you a citizen of the Cherokee Nation? A Yes sir.
Q By blood or intermarriage? A Intermarriage.
Q Do you know D. W. C. Duncan? A I do.
Q How long have you known him? A 18 or 19 years.
Q Do you know his general reputation in the community where he lives for honesty and uprightness of character? A Yes sir.
Q Is that good or bad? A Good.
Q Do you know Campbell Taylor? A Yes sir.
Q How long have you known him? A Why 15 years or longer.
Q Do you know his general reputation for truth and honesty in the community? A His general reputation, yes sir.
Q Is it good or bad? A Well it is not good.
Q Is it bad? A Well I suppose it must be bad then.
BY MR. HUTCHINGS:
Q How long has Campbell's reputation been bad, Mr. Marrs, quite a good while, hasn't it? A Why I think so, yes sir.
Q And it kind of began mostly with this citizenship business? A Yes, so far as I know it did, yes sir.
Q Campbell got so many bad citizenship cases and through the mails, and they finally had him up about it, had a good deal of stir about it? A Yes sir.
Q And some of that stir was sort of occasioned by his helping the Dawsons in wasn't it? A I don't know, I don't know whether he helped the Dawsons.
Q Was not that one of the principal cases that brought him into notoriety? A I don't know whether he had that case or not. I know he had a great many cases.
Q That was the principal thing that got mixed him Campbell out, was citizenship cases here? A I think that is what got him into the most trouble.
Q I say before that time no one had talked much about Campbell one way or another, and it became pretty general that Campbell was meddling shady citizenship cases, and he got a bad reputation from that? A Yes sir, I think that was the impression generally.
Q How Mr. Duncan's connection with the matter came sort of been kept back: people never talked much about it? A I never heard anything about it, as I know of.
Q You have heard that there was a scandal, now, about the Dawson case, that was a notorious thing? A O, it is a notorious case, yes sir.
Q Well the fact of Mr. Duncan's reputation for truthfulness has been somewhat lower up his way, he has been considered? A How is that?

Q His reputation for truthfulness is somewhat given by himself; he takes occasion to confess that very often himself; doesn't he?
A I don't know whether I am qualified to answer that.
Q Speaking of his own honesty, he does that very frequently?
A No sir, not that I know of.
Q Doesn't he write a good deal about that sort of thing? A About his reputation?
Q Why it speaking of his own integrity? A I don't remember that he does.
Q You were not about the citizenship courts along in 1881 '2 and '3 were you? A No sir.
Q Don't remember about the talk that was going on around the Capitol over there about the citizenship cases? A Why no, don't remember anything special as I know of. I remember the citizenship court going on at different times.
Q How far were you living from Tahlequah in '8? A Well, I lived close to Vinita, I guess it is sixty miles probably.
Q Have you lived any nearer Tahlequah since that time? A No sir, never have.

R. L. BUTLER, being first duly sworn and being examined testified as follows:
BY MR. McKENNON:
Q What is your name? A R. L. Butler.
Q You are a minister of the Gospel? A Yes sir.
Q M. E. Church, South? A Yes sir.
Q How long have you been in the ministry? A I have been in the ministry 22 years, sir.
Q Did you ever live at Vinita? A Yes sir.
Q How long? A I was there four years, sir.
Q Do you know D. W. C. Duncan? A I do.
Q How long have you known him? A I have known Mr. Duncan 21 years.
Q Do you know his general reputation for honesty and uprightness of character? A I do.
Q Is that good or bad? A Good, so far as I know.
Q You have had opportunity of knowing? A Yes sir.
BY MR. HUTCHINGS:
Q Mr. Duncan was a member of your church? A Yes sir.
Q That is the principal way you had of coming in contact with him? A Yes sir, he was a member of my official board.
Q His connection with citizenship cases that were decided by the court of which he was clerk was never brought up in your presence anywhere? A No sir.
Q Or never discussed? A No sir, I know nothing about his connection with it.
Q You didn't live about or near Tahlequah in '8? A Yes sir, I was Pastor of the Methodist Church in '8 at Tahlequah.
Q Did you hear about the Dawson case, and other cases admitted over there by the Citizenship Court? A No sir, I know nothing about the cases; I remember when the Commission was in session, and I remember that he was clerk of the Commission, but know nothing about the cases that were decided at all.
Q Never heard anybody discuss the cases that were decided? A No sir.

THOMAS A. CHANDLER, being first duly sworn and being examined, testified as follows:

BY MR. DUNCAN:

Q What is your name? A Thomas A. Chandler.
Q What is your age, Mr. Chandler? A I am 70.
Q What is your business? A Deputy Clerk of the United States Court at Vinita.
Q How long have you lived in the Cherokee Nation? A All my life.
Q Do you know D. W. C. Duncan? A Yes sir.
Q How long have you known him? A Let me see, I have known him about nine or ten years.
Q You know his general reputation for honesty and uprightness of character in the community where he lives? A Yes sir.
Q Is it good or bad? A Good so far as I know.
Q Do you know Campbell Taylor? A Yes sir.
Q How long have you known him? A I think about 15 years.
Q Do you know his general reputation for truth and honesty? A Yes sir.
Q Is it good or bad? A Bad so far as I know.

BY MR. HUTCHINGS:

Q How did Campbell Taylor get a bad reputation? A Well sir, I don't know how he did.
Q You never knew him until 1885? A Well I never knew him personally, I heard of him before that.
Q He had a bad reputation before '85? A Yes sir.
Q Bad reputation way back yonder? A First I remember I ever heard of him I heard people speaking bad of him, then I was a kid.
Q And everybody that ever around the Nation and knew anything at all knew Campbell had a bad reputation? A Yes sir, ever so far back as '79 or '80, that is as far back as I can remember; I think I heard it spoken of in '80, I think that's about the time.
Q And Campbell got a very bad reputation in '80 and '81 when we began to have these citizenship cases? A Yes sir.
Q You heard him spoken of in connection with the mails for those business? A Yes sir, I heard of him being in the Fort Smith Jail on that account.
Q Citizens of the Nation talked a good deal about Campbell's being in these bad citizenship cases? A Yes sir.
And I also heard he had a bad reputation for evading his debts, when about to have time.
Q You don't know whether he had the money, he might not have had the money to pay his debts? A No sir.
Q He could have kept out of bad citizenship cases? A Yes sir, I suppose he could.
Q You never heard Mr. Duncan's name mentioned before in connection with the Bowers case, citizenship cases? A No sir, I don't think I have, I may have, but I don't remember hearing it.
Q General impression that somebody had done something wrong with that matter, citizenship cases? A I heard there was something wrong in connection with the Bowers citizenship case.
Q That he always been in notoriety ever since they were admitted? A Yes sir, I have heard it rumored around over the country that way in the case.

Q You are a pretty long voting capacity up there and Mr. Duncan was never investigated? A I don't know about that, I don't think it was ever investigated, I never heard of it.

Q So they never had any endeavor to find out who the man was?
A No sir.
Q Where did you live in '82? A In '82 I lived out on Duck Creek about 12 miles south-east of Vinita.
Q How far from Tahlequah was that? A About 65 or 70 miles, I suppose.
Q You never were around before the citizenship courts any during that time? A No sir.
Q You don't know then whether or not Campbell had lost all the bad cases or not down there? A No sir, I do not, at that time.

BY MR. McKENNON: Applicants object to all of the testimony of this witness as to what is heard by way of rumor, about the character of the Dawson case, because the same is hearsay, immaterial, irrelevant and incompetent.

A. S. McKENNON, of Counsel for Applicants, being first duly sworn, makes the following statement:

I became a resident of Carroll County, Arkansas, early in 1880. I was intimately acquainted with Doctor Arthur Baker, for many years. Knew him as well as I did anyone else. He was a gentleman of the highest Christian character, so recognized by everybody who knew him. He was a sober man, and never drank liquor. I make this statement more in vindication of that good man's memory than for any other reason, because any imputation against his character is false.

BY MR. HASTINGS:

Q How long did you know him? A I resided in Carroll County until 1887 when I removed to Johnson County, Arkansas; during the time I was away from home, but I knew him intimately every year that I resided in Carroll County.
Q Did you know him since '87? A Yes sir, I have seen him several times. I have relatives living in the town in which he lived; my relations to him were such as to cause me always to inquire about Doctor Baker; I knew his reputation I think as well after I left there as I did when I lived there.
Q Did you know those facts in 1896 when you were a member of this Commission? A Yes sir, I have known them all my life as I know them now.
Q Did you know them when you as a member of this Commission passed on the Irene J. House case? A I knew it every day of my life, in 1896 as well as now.
Q Suppose that Doctor Arthur Baker's statement should answer that he was born in the year 1809, and suppose he said when he was 15 or 16 years of age that Anna Pruett the wife of Samuel Dawson, was a grown up girl going to school, when the other undisputed evidence shows that she had married Sam Dawson prior to that time and had seven children, the youngest of whom was born in '83, how would you harmonize that with a man who was an honest man and knew the facts in the case? A Whatever Dr. Baker stated he honestly believed, whether it was right or wrong; whether it was error or truth, he honestly believed it, and stated it as he believed it.
Q He was capable of being in error? A Every man is.
Q I say he was? A Yes sir, just as you and I and every man, he was; I merely stated as to his high character, which could be proven by every man who knows it I think, I know it.
Q The Commission rejected Irene J. House in 1896, of which you were a member? A I don't remember anything about that personally.

TESTIMONY ON BEHALF OF CHEROKEE NATION.

DAVID MEREDITH, being first duly sworn, and being examined, testified as follows:

BY MR. HUTCHINGS:

Q State your name? A David Meredith.
Q Where do you reside? A Vinita.
Q How old are you? A 60 years old.
Q Did you ever know James Dawson? A Yes sir.
Q How long have you known him? A I knew him probably 2 years.
Q Did you ever have any talk with him about his citizenship case.
A Very little.
Q You were at one time an applicant before the Dawes Commission for citizenship were you not? A Yes sir.
Q Tell what did Mr. Dawson tell you with reference to his citizenship, as to the cost of his getting it, if anything? A Well he told me it cost him eleven or twelve hundred dollars to get his case through.
Q Where did that conversation take place? A At Afton.
Q At what time? A It was in '98, spring of '98.

BY MR. McKENNON:

Q Where were you when he told you that? A I was working on a house in Afton, building the house.
Q Whose house? A S. S. Haines.
Q Who else was present? A Haines was present.
Q Where is he? A At Afton.
Q What aged man was Mr. Dawson at that time? A I don't know, he was very old, probably 75 years old.
Q Was he not a very feeble man? A Yes sir.
Q Hardly able to get around? A No sir.
Q Was he not then regarded as feeble minded old man? A I don't know whether he was so regarded or not.
Q You don't know what he had to do with the case, in fact, himself, do you? A No, I judged it was himself and family that cost that much to get through: attorney's fees, etc. That is the way I took it anyway.
Q You were an applicant yourself were you not? A Yes sir.
Q When? A At that time.
Q Before the Cherokee authorities? A Yes sir.
Q They rejected you? A Yes sir.
Q You were an applicant then before the Dawes Commission were you?
A Yes sir, been rejected ever since.
Q Are you still an applicant? A Yes sir.
Q Still trying to get in? A Yes sir.
Q Claiming by blood? A Yes sir.
Q How long have you been living in the Cherokee Nation? A 15 years.
Q Where did you come from? A Indiana.
Q Claiming to be a Cherokee citizen? A Yes sir.
Q Indian? A Yes sir.
Q James Dawson is dead is he? A Yes sir.
Q How long has he been dead? A I think he died probably within two years after that.

TESTIMONY TAKEN ON BEHALF OF THE APPLICANTS.

F. M. DAWSON, being recalled and further examined, testified as follows.

BY MR. McKENNON:

F. M. Dawson? A Yes sir.

Q Mr. Dawson, what member of your family came to the Cherokee Nation to file and prosecute the claim of your father, Robert Dawson, and the members of his family, to Cherokee citizenship?
A My brother from Texas met me at Tahlequah.
Q Tell his name? A Elbert Dawson, they all know him by Buck.
Q When was that? A In '81 as well as I remember, or '82, I don't know which, it was in '81 or '82.
Q Did you file your claim at that time? A My brother was, yes, the application,-my brother had Joel Mayes to make it out and file it. That is my understanding.
Q Joel Mayes, who afterwards was Chief of the Cherokee Nation?
A Yes sir.
Q Before what Court was that filed? A My understanding was he was clerk of the court; Hastings can tell me what court he was clerk of.
Q He was clerk of the Court at that time? A Yes sir, of the citizenship court; that's my understanding.
Q What was done about the case at that time, if you remember? A I went back home and left my brother down there at that time, that trip.
Q Where did you then live? A I lived at Perryville, Arkansas.
Q When did you next come to the Cherokee Nation? A I believe I came back the next January, that was in September.
Q Was your brother Buck here then? A I don't think he was, I don't remember.
Q Well had he at any term of the Court or session of the Commission at any time after you first came here and filed the application until after it was decided? A No sir, I never met him any more until that case was decided.
Q You conducted the business then after that did you not? A Yes sir.
Q The case was finally determined in January 1883? A '83, yes sir, the 11th day as I remember.
Q Were you present at that session? A Yes sir.
Q Was there any decision of that case other than the one of record here? A I never heard of it if there was.
Q Was the judgment rendered in that case as recorded in the record book of that Commission now in the custody of the Dawes Commission the only judgment that was rendered in that case so far as you know?
A Yes sir, so far as I know; if there was any I never heard of it in that case.
Q You then know of no decision against you in the case? A No sir.
Q Who was your attorney employed at the beginning? A I employed A. H. Norwood.
Q Was he a Cherokee Citizen? A Yes sir, I think so.
Q Where did he live? A At Claremore, my understanding.
Q Was he present at any time before the Commission? A I never saw him, he never met me there before the Commission.
Q Did you pay him any money? A Yes sir.
Q How much? A Fifty dollars.
Q Did he ever render any services? A If he ever did I never knew it.
Q Tell them who did you employ? A My brother employed Joel Bryant.
Q Was he a Cherokee citizen?
A That is my understanding.
Q Was he not a prominent Cherokee citizen? A Yes sir.
Q What service did he render? A Well sir, I don't know whether he rendered any or not, only he met me a time or two at Tahlequah, and he was before the Commission; whether he rendered any services

or not I don't know; he was generally always at Washington City during the Term down there.
Q Well what did he do about it? A I don't know, I couldn't say whether he done anything about it. That is Mr. Bryant, he was always gone.
Q What next was done about the employment of an attorney? A Why I got a letter from Joel Bryant that he was going to Washington City and for me to come down in January Term and Campbell Taylor would see to my case before the court.
Q Did he say that he had engaged the services of Campbell Taylor the attorney, to attend to it in his absence? A Yes sir, in his absence.
Q Have you got that letter? A I don't think I got the letter.
Q Well what did you do then? A Why when the time come I come down on the City to Muskogee here and I goes over from here to Fort Gibson and I goes down to see Uncle Houston Benge and stays all night with him; it was very cold weather, and I got him to go over and submit my case to the court; I went over one day and the next day Uncle Houston Benge come over and the next morning after he come over the case was submitted.
Q Did he submit the case? A Yes sir, he told me so.
Q For you? A Yes sir.
Q Were you present? A I was present until they went to take the vote on the case and then we was drove out of their room and they had a secret session, actin on the case.
Q Was Houston Benge present with you? A Yes sir.
Q Were you in the court when he submitted it to them? A Yes sir, when he made his argument.
Q He made an argument before the Commission? A Yes sir.
Q Was the decision rendered on that day? A Yes sir.
Q How long after he made his argument and submitted the case? A Was not but a little bit; when we were drove out of the house the first time before they went into secret session they wanted me to get up the cigars to the court and the crowd in the house; after the decision was rendered then I was to get up the cigars, and everybody come to me and told me to go and get the cigars and I done so.
Q And you took the cigars there and all? A Yes sir, everybody, the attorneys and all that was in the house, all had a big smoke.
Q Did they then announce their finding in the case? A Yes sir, they told me that I was granted my citizenship right and by the Commission.
Q What did you do about it then? A Why the Clerk wrote me out my certificate.
Q That same day? A That same day.
Q What arrangements did you have with Mr. Benge about his fee, and what was the amount of his fee? A There was no arrangement made until we got up there and he submitted our case; then he wanted me to pay, he charged me fifty dollars, that was his fee.
Q What was the agreement about the matter, the manner in which that fee should be paid? A My brother in Texas was to pay it.
Q Were you to write or was he to write? A He was to write for it.
Q Did your brother in Texas ever pay his fee of fifty dollars?
A Yes sir.
Q Was that all that was to be paid? A All he was to have; all he charged me.
Q You heard his statement when he gave his deposition at Fort Gibson the other day did you not? A Yes sir.

Q He stated that you paid him fifty dollars before [illegible] went over to Tahlequah, did you do that? A No sir.
Q You said that you paid him fifty dollars after he got over to Tahlequah, did you do that? A I never paid him a cent in my life.
Q After the jury was [illegible] where did you go to? A I went by Fort Gibson to Afton.
Q By what route? A I went by Silom Springs and by Spring Dale but I was not to Pegram, that is railroad I was not on by Siloam and by Spring Dale's home.
Q You then did not return to Fort Gibson from Tahlequah, as he stated? A No sir, I did not.
Q The did you not return to Fort Gibson? A Well I thought maybe the others was the quickest route and I started that way by Dan Staples when I was to meet at, I come to Silo Springs and I went by that route and then there was a back going by Spring Dale, that was the most direct route.
Q That was the most direct route for your horse was it not? A Yes sir.
Q All to cheapen? A All to cheapest route.
Q Had you been coming back to Fort Gibson you would have been riding directly away from home, would you not? A Yes sir.
Q Your home was nearly east, due east of Tahlequah was it not? A Yes sir, little north of east, about [illegible] east.
Q While Fort Gibson is almost due west is it not? A South west.
Q You heard him state that you came to Fort Gibson with him, and as you gave you stated to him that it was to reach the court house upon a Monday and you reached there [illegible] five hundred dollars, did you make that statement? A I never did, I didn't have the five hundred dollars to reach him.
Q Did he while at Tahlequah inthe court room of the evening before this judgment was rendered in your favor, tell you that the court had rendered a judgment against you? A No sir.
Q And did you then say to him, you can't fix that? A I had no such conversation with him.
Q Did you pay to D. W. C. Duncan, who was the Clerk of the Court any sum of money, or agree to pay him any sum of money, directly or through any other person for any services he might render you by way of influencing the court to decide in your favor? A No sir.
Q Or for any other purpose? A No sir.
Q Did you pay him any money after that through Col. Bell Taylor? A Yes sir.
Q What amount? A 20 or 25 Dollars, I don't know which it was.
Q State what that money was paid for? A For a claim.
Q What do you mean by a claim? A Claim on the public domain; he had a claim up there close to me; paid him 20 or 25 dollars for his claim. He had an allotment by me, on the Cherokee Public Domain.
Q What did Campbell Taylor have to do with your case?
A He had nothing to do with it.
Q Did you agree to pay him any money for his services as an attorney? A No sir.
Q Did he perform any services in that case for you as a representative of Mr. Bryant? A No sir.
Q Did you pay him any money? A Yes sir.
Q On what account? A He came to me and said he had the claim against me for Joel Bryant and wanted me to pay him the money and I came on.
Q What amount? A Hundred dollars.

Q For [illegible] paid [illegible]? A [illegible], Joel Bryant. He was to collect it for Joel Bryant.
Q Did he pay the money to Joel Bryant, or how did you know of? A Joel Bryant claimed he didn't, and I had to pay him again, paid Joel Bryant the hundred dollars we owed him for his fee; E. Duncan paid Joel Bryant; after that; we never could get the money from Campbell Taylor, only this twenty dollars or twenty-five dollars; that is all we ever got back from him.
Q How did you get that 25 dollars out of him for Duncan? A I kept after him and telling him to pay that money back to us, he rendered no services to us at all and the money was to go to Joel Bryant, and I finally worked out the twenty or twenty-five dollars, that is all I ever did get back.
Q The amount that he paid to Duncan? A Yes sir.
Q Was this money paid to him, this one hundred dollars, while you were there at the time the judgment was rendered, or was it sent to him afterwards? A I think it was paid then, as well as I remember about it.
Q You think it was paid then? A Yes sir, that's my recollection now.
Q Did you send him one hundred dollars after you went away from there, subsequent to the rendering of that judgment, after it was rendered I mean, directing him to pay fifty dollars of that or any other sum to D. W. C. Duncan? A No sir.
Q Did you send him a second one hundred dollars with a like direction? A No sir.
Q Mr. Duncan, do you know about what it cost you personally in all to obtain their citizenship in the Cherokee Nation under this judgment? A Pretty near it I do.
Q Well about what sum? A About five hundred dollars, pretty near 500 dollars. That is what I considered, I was beat out of some of my money, what I was beat out of and expenses.
Q Now take a statement of what that money was paid for and how, so far as you remember, itemize that now? Well the first fifty dollars Norwood got; the next fifty dollars Bean got; that was the attorneys fees: I speak of the attorneys fees now: the next money was the hundred that Campbell Taylor got; the next attorney fees was Bryant's one hundred dollars.
Q Was that all the attorney's fees? A I think it was, no, wait, I paid Ross 15 dollars for taking Baker's deposition.

Q Which Ross was that? A The old Chief, Bill Ross I think was his name, William P. Ross.
Q He then, this Chief William P. Ross for taking the deposition of Dr. Baker charged you fifteen dollars? A Yes sir.
Q Do you mean by that that he acted as your attorney and examined him? A Yes sir.
He examined him before the Commission, took his statements.
Q What other attorneys were there present? A None of them was present.
Q Well now, go on? A Why the expenses of taking Dr. Baker and he was a Doctor, as well as I remember he charged us 5 dollars a day and I more time and his expenses down there; we come through on a boat from Fayetteville, Arkansas, to Tahlequah, and our board and expenses and all I think was about 75 dollars that trip; something near it. Maybe a little over that.
Q Did you pay him a per diem? A I paid him five dollars a day for his time and then his expenses.

Q Well? A Well I made several trips out here at different times, to Tahlequah before the Commission, and back, three or four trips as well as I remember now, cost me 20 or 25 dollars each trip, as I remember about it.
Q Do you remember how many trips aside from the one in which you brought Dr. Baker? A No, I think there was probably three trips I think it was, maybe more, and then I made one trip to Claremore to see A. H. Norwood.
Q What did that trip cost you? A I don't remember what it cost; I went in a wagon down there.
Q You went through and employed Benge, went by railroad; what did that trip cost you? A I don't remember what it was, whether it was 21 dollars or 31 dollars, one or the other, I don't remember which it was; Joe Dawson, my brother give me the money, it was either 21 or 31 dollars.
Q Now then is there any other expense that you know of that was paid by you or your family, any members of your family, other than that you have mentioned? A I don't remember any other now; I can't call to my memory right now.
Q What was the condition of the members of your family generally now, financially, at that time? A Well we were considered poor people; I don't know, we didn't have much money, scarcely any.
Q Was there any one of them that was better off than the others, and if so, which one? A I suppose Albert Dawson was better off than the others, Buck Dawson.
Q Do you know how much Buck Dawson paid of these expenses? A I don't think he paid, he paid the Benge debt and the Bryant debt, I think it was.
Q That is one hundred and fifty dollars? A Yes sir, then he came up on one trip and taken some evidence with Joel Bryant Mail Joel Bryant was Clerk of the Court Before this Tahlee Court, I don't know what that cost him.
Q Came up he and took some testimony? A Yes, came up and went back to Texas. Filed his claim and took some testimony and went back to Texas and I didn't see him.
Q Did that testimony include Dr. Baker's testimony? A No sir.
Q You know how many witnesses were examined then? A I only know what he told me.
Q How many? A Four witnesses.
Q You know whether they were residence of the Cherokee Nation or not? A He told me they was.
Q Were you present on that trip in which he came there and took that testimony? A No, I met him there and then I went back home and left him at Tahlequah.
Q He had taken the testimony before you left him or afterwards?
A He taken it afterwards; that was my understanding.
Q Did Buck furnish only the one hundred fifty dollars that you now remember? A I think it was.
Q And the expense of taking these witness up there A Yes sir.
Q Who else furnished money now of the members of your family?
A My brothers and father lived down in Berryville, me and my brother-in-law, Blassingame, we all chipped in together a few dollars from each family.
Q You heard the statement of C. C. Brought that in June 1903 you told him that it had cost you 700 dollars, did you make any such statement to him? A I never did.
Q And that you paid one witness 300 dollars? A I never made any such statement.

Q Did you pay any witness any such sum? A No sir, I paid Mr. Bailey for his time; he said his time was worth 5 dollars a day, and I paid it.
Q Did you pay any other witness any more than that? A No sir, he was the only witness I had down there in my case.
Q Well the Robert Dawson case? A Yes sir.
Q He says that you told him this in your house there on your place, did you have any house there in June 1883? A I was not living on my farm at that time.
Q Did you have any farm? A Didn't have any.
Q When did you build a house there? A I built a house on the farm I live in now by Mr. Brought, I moved on the farm the last of July, 1883, and I camped in my wagon.
Q What did you do? A I went to the timber and cut poles and hewed them out and made me a log cabin on the place by a spring near Mr. Brought.
Q About what time did you finish that house? A I t was in September.
Q How on; after you finished that house until you brought your family out? A I finished it up and got it covered and the floor in it and I went back to Eureka Springs after my wife.
Q What family did you have then? A I had my wife and she had one child; but my oldest children, by my first wife were with me in the Territory, camping with me; three little boys and one girl were with me, and one girl back in Arkansas.
Q Are you and C. G. Brought on good terms? A No sir.
Q What has been the character of the trouble between you? A Trouble over our places first started it.
Q When did it begin? A As soon as I got back from Arkansas he commenced ruder crowding me out to take my farm away from me, and we have been in a racket ever since.
Q Then his statement that you were on friendly terms, is it correct or not? A No sir, it aint correct.
Q He and you have never been friendly as neighbors then since you first came back from Arkansas and settled in the Territory? A I don't remember ever being in his house; I never was in his house.
Q Have you had law suits with each other? A Yes sir.
Q How many? A I don't know that we had any particular law suits, but I have had law suits and he has been a witness against me.
Q What was your last trouble with him, when I mean? A Along last fall.
Q That was when your boys had a little racket and he had your boy arrested? A Yes sir.
Q What was the age of those boys? A Eleven years old.
Q He had him arrested down at Vinita? A Yes sir, had him arrested and carried before the Commissioner at Vinita.
Q He was discharged on account of his age? A Yes sir.
Q Buck Dawson is dead is he? A Yes sir.
Q How long has he been dead? A Three years, little over three years.
Q And James Dawson is dead? A Yes sir.
Q Is your father, Robert Dawson living? A No sir.
Q When did James Dawson die? A I don't remember, been dead several years, I don't remember how long, 6 or 7 years, I couldn't state.
Q When did your father, Robert Dawson die? A I believe it was in '87 as I remember now, I wont be positive.
Q Had all these moved to the Cherokee Nation before their death? A No sir, father died in Arkansas.

Q Those that lived here in the Nation they lived here in the Nation but went back to Arkansas and died there? A Well the rest of my folks all lived here. That was James Dawson and Buck Dawson.
Q Robert Dawson, your father, never did move to the Territory, did he? A No.
Q Did you hear the statement of the witness Beavert this morning, that about the time of hearing of the James Dawson case, at a negro church at night James Dawson came down there with someone else & s introduced to him, and he loaned him ten dollars; did you hear that statement this morning? A I heard the statement, yes sir, I heard it.
Q He says that said James Dawson was 35 or 40 years old; was there any James Dawson living belonging to your family at that time of any such age? A No sir.
Q How many James Dawson's were there belonging to your family? A There was my uncle James Dawson and a brother James Dawson, the Doctor here.
Q How old was your brother James Dawson then? A He was a tolerable old man, I don't know his age.
Q About what age? A Must have been 60.
Q Between 60 and 70? A Yes sir.
Q That was the age of your brother James? A At that time?
Q Yes sir, in '84? A In '84 I suppose he was about 18, something like that.
Q Had he anything to do with the James Dawson case? A No sir.
Q Was he present at the time that the James Dawson case was under consideration? A No sir.
Q Was James Dawson, your uncle James Dawson, present at any time during the consideration of his case? A No sir.
Q He never was present? A No sir, if Uncle Jim Dawson was ever in Tahlequah I never knew it.
Q Who conducted the prosecution of the James Dawson case before the Cherokee Citizenship Commission, who conducted it? A The James Dawson case?
Q Yes sir? A I think James Low and Bill Jackson and Campbell Taylor.
Q Were you acting with them? A Yes sir.
Q They employed Campbell Taylor? A Yes sir.
Q Then there was no James Dawson present during that session of the Commission? No sir.
Q What was the condition of James Dawson's health at that time?
A It was pretty poorly; was not good.
Q Was he at that time able to get about and attend to business?
A I don't think he was.
Q Was he not a very feeble minded old man at that time? A Yes sir.
Q Regarded as rather a silly man was he not? A Yes sir.
Q Did he attend to any kind of business of the family at that time?
A No sir, didn't.
Q What was his financial condition? A Pretty bad.
Q Did he have any money? A No sir.
Q Did he have any property? A None hardly at all; horse probably, or a cow or two, something that way.
Q Was that about all the property he had? A Yes sir.
Q How about the other members of his family that were admitted at that time; what was their financial condition? A They were in poor circumstances.
Q How then after these judgments were rendered what members of your family removed to the Territory, Cherokee Nation, I will say?
A Robert Dawson and family and James Dawson and family, that is, them and their children.

Q. ...cept I don't believe here? A No, I said except Robert Dawson.
Q. Did all the members of Robert Dawson family move here? A Yes sir.
Q. Except himself? A Yes sir.
Q. And all the members of James Dawson family? A No, not all ... members, Melvina Lou I don't think ever lived here.
Q. She has never moved here? A No sir.
Q. Well all the members of your family, your father's family in- ... it not judgment of the committee, rendered January 11th, ...? A All but one.
Q. What was the name of that one? A Elna.
Q. Daughter? A Daughter of Robert Dawson.
Q. Sister? A Yes sir.
Q. ... them of age or was she a minor? A I think she was ..., to tell as I can remember.
Q. ... attempted admittance in citizenship in the Cherokee ...? A She did.
Q. ... action of the Cherokee Council? A She was first ... the Dawson heirs, her and two of ... neices.
Q. ... their names? A Lottie Vernon and Verna Fishmael.
Q. ... certificate of A The certificate papers they ... was ..., and they went ... Council in 1894 and they ... ... roll.
... 1896, ... Council committee, re-admitted ... it. ... above named? A Yes sir. Mary and ... Dawson, they have not the same names ..., I believe. ... Dawson married the ...
... ...

Q When? A In 1894.
Q What was that? A Allowing them their Strip Money.
Q Have you a copy of that? A I think I have. (Produces papers.)

BY MR. McKENNON: We offer in evidence a duly certified copy of an act of the Cherokee National Council approved November 24, 1894, signed C. J. Harris, Principal Chief. Senate Bill No. 19, appropriating a sufficient amount of money to make payment per capita of what is known as the strip money to certain persons named therein. Among them are members of the Blessingame family, as follows: Jane, Elbert, Henry, James Ross Lennie, Pearl, Amos, Myrtle, Winnie and Clifford; this act mentions these persons as Cherokees by blood, and whose names had been left off the pay roll approved May 3, 1894, providing payment to each one of these a sum of $265.70.

Q Were these members of the Robert Dawson family? A Yes sir.
Q Which one of the members of the family? A Jane.
Q This is Jane who was admitted by the judgment admitting the Robert Dawson family? A Yes sir.
Q And her children? A Her children was not admitted, she was admitted.
Q I mean this mentions her children here? A Yes, that mentions her children.

(The paper last above introduced is filed and made a part of the record in this case.)

Q Do you know whether the payment of the Cherokee Strip money was to Cherokee citizens by blood only or not? A Yes sir.
Q Was there any other act of the Cherokee authorities passing upon the citizenship of members of your family? A Why the Douthett children, my brother's grand-children. Two grand-children of E. Dawson.
Q When was that? A That, I think it was in '84.
Q Have you got a copy of that act? A No, the record is here.
Q Was that by the Spears Court? A Yes sir, by the Spears Court.

BY MR. McKENNON: We now offere in evidence a judgment of the Cherokee Commission on Citizenship, 1880 and 1884, found on page 190, case No. 181, dated September 8th, 1884, signed by Eli Spears, President, John Lee and Andrew Young, Commissioners, admitting to citizenship Lula Dowthett and Dallas Dowthett as Cherokees by blood.

Q These now are the Douthetts to which you refer, are they? Yes sir.

BY MR. McKENNON: Attention is called to the fact that the names of the Commissioners are all signed in the same hand-writing as the record of the judgment.

The said judgment record above introduced, and found on page 190, No. 181, record of 1880 to 1884, is as follows:

"Office of Commission on Citizenship,
Tahlequah, Cherokee Nation, September 14th, 1883.

E. Dawson, for his grand-children, No. 181.
Lula Fawthitt,
Dallas Dawthitt,
vs
The Cherokee Nation.

C. H. Taylor, Atty for Claim.

Petition filed September 14th, 1883.

Case submitted by claimants Sept 14th, 1883.
Case submitted by Solicitor, Sept. 19th, 1883.
Continued by Petitioner Jan 22 1884 to September Court 1884.
Re-submitted September 2nd 1884, by Attys Taylor and Seavert

Submitted by defense Sept 9 1884.

And now on this the 17th day of September 1884 come this case for final hearing and all the evidence in the case having been carefully read, and considered by the Commission on Citizenship it has been decided by the Commission that the above named Lula Southard and Dallas Daniels are Cherokees by blood, and that they are entitled to all the rights and privileges of Cherokee citizenship in the Cherokee Nation, and that they should be, and are hereby admitted to the full and complete enjoyment of the same in all respects, as native born Cherokees.

"Ellis Sparks, pro se.
John Lee,
John L. Adair, Andrew Young,
Cit Com'n. Commission on Citizenship."

Q Now were there any other actions of the Cherokee authorities of like character relating to the members of your family?
A I don't remember of any others.
Q I will ask you if when the Cherokee authorities were [illegible] the roll of 1896, in compliance with the request of the Dawes Commission for a roll to be prepared by them for the use of said Commission, the question of the citizenship of the members of your family was not then raised and an investigation had in regard to it? A Before the Dawes Commission?
Q No, before the Cherokee Commission again, the roll of 1896, of which John T. Gunter was a member? A Yes sir, yes. I had forgot it, but since you have named it there was some investigation of them at that time; this is what I understood.
Q That roll shows that the members of your family were duly enrolled by the Commission? A Yes.

Q Have you and the other members of your family since your removal to the Territory in 1869 and immediately following been recognized as Cherokee citizens by blood? A Yes sir.

Q Have you been exercising and enjoying all the rights of Cherokee citizens by blood since that time? A Yes sir.
Q You and all the members of your family are living in the Cherokee Nation? A Yes sir.
Q You have all drawn Cherokee moneys whenever payments were made? A Yes sir.
Q And have you all male members been voting at the Cherokee elections or in the Cherokee elections? A Yes sir, I was one of the judges of the elections that was held voting on the treaty.
Q What treaty? A The treaty bill that was sent back here for the Cherokees to vote on; I was one of the judges at Afton.
Q In what year was that? A I believe it was last spring some time, last April.

Q Have any of you held any offices in the Cherokee Nation? A Yes sir.
Q What offices have the members of your family filled? A Deputy Clerk, under Pete Hastings, when he was clerk of Delaware District, I was a candidate once for Council in the Downing Party.

Q Can any office of deputy clerk be held by any one else except a recognized citizen? A Only by a citizen, yes sir.
Q Is that all? A (No reply).
Q Have the children of members of your family attended the Cherokee schools, and been educated in Cherokee schools? A Yes, sir.
Q Have the members of your family been all the while subject to the jurisdiction of the courts of the Cherokee Nation? A Yes sir.
Q Have they been tried for any offenses against the law? A Yes sir.
Q And have they instituted their civil suits in the courts of the Cherokee Nation? A Yes sir.
Q And had suits instituted against them in such courts? A Yes sir.
Q So all these years have gone by in the Cherokee Court of the Cherokee Nation? A Yes sir.
Q And were you called upon by the principal? A Yes sir.
Q Is there anything else? A Nothing now; I am sick this morning; I have got a head-ache so bad I can't hardly see.

BY MR. HUTCHINGS:

Q Do you know of the Robert Benson that died? A I don't know, I couldn't say on that.
Q He was a very old man? A Yes sir. He was getting considerably old.
Q Do you know whether he was older than you? A No I don't know.
Q Mr. Jo as I look at him he must have been a very old man, mustn't he? A Well he was old and he was feeble.
Q Well you stated that he had been so silly; was he naturally that way? A He used to live in Texas; I didn't know him until after he came to the Territory.
Q I say he had gotten so old, that was the occasion of that?
I suppose so, the oldest one of these children was Mrs. Betty Benson, that's my understanding.
Q Which older boy was John Benson? A We always called him Jack.
Q Jack Benson is the oldest? A Yes sir.
Q And who the youngest? A Sam Riley.
Q He was the youngest one of the crowd? A Yes sir.
Q Your father lived four or five years after he and you were admitted to citizenship? A Yes sir, something about that, it was in 1 8, I think he died in 1887, I wont be positive; that is as near as I remember now. I have got a headache so bad that I can't remember anything.
Q Neither none of the older members of the family were ever present at any of these trials of citizenship? A No sir, not a one of them was.
Q Was a one of them ever called upon to testify as to the blood of their father, who she was or anything about it? A I don't know if they was.
Q Your claim of kinship was through Captain John Rogers and that your grandmother was the half sister of Big Joe Vann, wasn't it?
A I don't know, I couldn't answer the question.
Q You were there when they took the testimony? A I was there when Dr. Baker's testimony was taken, that was about 15 years ago.
Q And nobody kin to the Rogers and Vanns was ever called to testify in the case? A Not as I know of.
Q They were very well known Cherokee families in the coun try?
A I suppose so, I don't know.
Q And yet nobody on any side of the family connected with it was ever called to testify A Not that I know of, I don't know what my brother done, he taken some of the evidence at Tahlequah when I was not there; he first filed his claim.

Q You had spoken to Dr. Baker about the testifying before you brought your case didn't you? A No sir.
Q What have been a short time afterwards? A It was a short time afterwards. I went back after him and it was too late and I fetched him the next time.
Q You had talked to your brother also that you could prove by Dr. Baker? A I told him I thought Dr. Baker, I thought he knew about our folks.
Q You had told him in general way you expected to use Dr. Baker as a witness? A Yes sir.
Q You went off, came to Arkansas and left your brother at Tahlequah after you told him that fact? A Yes sir.
Q You didn't see your brother any more until after you were admitted? A No sir.
Q You and he however made trips back and forth to Tahlequah and home at different times, but you didn't happen to get together? A No. I never met him any more and I don't know what he was there until after we were admitted.
Q But you were there and brought Dr. Baker over? A Yes sir.
Q And took his testimoney a year or such a matter before ever you were admitted? A I think a year as I remember, yes sir.
Q Now the way you came to get Campbell Taylor was on the recommendation of old man Bryant? A I didn't get him, didn't use him.
Q The way he came into your case? A The way he claimed to come in.
Q He did more in your case than Bryant did? A Campbell didn't do anything.
Q What did Bryant do? A I think he told my brother take evidence my brother employed him.
Q How did you happen to be sending money by Campbell to Mr. Duncan? A I never sent him any money.
Q Then when he, Mr. Duncan, states that Campbell delivered the money as Campbell said he did, both were wrong? A Oh no, you are mistaken, Mr. Duncan got 20 or 25 dollars, which he stated, from Campbell Taylor, for me.
Q How did you happen to give it to Campbell? A I give the money to Campbell to give to Joel Bryant, and he wouldn't do it, and I tried to get the money back from him, and I finally worked the 20 or 25 dollars he gave to Duncan.
Q Then you didn't tell Duncan as he testified that you sent 20 or 25 dollars by Campbell Taylor? A Campbell Taylor agreed to pay Duncan 20 or 25 dollars for me of the money I give him to give to Joel Bryant.
Q The family kept Campbell Taylor employed though as their attorney after that? A In the James Dawson case I think so.
Q E. Dawson, you remember, had him for his grand-children? A That is my understanding.
Q And your uncle James Dawson had him in the case of his children? A Uncle James had nothing to do with it; James Lee and Bill Jackson got him; that was my understanding of who employed him.
Q The record here shows that the case was originally instituted by C. H. Taylor and was finally submitted by him September 2nd, 1904, in the James Dawson case? A I don't deny him being in that case.
Q You say he was employed in the E. Dawson case? A I don't know who was in the Douthett children's case.
Q The record shows that Campbell Taylor instituted the case, and it was finally submitted by him, and Mr. Seavert, who testified a while ago? A That was in the James Dawson case, wasn't it?
Q That was in the E. Dawson grand-children? A Elbert?
Q No, in the Douthett children's case? A Oh yes.

Q He was likewise attorney in the Mary Dawson case was he, and before the Adair court, the 4th of October, 1887, in the case of James K. P. Dawson? A I don't know anything about that.
Q And the case likewise of Riley Dawson? A I don't know anything about those.
Q They are relations of yours? A Well I couldn't say.
Q James K. P. Dawson proves to be a son of Riley Dawson? A Well if he is he is by connection then. There are so many Dawsons I don't know them all.
Q You know Andrew J. Dawson? A Yes sir.
Q The Dawsons have so many children their brothers didn't hardly know them did they? A That's it, I don't know them.
Q Well then you don't know who Andrew J. Dawson is? A No sir, I don't know.
Q He refers in his application as being a cousin of R. Dawson, and yourself, who were admitted to citizenship by the Tahlequah Court? A He may be, I don't know nothing about it.
Q He resided I believe, at that time at Nevada, Missouri? A I don't know anything about other people.
Q Old Sam Rader was an old and paralyzed man at the time he testified wasn't he? A Getting old, he was not paralyzed.
Q Then the statement made that the reason he couldn't write his name and had to make his mark, because he was paralyzed, in the testimony isn't that true? A He didn't have good use of his fingers.
Q Then he was not paralyzed? A No, I brought him over there in a hack from Bentyville, Arkansas.
Q Well I say he was a very old man? A Yes, getting old.
Q How didn't you come to this place and take up their joining Brought's and work on it some time before you brought your family? A No, I brought my family with me, except my wife.
Q And you subsequently built a log house on it? A Yes sir.
Q And went back and got your wife and moved them to the log house? A Yes sir, went to Batesville and got my wife.
Q You never saw your grandfather at all? A Sam Dawson, yes sir, I saw him.
Q You remember do you of being with him much of any at all? A I was in Texas in time of the war, with my uncle Riley Dawson, and he was there.
Q In '60 sometime? A '60, I reckon, or '61. Somewhere along there, it was in time of the war.
Q How old a man was he at that time? A Pretty old man.
Q You never saw your grandmother, she died before she came?
A Yes sir, I never saw her at all.
Q The first started the citizenship matter, your brother in Texas or you? A Why it was me, and my brother together.
Q I mean who first conceived the idea? A I first commenced talking about it.
Q And sent down for him? A I was in Texas with him and then in Arkansas; I went backwards and forwards a time or two after the war.
Q About that time nearly everybody in Arkansas were trying to get some claim of kinship to Cherokees? A No sir, not at that time.
Q They were getting pretty thick in there in 1880? A Well in 83 and '4 and '5 I think.
Q Been some excitement over there to get yourselves on the rolls?
A Just got to be everybody; but it wasn't at the time we was admitted there was not much stir about the rights here.
Q Well the Watts had been admitted before that? A I suppose they had; there was not much excitement over the Watts claim at that time.

BY MR. HASTINGS:
Q You did locate and board with Sam Shables when you first came to Tahlequah in '81? A I think I did.
Q Your brother Buck Dawson stayed there also? A Yes sir.
Q Sam Shables lived in the north end of town, old German? A Yes sir, old German, lived in the lower part of town.
Q Did you ever hear the names of any other witnesses which you stated perhaps testified in your case? A I have heard them but I have forgot them.
Q You don't recollect any name now? A I dont remember them now sir.
Q In the Irene House case and Joanna Barber case, in which you testified before the Commission, when you were making search for this testimony you couldn't find any other testimony from that of record except the Dr. Baker testimony, could you? A That's all we could find; no we didn't find the testimony, we got a copy.
Q Well it must have been a copy of the original, the certificate shows that? A I don't know; House got a copy of what claimed to be the affidavit of Baker and he told me to give it to him; that is all I know about it.
Q Well the certificate there does not bear my certificate does it? A I don't know about that, I am no scholar.
Q Well you didn t get the testimony of any other witnessm except that of Dr. Baker; you couldn't find any other over there of record? A I didn't hunt for any; House hunted for them.
Q None of you have ever been able to find any other? A No. Not even find our petition.
Q Samuel R. Dawson applied to what is known as the Adair Court, didn't he? A I don't remember now.
Q He was an uncle of yours wasn't he? A Yes sir, claimed to be.
Q The father of these two parties who testified here this morning? A Well I don't know, they claimed to be, I never met them to know them.
Q He was rejected by the Adair Court, or Hayes Court? A I don't know whether he filed his petition.
Q Did you testify in his case? A I don't remember; I might have dont it.

Q Didn't you testify in the Andrew J. Dawson case before what is known as the Hayes Court? A I don't recollect, if I did I don't remember.
Q Did you testify in the Riley Dawson case? A No sir, not that I remember.
Q Didn't you know of his being rejected by that court? A I don't remember, sir.
Q You know that the Cherokee Council never authenticated the roll of 1896, don't you? A No sir, I don't know it; I didn't know this was done until I went to Tahlequah after some papers and came back and they told me about it.
Q You never found out that C. H. Taylor was a big rascal up until the present time have you? A (No response)
Q The records here show that he has been in the constant employment of your family from that date up to this time? A Why it shows here from the record; I would rather be excused for my part of it.
Q You are the man that had the most to do with it? A I never employed him, I can say that.
Q You are the man that had most to do with the records? A In my case and in my father's case.
Q Didn't you testify for your uncle Ji Dawson? A Yes sir.
Q Wasn't he attorney for him? A Yes sir.

Q Wasn't he employed by Jim Dawson after you got your citizenship?
A Why not but the grand-children.
Q Jim Dawson's petition was filed in September 1903, after yours?
A Yes sir.
Q C. H. Taylor, attorney of record, filed his petition? A He might have filed it for all I know.
Q Well you hadn't at that time fallen out with C. H. Taylor had you? A Why no, we never did have any trouble, only over his money, he never would give it back to me or give it to Bryant.
Q You never discovered that he was such a bad man until after your judgment was rendered? A I know he was not of good character.
Q Are you now brought, this man who testified for the Cherokee Nation, on speaking terms? A Hardly speak.
Q Does he refuse to speak to you? A Sometimes he does.
Q Do you refuse to speak to him? A Yes sir.
Q Have you been speaking to him for the last two or three months? A I have not spoke to him until I met him here at the hotel the other day.
Q First time you spoke to him since he had the boy arrested? A Yes sir.
Q When did he have the boy arrested? A Along in September or October, September I think.
Q Then did Dr. Baker die? A I don't remember.
Q You don't remember how much older your father was than you?
A No, I don't know.
Q What is your age? A I will be 60 in May.
Q Then you were born in '42? A Yes sir, '42 according to the record.
Q Was your father as much as 25 years old when you were born?
A I couldn't say.
Q What was your best judgment? A I suppose he was 30 or 35 years old. My understanding he married young.
Q Can't you give any better idea than 4 or 5 years of your father's age? A I say 25.
Q Your father was born say, 25 from 42 would have made him be born in 1817; now had your father any older brothers or sisters? A I think Jack Dawson was the oldest of the family, no, Betty, the girl, was the oldest and Jack next, and then my father as well as I remember about it.
Q There were two girls older? A No, one of the girls I never saw.
Q Then you think there are only 3 older than your father? A Yes, that's my understanding of the family.
Q Dr. Baker gives his age 73 in '82, which would make him be born in '89, now he states that when he was 15 or 16 years old, which added to 1809, will make 1824, that your grandmother Anna Priett, was a school girl; whereas from your testimony and that of the family history introduced here shows that your grandmother Anna Pricit was the mother of seven children, the youngest being born in 1823, how do you reconcile that? A I don't remember about the statement of Dr. Baker; I don't know what he made such statement as that, I don't remember about it.
Q And if he did you don't know how to reconcile it? A (No response.)

Q Did you talk to any of the members of the Court that admitted you? A No sir, I was not acquainted with them.
Q You know whether they were old or young men? A They were old men like; Steve Tehee, I got acquainted with him afterwards, and Tom Ie Thompson, at the Council you see I was there a good deal,

Q That was the fellow that was on the Court? A Yes sir.
Q He was afterwards assistant Chief of the Cherokee Nation?
A I think so.
Q Steven Tehee, that's the man you had reference to? A Yes sir,I think it was, I just knew the man: I had no acquaintance with him at all.
Q D. W. C. Duncan boarded when you were down there at the National Hotel? A I think he did, as well as I remember now when we were admitted.
Q Don't you know he did? A I think he did, as well as I remember.
Q Were not you over there to his room?AI think I was.
Q You remember when it was that you brought Dr. Baker down there to make a statement before the Court? A It was in January, Term, was in January Term of 1882 I believe, it was, as well as I remember about it.
Q Well you didn't take any more testimony after Dr. Baker testified?
A No sir, I didn't.
Q But your case was not submitted or passed upon for a year?
A I think it was, yes sir, as well as I remember.
Q I would like to ask you when the Glasgingame family came to the Cherokee Nation? A Alex Balsingame came with us when we moved here, and went back and got his family and moved that fall.
Q Did he move his family here that same fall? A Yes sir.
Q What year was that? A In the fall of .87 I believe it was, as well as I remember now.
Q When did the Bulaska family come? A I think the girl and the old lady come in the next spring.
Q How long did they remain that time? A The old lady stayed here, but the girl went back and in a short time her and her husband came back.
Q Did she come back until after her marriage? A No, she was married when she come first.
Q The last time? A She was married I think, she was married when she come out.
Q How long has August Bulaska been a permanent and continuous resident of the Cherokee Nation? A I think he come there in the fall of 1884 or 1885, I wont say which.
Q How long has Robert Pierce been a continuous resident of the Cherokee Nation? A Ever since he was admitted.
Q When was that? A '83.
Q How long has Martin L. Patterson? A Ever since he married his wife, and he was living here before he married his wife.
Q Who is Arizona Airey? A That is my daughter.
Q Did you bring her with you? A No no. When I moved.
Q When did she come? A She come out in a year or two after I moved here.
Q Was she married when you moved here? A No sir, she was not married.
Q She was not married when you were admitted? A No sir, she was a child.
Q When did Jim Lowe come to this country? A With his grandfather, James Dawson.
Q What was his mother's name? A Melvina Dawson.
Q You know Jim Lowe's age? A No sir.
Q Don't know how old he was in '83? A No sir.
Q Was he grown? A I think he was.
Q Married? A No no.
Q Married in this country? A Yes sir
Q Who is James H. Harmon? A Married one of the Jackson girls.

Q When did they come to this Country? A Right away after they was admitted.
Q In what year? A I think the winter of '94, I think it was, spring or winter of '94.
Q You know Gideon Graham? A Yes sir.
Q Who is his mother? A Missouri Ann Graham, formerly Missouri Ann Dawson.
Q Did he come from Texas to Arkansas? A Come from Texas.
Q Did you know them in Texas? A I knew the girl.
Q You never knew them until they come to this country? A I never knew Gid.
Q When did you see him here? A I think they come here in the fall or winter of 1894 or '5.
Q He was married then? A I think he was.
Q Brought his wife? A I think he was, I don't know.
Q Did he have any children when you first saw him? A He come to my house and I never saw his family for-I don't know, for several years.
Q You understood he had a family? A Yes sir.

BY MR. McKENNON:

Q Did you learn to say '84 or '94? A '84.
Q Did you see Gid Graham in '84? A '84, let me study, maybe '85.

BY MR. HASTINGS:

Q Did you see him in '85, are you positive on that proposition? A I think so.
Q Will you swear it? A No sir, I wont positive swear it, but I think it was, as I remember now it was; I couldn't say positive.
Q All the people Mr. Dawson that have been admitted to citizenship by courts of competent jurisdiction unless they were de-citizenised by courts of acquired jurisdiction, enjoyed the same privileges that you have narrated here about going to school and being tried in the courts? A Yes sir.

Q All that sort of thing that you have been telling here in your direct examination? A Ask me the question again.
Q I say all people who were admitted here by courts of competent jurisdiction, until they were de-citizenised by courts of like jurisdiction, enjoyed the same privileges that you did? A So far as I know they was.
Q They all drawed money and all tried in the courts as long as we had tribunal courts, were they not? A Yes sir, so far as I know.
Q There was no special privilege granted to you in preference to anybody else? A None but recognized citizens of the Cherokee Nation.
Q Well you had been recognized since you were admitted? A Yes sir, I enjoyed the same privileges of native born Cherokees.
Q Well I say there is nothing special about it? A No, I don't know as there is.
Q You got acquainted with Mr. Duncan while you were up there during the hearing? A Yes sir, I was acquainted with him, knew him, when I saw him.
Q Mr. Bill Ross did the examination of Dr. Baker? A Yes sir.
Q Did you file any other paper before the Court other than your petition and then Dr. Baker's statement? A I never filed any petition there at all.
Q None whatever? A I don't remember any.
Q Well you never had occasion to file any papers before Mr. Duncan? A I got him to do some writing for me.
Q What? A Letters to my brother in Texas.
Q Buck Dawson? A Yes sir, E. Dawson.

Q That? A Yes sir, Buck Dawson.
Q Well is that all he did for you? A I don't remember any about it.
Q Why didn't you get your attorney to do that letter writing? A There was not any there.
Q Taylor nor Benge was not there then? A No sir.
Q That is what you paid the 80 or 25 dollars for, was writing this letter back to your brother? A I paid him for that claim.
Q When did you pay that? A I think I paid it, I don't exactly when, Camp Taylor paid it a year or two after I moved out here and settled where I did; might have been 2 years. I don't remember.
Q There was Duncan living then? A I couldn't say where.
Q Was he still clerk of this Court? A No sir, not when the money was paid; that is, when Camp Taylor said he paid it.
Q You did send Camp Taylor some money? A I sent some money to him for Joel Bryant.
Q You knew Joel Bryant's address didn't you? A No, I don't know that I did, No I didn't send Camp Taylor any money, I gave it to him.
Q How much did you give him? A One hundred dollars.
Q When? A Right at that time: he claimed it from me as soon as we got our papers: he come onto me and demanded me for Bryant.
Q You never sent him any then after that? A No sir.
Q Did you ever see Bryant after that? A Yes sir
Q How long after that? A I don't know, a year or two afterwards. a year I believe, my brother wrote, I wrote to my brother about paying Camp Taylor money and he went onto my brother about it and he never paid him until we moved out to this country.
Q After all that you got him to attend to your uncle Jim Dawson's and the other relatives cases? A The other parties did.

BY MR. McKENNON:

Applicants object to all that part of the witness' evidence in response to interrogatories by representatives of the Cherokee Nation which relates to the character of the evidence upon which the judgments admitting members of the James and Robert Dawson families were admitted, and to the history of the members of the Dawson family, because the same is immaterial, incompetent and irrelevant.

BY MR. McKENNON:

Q One question I omitted to ask you Mr. Dawson, as to the Court at the time the judgment admitting Robert Dawson's family was rendered, who of the judges were present on that day? A They was all three of them, Wolfe, Tehee and Thompson.
Q Are you positive of that fact? A Yes sir.
Q You do not know this Andrew Dawson family who applied to the Dawes Commission for Cherokee citizenship, and who stated that they are cousins of some members of your family? A Andrew?
Q Andrew J. Dawson, who claims to be from Missouri? A How was the question?
Q You do not know them do you? A I don't know that they are any kin to us.
Q You don't know that they are related to you at all? A No sir.
Q This Mary Dawson case, do you know the members of that family? A No sir, I don't.
Q Don't know who they are? A No sir.
Q The Rebecca Dawson case? A I don't know her either.
Q You don't know whether they are related to you or not? A No sir.
Q If any of these persons are related to you or your family did you have any knowledge of it? A Not as I know of.

Q Jonina Barber, do you know anything about them? A They claim to be kin to us.
Q Where are they from? A They are from Texas.
Q Do you know they are related to you? A They claim to be kin.
BY MR. HASTINGS:
Q Well you swore for them before the Commission? A Yes, they claim to be kinfolks of mine.
BY MR. McKENNON:
Q Irene J. House, who is that? A That is a cousin of mine; claims to be.
BY MR. HASTINGS:
Q You testified for her didn't you before the Commission? A I think I did as well as I remember.
BY MR. McKENNON:
Q Before the Court that admitted James Dawson and family, who were the witnesses there? A Oliver Miller, from Berryville, Arkansas.
Q Who were the others? A Myself and J. Dawson and there was two other witnesses, I don't remember who they are.
Q Were they Cherokee citizens and residents of the Cherokee Nation? A Yes sir.
BY MR. HASTINGS:
Q You don't remember their names? A Which?
Q Of these other people who claimed to be citizens of the Cherokee Nation and who were witnesses? A I said about me and J. Dawson were citizens of the Cherokee Nation.
Q You only proved that Jim Dawson was a brother of Robert Dawson before the Court? A Yes sir.
Q And then referred back to the decision in the Court before? A We proved that they were citizens, and he knew my folks before he ever came here.
Q Was he older than Dr. Baker? A About the same age.
Q Why didn't you get Oliver Miller's testimony in the House case?
A He was dead.
Q You and no member of your family in the Irene House case or the Jonina Barber case or any of those cases that were tried before the Dawes Commission in your affidavits ever made reference to the fact that Oliver Miller testified in Jim Dawson's case in '84 did you?
A I don't remember about that.
Q You did make reference to the fact that Dr. Baker testified there in '83, didn't you? A I don't remember about that now.
Q You never made reference to any other witness having testified other than Dr. Baker didyou? A I don't remember about it now.
BY MR. McKENNON:
Now just one other question: All of these papers in the original application and everything, so far as you know, in the James Dawson case, were filed before the Commission which admitted the James Dawson family, are lost or mislaid are they not? A I suppose they are, I don't know, I never saw them.
Q Have you tried to get copies of them? A Yes sir, I tried to get the original papers.

BY COMMISSION: This case is continued until 8:30 a.m., tomorrow morning, March 20th, 1902, it now being the hour for adjournment.

MARCH 20, 1902.- 8:30 a. m.- F. L. DAWSON again on the stand, testifies as follows:
BY MR. McKENNON:
Q Where was your brother Nick Dawson raised? A In Arkansas,

Q What County? A Carroll.
Q Near in a town? A Berryville.
Q Did Dr. Baker live at Berryville? A Yes sir.
Q Was your brother intimately acquainted with him for many years?
A Yes sir.
Q Did he know him sufficiently to be acquainted with his character and habits of life? A Yes sir.
Q Do you know Josephine Pierce? A Yes sir.
Q Whose daughter was she? A Robert Dawson's.
Q Is she the same identical person who is called Josie Pierce, and Josie Dawson? A Yes sir.
Q Is there any other Josie Pierce or Josie Dawson or Josephine Pierce or Josephine Dawson? A I don't know but the one.
Q She was also called Josephine or Josie Kelly? A Yes, after she married; her first husband was Pierce.
Q And her second husband A Was Kelly.
Q There was another Josephine Dawson wasn't there, Bulaske's wife?
A They called her Joe, I suppose that's her name, I would not be positive; that was Pile Dawson's daughter, August Bulaske's wife.
Q She is much younger than your sister, Josephine, above referred to? A Yes sir, oh yes.

BY MR. HUTCHINGS:

Q Where were you born, Mr. Dawson? A Carroll County, Arkansas.
Q You know how old you are? A 42.
Q 43? A I think so.
Q How many older children were there of your father and mother than yourself? A Three.
Q Which were they? A E. Dawson, Riley Dawson and Jasper Dawson.
Q You are the fourth child and the fourth boy? A Yes sir, fourth boy.
Q Where were your father and mother married, do you know, from family history? A I think it was in Arkansas, I couldn't be positive, I think they was.
Q Do you know how long your grandfather lived in Arkansas? A No sir I don't.
Q Don't know what year he came to Arkansas? A Only from statement.
Q Well what did they say about it? A I think they come there some time in '30.
Q You know whether your father was born in Arkansas? How many of your grandfather's children were born there? A There was none of them born in Arkansas according to history and according to what he always told me, they were born in Tennessee.
Q He came there in '30, and all the other children were born on the Hiwassee River in Tennessee, befor he ever came? A That is what I think, yes sir. Now I am not positive about that. They were from Tennessee, but either Dr. Baker lived there or my folks come from there; I don't know as I remember that I ever heard my father say where he was born at.
Q In Tennessee somewhere; he said he was a good big boy when he came to Arkansas? A I don't know as I ever heard him say.
Q Do you know the difference in the ages of yourself and your three older brothers? A No I don't.
Q Don't know the time that comes in between you? A No I don't know that; I think it is about two years though.
Q That would make E. Dawson about eight years older than you, probably? A Yes sir.

BY MR. MCKENNON:
Q [illegible] Mr. Boyle?
A [illegible]
Q [illegible] A I always knowed her by Josie Pierce: I don't [illegible] this is her right name or not.
Q [illegible] John Boyle.
Q Is the child of Josephine Pierce who married John Boyle?
A Yes sir.
BY MR. HASTINGS:
Q Where did she marry John Boyle? A Near Afton.
Q When? A I couldn't state.
Q About when? A You have got a copy of the marriage license.
Q When did Josephine Pierce come to the Cherokee Nation? A '83.
Q And she lived here continuously since that time? A Up until her [illegible]; she is dead.
Q All of her children came with her at that time? A Yes sir.
Q And have they lived here continuously since that time? A Yes [illegible], except Bill Pierce, he went to Colorado and died.

J. C. STARR, being first duly sworn and being examined, testified as follows:
BY MR. MCKENNON:
Q Your name is J. C. Starr is it? A Yes sir.
Q Mr. Starr, was that instrument taken by you, or before you? (Indicating witness document.)
A Yes sir
Q Where? A At the residence of S. H. Benge near Fort Gibson.
Q When? A On the 15th day of this month.
Q What day of the week was that? A On Saturday.
Q And that the day it was taken? A Yes sir.
Q And you go there on Saturday to take this? A Yes sir.
Q And when Judge Benge stated on Tuesday that it was taken "yesterday" meaning Monday, the 17th, he was mistaken, was he?
A It was taken Saturday, the 15th.
Q Was he mistaken or not? A It was not taken then.
Q When his statement made on Tuesday the 18th that it was taken on "yesterday", meaning Monday, the 17th, was not correct, was it?
A I think not, because I was there, and it was taken on the 15th.
Q And it was taken on the 15th, you are positive it was taken on [illegible]? A Yes sir.
Q [illegible] his statement could not be correct? A I guess not.
BY MR. HASTINGS:
Q He was just mistaken about the date, wasn't he? A Yes sir.
BY MR. MCKENNON:
Q You told Charles F. Moore who is now present, on last Tuesday [illegible] sent you out there on Monday to take that? A No sir.
BY MR. HASTINGS:
Q Sent you there last Saturday? A Yes sir.
Q And you went there at my direction, didn't you? A Yes sir, and [illegible] had [illegible].

ROBERT L. DAWSON, being first duly sworn, and being examined testified as follows:
BY MR. MCKENNON:
Q What is your name? A My name is Robert L. Dawson.
Q And how old are you? A I am [illegible] close to 30 years old, [illegible]

Q Are you a son of E. Dawson, commonly known as Buck Dawson?
A Yes sir.
Q I will ask you if you will examine this letter sent with the enclosure and state whether or not you found that among the papers of your father after his death? A (Hands letter to witness who examines it) A Yes sir, I found this amongst the papers of my father. He always kept all his own papers, and me looking over them I saw this letter.
Q Has that been in your custody ever since you found it? A Yes sir, if that's the letter that was in the envelope.
Q Well that's what it is, you can tell whether it is or not. (Witness further examines letter) Q That purports to be a letter from Samuel H. Benge, does it not, to your father? A Yes sir. (Here applicants' attorney hands letter and envelope referred to to attorneys for Cherokee Nation.)

BY MR. McKENNON: I want to offer this letter in evidence in this case; it is a letter signed by S. H. Benge, attorney at law, dated Fort Gibson, C. N., Jan. 13, 1883. Addressed to Mr. E. Dawson, Esq., together with the envelope, in which it was enclosed, with the card of C. H. Taylor upon it, attorney at law, Tahlequah, Indian Territory, and postmarked Tahlequah, Ind. T., January 13.

BY MR. HUTCHINGS: The Nation objects to the introduction of this letter for the reason that S. H. Benge is living and has testified in this case, and his handwriting should be either proven or denied by himself.

G. W. BENGE, being first duly sworn, and being examined, testified as follows:
BY MR. McKENNON:
Q What is your name? A G. W. Benge.
Q Are you a son of Samuel H. Benge? A Yes sir.
Q Do youknow his handwriting? A I believe so.
Q Is that his handwriting? (Shows witness letter before referred to.) A Yes sir, it is either his or a resemblance of his.
Q To the best of your knowledge and belief is that his letter?
A Yes sir.

BY MR. McKENNON: Now we offer it in evidence.

BY COMMISSION: (Reading letter)

"Fort Gibson, C. N.,
Jan 13th, 1883.

Mr. E. Dawson, Esq.,

Dear Sir:- I write this note to inform you that your case came off before the Court on Citizenship on the 11th inst, and was decided in your favor, so you all are citizens of this Nation. F. M. Dawson was furnished with a copy of the decision at the court. He will write to you allso. You will please send me fifty dollars as my fee in your case according to contract. Send it to Fort Gibson, Cherokee Nation.

Respectfully yours,
S. H. Benge,
Attorney at law."

Enclosed in envelope, as follows:
Card in upper corner, left hand:
"Return in ten days to C. H. Taylor,
Attorney at Law,
Tahlequah, Ind. Ter."
Addressed: "Mr. E. Dawson,

Henryetta,
Clay Co., Texas."

Post-marked: " Tahlequah, Jan 17 Ind T."

ROBERT L. DAWSON, -re-called and further examined, testified as follows:

BY MR. McKENNON:

Q Now examine that and see if that is also a paper which you found among your father's papers after his death? (Hands papers to witness) A That is the same letter that I found.

Q Among the same that you found the Benge letter? A Yes sir.

BY MR. McKENNON: This is a letter purporting to have been written by J. M. Bryan, to E. Dawson, dated at Chouteau Station, Cherokee Nation, and not dated, which we offer in evidence. (Applicants' attorney hands said paper to Nation's attorneys.)

Q Mr. Bryan is dead is he not? A I think so.

BY MR. HUTCHINGS: We have no objection.

BY COMMISSION: (reads letter)

"Chouteau Station, Cherokee Nation.
I. T., M. K. & T. R. R.

MR. Dawson:

Dear Sir:-

I am in receipt of your favor of the 30th inst in regard to our contract.

After I had got the claim so there would be little more to do I employed Campbell Taylor to answer for me when the case came up, for which I was to pay him $20 out of my fee.

This all the action I had in the matter with Taylor.

I saw Taylor in Washington last month, and he told me that your brother had made another contract with him, and paid him, or that you was to pay him $100- and that you had offered him a check on some bank in Texas.

That $100- matter with Taylor, I have nothing to do with, nor couldn't have if I wanted to.

I hope Mr. Dawson this letter will explain the matter fully.

And I am satisfied that you are apprised of the earnest work I done for you, Please write to me.

Very respectfully,
Very truly,
J. M. Bryan."

Q I will ask you if you know of your father having paid Bryan that money? A Yes sir, paid him a horse and some other money.

BY MR. HUTCHINGS:

Q How old was your father when he died? A Me, I don't know whether I know his age or not.

Q If you don't know you can't say? A I wouldn't hav no reason to know his age; never asked him his age; of course I guess my mother knows.

Q Never had occasion to talk about his age at all? A Oh I have heard him speaking of his age at different times, but then I never paid enough attention to it.

Gid Graham, being first duly sworn and [illegible] examined testified as follows:

BY MR. McKENNON:

Q What is your name? A Gid Graham.

Q How old are you? A Mr. Graham? A I am 35 years old.
Q How long have you been living in the Territory? A I came out here in 1887 or '88.
Q To the Cherokee Nation? A Yes sir.
Q How long have you been living in the Cherokee Nation, what year was that '87 or '8? A Yes sir.
Q Have you resided here continuously from that time ever since in the Territory? A Yes sir.
Q How long did you live in the Cherokee Nation? A About 6 years.
Q Where did you go then? A Wagoner.
Q In the Creek Nation? A Yes sir.
Q And been residing there ever since? A Yes sir.
Q In business? A Yes sir.
Q Have you all the while been recognized as a citizen of the Cherokee Nation? A Yes sir.
Q Mr. Graham, do you know Judge Samuel H. Benge? A Yes sir.
Q Did you have a conversation with him in Fort Gibson about September of 1906? A Well as to the exact time I couldn't say, it was sometime about the time that the Dawes Commission were at Gallisaw, or possibly a little later, somewhere about there.
Q Taking the census of the Cherokees? A Yes sir.
Q At that time had the question of the validity of the judgment of the Cherokee citizenship commission admitting Robert Dawson and family been called in question? A Yes sir.
Q Did you talk to him about the facts concerning the obtaining of that judgment? A I did.
Q What did he tell you about it; well I will just ask you, did he then and there tell you that that judgment was regular and all right nothing wrong with it? A He did.

BY MR. HUTCHINGS:

Q You were looking around for testimony at that time, Mr. Graham, were you? A How was that?
Q You were looking around for testimony at that time, expecting this case to be questioned? A Since the validity of that judgment had been attacked by the authorities of the Cherokee Nation, I thought it was well to look into the matter.
Q And he told you the judgment was all right? A Having known that Mr. Benge was connected with the case, I saw him in Fort Gibson, subsequent to that time and asked him about it, if there was anything wrong about the matter, and also that I might want his affidavit concerning the matter, and I also I think maybe wrote to him; possibly prior to that, I am not sure as to the writing, but I think possibly I did.
Q Did he tell you he would make an affidavit? A I don't think at that time that I asked him for an affidavit. I thought as he lived right near here I would use him in person; he assured me that everything was all right.
Q Your mother was Missouri Dawson was not she? A Yes sir.
Q Her name was Missouri Graham when she was re-admitted to citizenship? A Yes sir.
Q And was not Missouri Dawson as named in that judgment? A Yes sir.
Q Do you know whether the other children named in there had married and changed their names also at the time they were admitted?
A There were not any of them married.
Q Ella Dawson was your aunt? A Yes sir.
Q Was she married at that time? In 1903? A Yes sir.
Q Melvina Dawson, was she married at that time? A Yes sir.
Q And the fourth one you have mentioned, Missouri Dawson, was your mother? A Yes sir.

Q Can you give us the exact date of your birth? A Yes sir.
Q Do so, please? A January 21, 1867.
Q And you came to the Territory when? A In 1887 or 1888.
Q You can't make that any more definite? A Well sir, it has been a good while ago, and I didn't have anything to cause me to.
Q Well I just want to know whether you did have or not? A No sir.
Q When were you married? A 1886.
Q You were married prior to coming here? A Yes sir.
Q Your first child born away from here? A Yes sir.
Q What is its name? A John W.
Q '86 you were married, and he was born about the spring of '87?
A Somewhere in 1887, I don't remember.
Q Prior to your coming here? A Yes sir.
Q That is the only child you had that was born away from here?
A No sir, Julius.
Q Julius was not born in the Territory? A No sir.
Q And prior to the time of your removing to the Territory? A Yes sir.
Q These are the only children born out? A Yes sir.

BY MR. McKENNON:

Q Do you know Campbell Taylor? A Yes sir.
Q I will ask you if about February 1901, he came to Wagoner, and sent his son to have you come to the hotel at night where he was, and if he then and there said to you "You people are on the doubtful list, and if you will give me five hundred dollars I will make it all right and see that you are enrolled, and if you don't I will see that you don't get on".? A Well now as to the first part of thatquestion, where you say he sent his son; that is an error; I don't know whether he came to my house or sent some one; when I returned home that evening my wife told me there was some one there to see me, and was at the city hotel at Wagoner, and said come down and see him; I went down there; I never had met Taylor; he introduced himself to me and stated what his business was; asked me if I was on the doubtful list, etc., to which I replied that we were; he asked me if I didn't want to employ him, stating that if we would give him, our family would give him five hundred dollars he would see that we were placed on the rolls all right, but if we refused to give him five hundred dollars that he would use his influence against us and see that we were rejected.
Q You never had met him before, or had any communication with him?
A I never met him before; as to the communication, I may have written him something about his affidavit as to the validity of that judgment, I can't say as to that. He said in his testimony that I did; I don't know whether I did or not now.

BY MR. HUTCHINGS:

Q You knew he was the attorney in the case, originally? A After looking at the records I did.
Q I mean you knew it at the time you wrote to him about the affidavit; that was the reason why you thought he would know something? A Certainly.
Q He never told you he was going to swear against you or threatened to tell anything that was not true? A He just simply said unless we gave him that five hundred dollars he would see we were all put off the rolls.
Q Said he would use his influence against you, that is what he said? A Yes sir.

BY MR. HASTINGS:
Q You don't deny writing to him then for the affidavit? A I don't say I did or I did not; I neither affirm it or deny the question.
Q You went to Captain Benge and also wrote him with reference to what he knew about the case? A I don't know whether I wrote him or not, I said I was under the impression I wrote his son.
Q You went to see Aaron Butler, who was interpreter before that court that admitted you? A Yes sir.
Q And you went with Aaron Butler to see Jim Smith, attorney before that court? A Yes sir.
Q And you either wrote or went to see everybody you knew of that was before that court then? A Yes sir.
Q That shows you used considerable activity? A Yes sir, I used such activity as was to my interest.
BY MR. McKENNON:
Q That was all after the representatives of the Cherokee Nation objected to the enrollment of the Dawson family and by reason thereof such as had appeared before the Commission had been placed upon a doubtful card? A Yes sir.
Q Then you began to look up the evidence and see what there was in it? A Yes sir.
Q As Mr. Hastings has stated? A That's right.
BY MR. McKENNON:
Q You are a grandson of James Dawson? A Yes sir.
Q The old gentleman? A Yes sir.
Q About what was his age when he was admitted to citizenship in the Cherokee Nation, in 1884, wasn't it? A Yes sir, well I can't be exact as to that.
Q Well as nearly as you can? A He was somewhere about 70 or 72, years of age.
Q Well what other James Dawson did you know belonging to the families, either one of these families, Robert Dawson family or the James Dawson family? A I never knew of but two James Dawsons.
Q Who were the others? A Dr. James R. Dawson, who is present and standing right here; my grandfather, James Dawson.
Q Was there in '84 any James R. Dawson 35 or 40 or 45 years old, that you know of, belonging to either one of these families?
A No sir.
Q Do you know how old Dr. James R. Dawson was that that time?
A James Dawson? Q No I am speaking of Dr. James R. Dawson? A Oh, how old he was, no sir, I do not.
BY MR. HUTCHINGS:
Q Do you know who was here attending to your mother's citizenship case at that time, at the time they were admitted? A Yes sir, James Low and Bill Jackson, son of Ellen Jackson.
Q Who was W. A. Dawson? A That is Wilburn, my uncle.
Q Was he here? A I don't know sir.
Q You were not here any of the time? A No sir.
Q You knew your grandfather then, you had lived in the same neighborhood with him? A Yes sir, I knew him well.
Q He didn't die for a year or two after that did he? A After when, Mr. Hutchings?
Q After his admission to citizenship? A No sir, he didn't die I think until '91 or '90, several years after.
Q Very old man when he died? A Yes sir.
BY MR. McKENNON:
Q About what age? A He was approximately 80 years old.
BY MR. HUTCHINGS:
Q When he died? A Yes sir.

BY MR. HASTINGS:
Q That about 1891? A I think so, yes sir.
BY MR. McKENNON:
Applicants object to the testimony of the witness elicited by interrogatories of Counsel for the Cherokee Nation relating to his family, their history, etc, as being irmaterial, irrelevant and incompetent.

James R. Dawson, being first duly sworn, and being examined, testified as follows:
BY MR. McKENNON:
Q Your name is James R. Dawson? A Yes sir.
Q Where do you live? A Afton, Indian Territory.
Q What is your age? A 45.
Q You are a physician are you not? A Yes sir.
Q Was James Dawson, whose family was admitted in 1884, an uncle of yours? A Yes sir.
Q Do you know what his age was at that time? A No sir, I do not, only approximately.
Q State as nearly as you can? A At the time of theadmission?
Q Yes sir? A About 70, I don't know exactly.
Q How old was he when he died? A I would suppose he was about 78.
Q What was your age in 1884? A I am 45.
Q What year were you born, Doctor? A I was born in '55.
Q Must have been '56? A Yes sir, that's right.
Q What was your age then? A In '84?
Q Yes sir? A About 28.
Q Were you present at the time that James Dawson family was admitted, or at any time while their case was pending before the Cherokee citizenship commission? A Not while the James Dawson case was, no sir.
Q You were present during your father's case? A I was there at the time.
Q When was that? A The dates I disremember; when the case first come up, I disremember the exact date.
Q How long were you there? A I was there about a week.
Q Was that when it first came up you say? A Yes sir.
Q Nothing was done? A No sir.
BY MR. HUTCHINGS:
Q You never saw Dr. Baker? A Yes sir.
Q Did he and your uncle Jimmie used to talk about how they played together when they were boys? A My uncle Jim and Dr. Baker talk?
Q Yes? A I never saw them together.
Q They were about the same age? A Yes sir, I believe Dr. Baker was 15 years older probably.
Q Dr. Baker must have been mistaken about his own age? A Guessing, that's all I know about his age.
Q The Doctor had been paralyzed, rather a decrepit looking man at the time he was over here at this citizenship business? A No sir, not as I know anything about.
Q He was near about 70 then? A I couldn't tell you, he was an old looking man.
Q Your uncle Jimmie was about 70? A Yes sir.

TESTIMONY ON BEHALF OF THE CHEROKEE NATION.

W. W. HASTINGS, being first duly sworn, and being examined testified as follows:
BY MR. HUTCHINGS:
Q State your name? A W. W. Hastings.
Q Residence? A Tahlequah, age 35.
Q You are attorney for the Cherokee Nation in the general preparation of these cases? A Yes sir.
Q Just state how it happened that you summoned Mr. Campbell Taylor, and what occurred between you with reference to his testimony?
A Well there had been some talk, as the testimony here indicates, that there was perhaps fraud in the admission of this family, and by agreement with counsel on the other side, and the Commission, this case was set for the 17th day of March, and some short time prior to that, as the attorney for the Nation I began to make some preparation or inquiry into the case, and I wrote a great many letters around to different people and among them I wrote C. H. Taylor to come down here. I don't think in that letter that I told him what I wanted with him. I don't think I told him the case that I wanted him to testify in; that is my recollection now. Mr. Taylor prior to that time, neither directly nor indirectly, so far as I know, ever gave me any information voluntarily against this family, or ever said anything that would lead me to believe that he knew anything of a fraudulent character connected with it. But I summonsed him; perhaps the fact that I knew he had been connected with them in some way and that I perhaps also would get some information from him. Well he came in response to a letter that I wrote, and I took him up to my office. I talked to him quite a long while. He was exceedingly reluctant about giving any testimony whatever, he told me first and last that he didn't intend to testify before the Commission. He told me he had been attorney for these people, and he didn't believe he could be compelled to testify, and that is he was put upon the stand he would claim that privilege, and he didn't believe I could force him to testify. I talked to him at some considerable length; I asked him what he knew about it; of course he for a long time declined to tell me; and what information I did get from him was by piecemeal. He was exceedingly reluctant all through the interview to give any information. I asked him finally though that if the Court compelled him to testify when he got before the Commission, if he would tell the facts about it, and he said that he would. I told him then that I would subpoena him.
Well we talked quite a good while and finally after always telling me that he intended to claim that privilege, and never wanting to testify, he detailed to me the facts just as he told them on the stand; I don't believe there is the slightest variation, except that he perhaps was not so full at that time and it was told by piecemeal, but I got all those facts out of him, or very nearly all those facts out of him. He may have elaborated a little more here by examination; but he never voluntarily gave me any information at all, either directly or so far as I know indirectly. I don't think he went any one to me. I got his name because I heard he was connected with the case, and perhaps knew something about it, like I did a great many other people, some of whom I didn't bring, because they didn't know what I supposed they did know about the case.

With reference to S. H. Benge, I want to state that he never voluntarily gave me any information at all about this case, nor did I know that he knew anything in connection with this case until I sent J. C. Starr over to S. H. Benge's place to take his affidavit on Saturday, March 15, in the W. H. and J. W. Shoemake case, and their descendants. I had heard that Mr. Benge knew some important facts in connection with the Shoemake case and I sent him over there then to take that affidavit; and when Mr. Starr came back he told me that he knew some facts also in connection with these other cases, and I was surprised to find he had instead of one affidavit, in the Shoemake case, that he also had another affidavit in the Dawson case. That is the first information I had that Mr. Benge knew anything whatever in connection with the Dawson case, and therefore he never voluntarily, either directly or indirectly gave any information prior to that time to me.

I impressed upon Mr. Taylor that the Nation only wanted the absolute truth in this matter; that it was not seekin, anything else but the truth, and didn't want him to tell anything else but the truth.

I want to say again that after he was on the stand and left that evening, and after Captain McKennon, or counsel for the family, had indicated his willingness for Mr. Taylor to testify, that he went over all of these facts that he testified to on the stand subsequent to that time in the presence of J. C. Starr in my office. I simply wanted to go on the stand for the purpose of showing that Mr. Taylor hadn't voluntarily given me any information, and I make this statement for that purpose.

BY MR. McKENNON:

Q You had no power to compel him to give you any information at that time at all did you? A No sir, none other than the pursuation that I brought to use.

Q He therefore did it simply upon your pursuation? A Yes sir.

Q You knew he had been acting as attorney for these parties?

A Yes sir, I had seen from the record that he did too.

Q And he told you so? A Yes sir.

BY COMMISSION: The attorneys for the applicant and the representatives of the Cherokee Nation will be granted thirty days from the receipt of the transcript in this case in which to file a brief in this case with the Commission.

I, M. D. Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

(Signed) M. D. Green.

I, Arthur G. Evans, being duly sworn, state that as stenographer to the Commission to the Five Civilized Tribes I copied the foregoing, and that the same is a true and complete copy of the original.

Arthur G. Evans

Subscribed and sworn to before me this 18th day of December, 1902.

B. O. Jones

Notary Public.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Francis M. Dawson, et al for enrollment as Cherokee citizens, consolidating the applications of,

Francis M. Dawson et al	Cherokee	D.	324
John Dawson,	"	D	580
William R. Dawson,	"	D	581
Andrew C. Atkins, et al	"	D	584
Francis M. Dawson, Jr.	"	D	588
Arizona Allred, et al	"	D	835
Samuel R. Dawson, et al	"	D	350
Robert Dawson,	"	D	352
Albert H. Dawson, et al	"	D	358
August Bulawsky, et al	"	D	365
John W. Dawson, et al	"	D	482
Katie Newman	"	D	402
John Dawson, et al	"	D	578
Thomas P. Dawson, et al	"	D	360
Orle H. Dawson, et al	"	D	530
Robert Pierce, et al	"	D	408
William Pierce,	"	D	409
Charles E. Pierce,	"	D	431
Oma Gray, et al	"	D	471
Effie Pierce,	"	D	472
John S. Bogle, et al	"	D	479
Joseph R. Dawson, et al	"	D	364
Wilborn Dawson,	"	D	475
Charles T. Moore, et al	"	D	518
James R. Dawson, et al	"	D	526
Henry A. Blasingame, et al	"	D	832
Elbert L. Blasingame, et al	"	D	833
James R. Blasingame, et al	"	D	834
Martin L. Patterson, et al	"	D	435
William C. Dawson, et al	"	D	604
Robert L. Dawson,	"	D	605
Elbert B. Dawson, et al	"	D	608
Richard W. Dawson, et al	"	D	617
Ella L. Spickerman, et al	"	D	626
Francis M. Dawson,	"	D	627
Sarah J. Dawson,	"	D	609
John W. Graham, et al	"	D	23
Gideon Graham, et al	"	D	35
Mathew A. Painter, et al	"	D	836
Charles T. Bradshaw, et al	"	D	1124
Joe E. Graham, et al	"	D	1125
John F. Graham, et al	"	D	1126
Joe Willie Neal	"	D	1127
James M. Graham, et al	"	D	1128
Green W. Jackson, et al	"	D	595
James H. Harmon, et al	"	D	476
Tommie A. Jackson,	"	D	509
Lizzie Jackson, et al	"	D	510
William C. Lenox, et al	"	D	647
James Love, et al	"	D	648
Millie T. Dawson,	"	D	406

Texanna Woolley, et al.,	Cherokee	D	406
Henry T. Richardson, et al.,	"	D	715
Etta Brauer,	"	R	12
Melissa A. Dawson,	"	R	13
Alonzo M. Fishback, et al.,	"	D	543
Hiram F. Weddle, et al.,	"	D	581
William D. Douthitt,	"	D	522
Florence Morgan, et al.,	"	D	737
John E. Fishback,	"	D	845
George A. Mabry, et al.,	"	D	979

D E C I S I O N.

It appears from the record herein that applications were made to this Commission at the times and places hereinafter mentioned for the enrollment of the following named persons as citizens of the Cherokee Nation:

D 324 By Francis M. Dawson, son of Robert Dawson, at Vinita, Indian Territory, on September 17, 1900, for the enrollment of himself and his minor children, Lula, Ray, Jessie J., Jacob L., Hugh A. and Laura A. Dawson as citizens by blood, and for the enrollment of his wife Katie Dawson as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on April 8, and October 20, 1902.

D 580 By John Dawson, at Nowata, Indian Territory, on October 15, 1900, for the enrollment of himself as a citizen by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 1, 1902.

D 581 By William R. Dawson, at Nowata, Indian Territory, on October 15, 1900, for the enrollment of himself and his wife, Fannie Dawson as citizens by blood. Fannie Dawson has been differently classified and is not embraced in this decision.

D 584 By Andrew C. Atkins, at Nowata, Indian Territory, on October 15, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Lizzie Atkins and his minor children, Arthur, Edna E., Edward C. and George J. F. Atkins as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 10, 1902.

D 588 By Francis M. Dawson, Jr., son of Francis M. Dawson and grand son of Robert Dawson, at Nowata, Indian Territory, on October 15, 1900, for the enrollment of himself as a citizen by blood.

D 345 By Francis M. Dawson, Sr., at Chelsea, Indian Territory, on November 30, 1900, for the enrollment of his daughter Arizona Allred and his grand-son William C. Allred as citizens by blood.

D 350 By Samuel R. Dawson, at Vinita, Indian Territory, on September 19, 1900, for the enrollment of himself and his two minor children August and Mate Dawson, as citizens by blood, and for the enrollment of his wife Catherine Dawson as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, October 3, 1902.

D 352 By Robert Dawson, at Vinita, Indian Territory, on September 19, 1900, for the enrollment of himself as a citizen by blood.

D 360 By Albert M. Dawson, at Vinita, Indian Territory, on September 19, 1900, for the enrollment of himself and his minor children Ralph H., Alford and Cecil Dawson as citizens by blood, and for the enrollment of his wife Sarah F. Dawson as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 21, and October 3, 1902.

D 365 By August Bulawsky, at Vinita, Indian Territory, on September 19, 1900, for the enrollment of himself as a citizen by intermarriage, and for his wife Josephine, and his minor children Rosa, Lee, Annie, Blanche, May and Oscar Bulawsky, as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 6, 1902.

D 368 By John W. Dawson, at Vinita, Indian Territory, on October 1, 1900, for the enrollment of himself as a citizen by blood, and for the enrollment of his wife Nannie as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 3, 1902.

D 369 By Thomas J. Bowman, for the enrollment of his wife Katie [illegible] as a citizen by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, [illegible].

D 370 [illegible], at [illegible], Indian Territory, on October 15, [illegible] himself and his minor children [illegible] Rosa B., Charles B., Hattie J., [illegible] Dawson as citizens by blood, and for his wife [illegible] Dawson as a citizen by intermarriage. On November 3, 1902, an affidavit was filed for Vergal C. Dawson, a minor child. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, October [illegible], 1902.

D 371 By [illegible], at Vinita, Indian Territory, on September 19, 1900, for the enrollment of himself and his minor child [illegible] as citizens by blood.

D 376 By Orla L. Dawson, at Vinita, Indian Territory, on October 1, 1900, for the enrollment of himself and his minor child, Burr R. Dawson as citizens by blood. On October 31, 1902, a birth affidavit was filed for Roscoe W. Dawson, a second child of the applicant.

[illegible] at Vinita, Indian Territory, on September

24, 1900, for the enrollment of himself and his minor child Myrtle as citizens by blood, and for the enrollment of his wife Nellie as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 3, 1902. On January 9, 1902, an affidavit was filed showing the birth of Arthur Pierce, a second child of the applicant.

D 409 By William Pierce, at Vinita, Indian Territory, on September 24, 1900, for the enrollment of himself as a citizen by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 21, 1902.

D 431 By Charles E. Pierce, at Vinita, Indian Territory, on September 25, 1900, for the enrollment of himself as a citizen by blood.

D 471
D 472 By John B. Gray, at Vinita, Indian Territory, on September 29, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Oma Gray, his minor child, Cecil Gray, and his sister-in-law, Effie Pierce (now Effie Akins), as citizens by blood. John B. Gray is differently classified and is not embraced in this decision. Further proceedings were had in the matter of this application at Vinita, Indian Territory, on October 4, 1900, and at Muskogee, Indian Territory, on July 21, 1902. On February 18, 1903, an affidavit was filed showing the birth of Velton Gray, a second child of the applicant.

D 479 By John S. Bogle, at Vinita, Indian Territory, on October 2, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Nancy J., and his minor children, James E., Edna N., John H., Marvin R. and Claud Bogle as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 9, 1902. On October 31, 1902, a birth affidavit was filed for Nancy Edith Bogle, born since the date of this application.

D 304 By Joseph R. Dawson, at Vinita, Indian Territory, on September 20, 1900, for the enrollment of himself and his five minor children, Clarence E., Council J., Elmer A., Cleo, and Rufus T. Dawson, as citizens by blood, and for the enrollment of his wife, Florence Dawson, as a citizen by intermarriage. Further proceedings were had in the matter of said application at Vinita, Indian Territory, on October 19, 1901, and at Muskogee, Indian Territory, on October 3, 1902. On October 19, 1901 an affidavit was filed showing the birth of Edgar Dawson, a sixth child of the applicant.

D 1[illegible] By Wilborn Dawson, at Vinita, Indian Territory, on September 29, 1900, for the enrollment of himself as a citizen by blood.

D 518 By Charles T. Moore, at Vinita, Indian Territory, on October 4, 1900, for his enrollment as a citizen by intermarriage, and for the enrollment of his wife, Mollie, and his five minor children, Nora, Walter, Clara, Ora and James W. Moore as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on March 18, and October 10, 1902, and on March 17, 1902, an affidavit was filed showing the birth of Edna E. a sixth child of the applicant.

D 826 By James R. Dawson, at Vinita, Indian Territory, on October 4, 1900, for the enrollment of himself and his three minor children, Vinnie D., Ermine C. and Edwin C. Dawson as citizens by blood, and for the enrollment of his wife, Martha A. Dawson, as a citizen by intermarriage. Further proceedings were had in the matter of said application at Vinita, Indian Territory, on October 5, 1900, and at Muskogee, Indian Territory, on October 3, 1902, and on September 13, 1901, an affidavit was filed showing the birth of Ancil F. Dawson, a fourth child of the applicant.

D 832 By Henry A. Blasingame, at Chelsea, Indian Territory, on November 19, 1900, for the enrollment of himself and his minor child, Vinnie C. as citizens by blood, and for the enrollment of his wife, Birdie J. as a citizen by intermarriage. Birdie J. Blasingame is differently classified and is not embraced in this decision.

D 833 By Elbert L. Blasingame, at Chelsea, Indian Territory, on November 19, 1900, for the enrollment of himself and his three minor children Ellis F., Earl D. and Alexander Blasingame, Jr., as citizens by blood, and for the enrollment of his wife Ida, as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, October 6, 1902. On October 31, 1902, a birth affidavit was filed for Elmer H., born since the date of this application.

D 834 By James R. Blasingame, at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of himself and his two minor children, William A. and George L. Blasingame as citizens by blood, and for the enrollment of his wife, Mary A. Blasingame as a citizen by intermarriage. On February 28, 1901, an affidavit was filed showing the birth of Grace D. Blasingame, a third child of the applicant. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 6, 1902.

D 835 By Martin L. Patterson, at Vinita, Indian Territory, on September 26, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Zona, and his five minor children, Sarah A., Martha A., Claud A., Edgar D. and Thomas M. Patterson, as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on April 8, and October 4, 1902, and on October 23, 1901, an affidavit was filed showing the birth of Virgil V., sixth child of the applicant.

D 804 By William C. Dawson, at Nowata, Indian Territory, on October 16, 1900, for the enrollment of himself as a citizen by blood, and for the enrollment of his wife Alice as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on April 8, and October 10, 1902.

D 805 By Robert L. Dawson, at Nowata, Indian Territory, on October 16, 1900, for the enrollment of himself as a citizen by blood.

D 808 By Elbert R. Dawson, at Nowata, Indian Territory, on October 16, 1900, for the enrollment of himself as a citizen by blood. On July 8, 1901, an affidavit was filed showing the birth of Ralph E. Dawson, a child of the applicant.

D 609 By Sarah J. Dawson, at Nowata, Indian Territory, on October 16, 1900, for the enrollment of herself as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 15, 1902.

D 617 By Richard W. Dawson, at Nowata, Indian Territory, on October 17, 1900, for the enrollment of himself and his minor child Ina E. as citizens by blood, and for the enrollment of his wife, Luella as a citizen by intermarriage. Luella Dawson is differently classified and is not embraced in this decision. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on April 8, 1902.

D 626 By Ella L. Spickerman, at Nowata, Indian Territory, on October 17, 1900, for the enrollment of herself and her minor child, Hellen J. Spickerman, as citizens by blood, and for the enrollment of her husband, John J. Spickerman as a citizen by intermarriage. John J. Spickerman is differently classified and is not embraced in this decision. On March 8, 1902, an affidavit was filed for William Glenn Spickerman, a second child of the applicant.

D 627 By Francis M. Dawson, son of Elbert Dawson, at Nowata, Indian Territory, on October 17, 1900, for the enrollment of himself as a citizen by blood

D 23 By John W. Graham, at Fairland, Indian Territory, on July 12, 1901, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Missouri and his minor children Tempa V. and Robert S. Graham, as citizens by blood. Furtherproceedings were had in the matter of said application at Muskogee, Indian Territory, on October 2, 1902.

D 35 By Gideon Graham, at Westville, Indian Territory, on July 16, 1900, for the enrollment of himself and his minor children, John W., Julius E., Francis W., Mary E., Jesse E., Gracie L. and Florence M. Graham as citizens by blood, and for the enrollment of his wife Elizabeth Graham, as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 17, 1902.

D 836 By Mathew A. Painter, at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Laverna A. and his five minor children Ada R., Eva P., John W., Ray D., and Roberta A. Painter, as citizens by blood. On December 7, 1900, an affidavit was filed for Roy V. Painter, a sixth child of the applicant. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 2 and 3, 1902.

D1124 By Charles T. Bradshaw, at Muskogee, Indian Territory, on February 23, 1901, for the enrollment of himself as a citizen by intermarriage, and for his wife Florence P. and his minor children, Myrtle and Claude Bradshaw as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 21, and October 20, 1902.

D1125 By Joe S. Graham, at Muskogee, Indian Territory, on Febru-

ary 23, 1901, for the enrollment of himself and his minor child William C. as citizens by blood.

D1126 By John F. Graham, at Muskogee, Indian Territory, on February 23, 1901, for the enrollment of himself and his minor child Edna M. as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 21, 1902. On October 31, 1902, a birth affidavit was filed for Robert Lee Graham, a second child of the applicant.

D1127 By James Neal, at Muskogee, Indian Territory, on February 23, 1901, for the enrollment of his wife, Joe Willie Neal, as a citizen by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 21, 1902.

D1128 By James M. Graham, at Muskogee, Indian Territory, on February 23, 1901, for the enrollment of himself and his minor children, Marion, Maggie, Luther, Liddie and Margaret Graham as citizens by blood, and for the enrollment of his wife Bessie as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 17, 1902. On October 27, 1902, a birth affidavit was filed for Floyd Graham, born since the date of this application.

D 395 By Green W. Jackson, at Vinita, Indian Territory, on September 22, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Ella Jackson as a citizen by blood.

D 476 By James H. Harmon, at Vinita, Indian Territory, on October 1, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Flora and his minor children, Lillie R., Claud, Dwight, and William D. Harmon, as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 9, 1902.

D 508 By Toshie A. Jackson, at Vinita, Indian Territory, on October 3, 1900, for his enrollment, among others, as a citizen by blood. The other parties to the application are differently classified and are not embraced in this decision. Further proceedings were had in the matter of said application at Tahlequah, Indian Territory, on December 7, 1900.

D 830 By Lizzie Jackson, at Chelsea, Indian Territory, on November 19, 1900, for the enrollment of herself as a citizen by intermarriage, and for the enrollment of her minor children Osie, Lizzie, Jessie, Ray and Clyde Jackson as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 3, 1902.

D 847 By William C. Lenox, at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Fannie and his minor children Birtie E. and Myrtle Lenox as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 3, 1902.

D 839 By James Lowe, at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of himself and his minor children, May, Zelma, Roberts and Rosa Lowe as citizens by blood.

D 405 By Millie T. Dawson, at Vinita, Indian Territory, on September 24, 1900, for the enrollment of herself as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 13, 1902.

D 406 By Texanna Woolley, at Vinita, Indian Territory, on September 24, 1900, for the enrollment of herself and her minor child Irene W. Woolley as citizens by blood. On March 27, 1902, an affidavit was filed showing the birth of Wilburn E. Woolley, a second child of the applicant.

D 715 By Henry T. Richardson, at Claremore, Indian Territory, on October 26, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Kitty, his minor children Delia F. and Finis T. Richardson and his stepchildren, Edgar, Walter, Alice, Laura, Oscar, Claude, Edna and Florence Flournoy as citizens by blood. Florence Flournoy is embraced in another application herein as Florence Morgan (D - 737). Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 9, 1902, and on August 30, 1902, a birth affidavit was filed for Jasper C. Richardson, born to Henry T. Richardson and his wife, Kittie, since the date of this application.

R 12 By Etta Brauer, at Fairland, Indian Territory. on July 12, 1900, for the enrollment of herself as a citizen by blood.

R 13 By Melinsa A. Dawson, at Fairland, Indian Territory, on July 12, 1900, for the enrollment of herself as a citizen by intermarriage.
Further proceedings in the matter of said application were had at Vinita, Indian Territory on October 4, 1900, and at Muskogee, Indian Territory, on October 14, 1902.

D 521 By Lula Pearl Weddle, at Vinita, Indian Territory, on October 4, 1900, for the enrollment of herself and her minor children Curtis and Morris O. Weddle as citizens by blood, and for the enrollment of her husband, Hiram F. Weddle as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 14, 1902. October 31, 1902, a birth affidavit was filed showing the birth of Roy Weddle, a third child of the applicant.

D 532 By William D. Douthitt, at Vinita, Indian Territory, on October 4, 1900, for the enrollment of himself as a citizen by blood.

D 343 By Alonzo M. Fishback, at Vinita, Indian Territory, on September 19, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Laverna A. Fishback and his minor children William A. and Annie B. Fishback as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on March 18, and October 3, 1902.

D 737 By Elbert L. Morgan, at Claremore, Indian Territory, on October 29, 1901, for the enrollment of his wife Florence and his minor child Clide as citizens by blood. On April 30, 1902, an affidavit was filed showing the birth of Alice A. Morgan, a second child of the applicant.

D 845 By John E. Fishback, at Chelsea, Indian Territory, on November 30, 1900, for the enrollment of himself as a citizen by blood.

D 979 By George A. Mabry, at Tahlequah, Indian Territory, on December 14, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Edna, and his minor children Roby and Charley Mabry as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, January 15, 1901, and March 17, and October 15, 1902.

Proceedings were had in the matter of F. M. Dawson, et al., before Lewis T. Martin, a Notary Public on October 4, 1900, and further proceedings were had therein before the Commission at Muskogee, Indian Territory on March 17, 1903. All of these proceedings have been made a part of the record herein.

The evidence, and an examination of the records of the Cherokee Nation, in the possession of this Commission show that on January 11, 1883, one Robert Dawson and his adult children, F. M. Dawsin, Elbert Dawson, Jasper Dawson, Mollie Dawson, Wilborn Dawson, James Dawson, Rial Dawson, Josephine Dawson, Joseph Dawson, Jane Dawson and John Dawson were admitted to citizenship in the Cherokee Nation by the Cherokee Commission on Citizenship, commonly known as the "Teehee Court", and that on September 9, 1884, one James Dawson, a brother of the Robert Dawson aforesaid, together with his adult children, Ella Dawson, W. A. Dawson, Malvina Dawson and Missouri Dawson were admitted to citizenship in the Cherokee Nation by the Cherokee Commission on Citizenship commonly known as the "Spears Court." In addition to their tribal enrollment as shown by the evidence herein, it also appears from an examination of the Cherokee tribal rolls, in the possession of this Commission, that F. M. Dawson is identified on the Cherokee pay rolls of 1883 and 1884, Elbert Dawson on the Cherokee pay roll of 1886, Mollie Dawson on the pay roll of 1883, Wilborn Dawson on the pay rolls of 1886 and 1894, James Dawson on the pay rolls of 1883 and 1894, Rial Dawson on the pay rolls of 1886 and 1894, Josephine Dawson on the pay roll of 1886, Jane Dawson on the pay roll of 1883, Joseph Dawson and John Dawson on the pay rolls of 1883, 1886 and 1894, Ella Dawson and W.A.

Dawson on the pay roll of 1886, and Missouri Dawson on the pay roll of 1894.

A majority of the above named persons, together with the descendants of the persons admitted as aforesaid and such white persons as may have intermarried with the said Dawsons or their descendants are the applicants herein.

For convenience, the applications are divided into groups:

Group 1, includes the applications of Francis M. Dawson and those claiming through him and embraces cases numbered D 324, D 580, D 581, D 584, D 588 and D 595.

The evidence shows that Francis M. Dawson is the same person admitted to citizenship as hereinbefore stated under the name of F.M. Dawson. Katie Dawson, his wife, was married to him on November 21, 1880. The Cherokee Supreme Court in the cases of Cherokee Nation vs. Nancy Rogers and Melissa Dawson vs. W. A. Dawson held that a white woman married to a Cherokee Indian at the time of his admission to citizenship acquires thereby the rights of Cherokee citizenship. She has lived with her said husband since they were married, and the six children included in the application of said Francis M. Dawson, and hereinbefore named are the issue of the marriage aforesaid. All the applicants herein are identified on the Cherokee Census roll of 1896.

John Dawson, William R. Dawson, Lizzie Atkins, formerly Dawson, Francis M. Dawson, Jr., and Arizona Allred are the children of said Francis M. Dawson by a former wife, Julia Ann. They were minors at the date of their father's admission to citizenship. John Dawson, Lizzie Atkins and Francis M. Dawson, Jr., are identified on the Strip Payment roll of 1894, and William R. Dawson and Arizona Allred are identified on the Cherokee Census roll of 1896.

Andrew C. Atkins was married under a Cherokee marriage license

and in accordance with the laws of the Cherokee Nation on March 29, 1891, to the above named Lizzie Dawson. He has resided in the Cherokee Nation with his said wife since they were married, and the four children included in his application, and hereinbefore named are the issue of that marriage. The oldest child, Arthur, is identified on the Cherokee pay roll of 1894, and the three younger children are identified by birth affidavits on file with this Commission.

Arizona Allred, nee Dawson, came from Arkansas to the Cherokee Nation for the first time in 1894, remained there about two years and then returned to Arkansas, where she was married to Lee Allred. Such marriage was not in accordance with the laws of the Cherokee Nation. Arizona Allred and her husband came to the Cherokee Nation in 1896, stayed there a month and returned to Arkansas where they remained until September, 1898, at which time they came to the Cherokee Nation, remained there about a year and returned to Arkansas in 1899, where they were living at the date of this application. William C. Allred is the child of said Arizona Allred and possesses no rights not acquired by his mother. He is identified on the Cherokee Census roll of 1896.

Paragraph 9, Section 21, of the Act of Congress approved June 28, 1898 (30 Stats., 495) provides:

> "No person shall be enrolled who has not heretofore removed to and in good faith settled in the Nation in which he claims citizenship."

The evidence further shows that Francis M. Dawson, his wife, Katie and William E. Dawson, Francis M. Dawson, Jr., and Lizzie Atkins have resided in the Cherokee Nation since 1883, and Andrew J. Atkins, the husband of said Lizzie Atkins, since 1891, and that John Dawson has resided in the Cherokee Nation for at least fourteen years prior to the date of his application. The residence of the minor children of the above named persons is considered to be that of their parents, with whom they are living.

Group II, includes the applications of Samuel R. Dawson, together with those claiming through him and embraces cases numbered D 550, D 552, D 558, D 565, D 482 and D 402.

The evidence shows that Samuel R. Dawson is identified as the Rial Dawson admitted to citizenship in the Cherokee Nation as hereinbefore stated. His wife, Catherine, a white woman, was married to him on July 11, 1866. The Cherokee Supreme Court in the cases of Cherokee Nation vs. Nancy Rogers and Melissa Dawson vs. W. A. Dawson held that a white woman married to a Cherokee Indian at the time of his admission to citizenship acquires thereby the rights of Cherokee citizenship. She has lived with her said husband since their marriage, and August and Mate Dawson are the issue of the aforesaid marriage. Samuel R. Dawson, his wife and children are identified on the Cherokee Census roll of 1896.

Robert Dawson, Albert [illegible] Dawson, Josephine Bulawsky, formerly Josephine Dawson, John W. Dawson, and Katie Newman, formerly Katie Dawson are the children of said Samuel R. Dawson. They were minors at the date of their father's admission to citizenship, and they are all identified on the Cherokee Census roll of 1896.

Sarah F. Dawson, nee Abbott, was married to the said Albert H. Dawson in October, 1904, and has lived with her said husband, since they were married. Ralph H., Alford and Cecil Dawson are the issue of that marriage. Sarah F. Dawson and her child Ralph H. are identified on the Cherokee Census roll of 1896. Alford is identified by a birth affidavit on file with this Commission. The evidence further shows that the youngest child, Cecil Dawson, is dead.

August Bulawsky, was married under a Cherokee marriage license and in accordance with the laws of the Cherokee Nation on May 25, 1893, to the said Josephine Dawson. He has lived with his said wife since they were married and the six children included in his application, and hereinbefore named, are the issue of that marriage. The

four older children are identified on the Cherokee Census roll of 1896, and the Strip payment roll of 1894. May Bulawsky is identified on the Cherokee Census roll of 1896, and Oscar Bulawsky is identified by a birth affidavit on file with this Commission.

Nannie Dawson, nee Baugher, was married to the said John W. Dawson on September 2, 1894, and she has lived with her said husband since they were married.

The evidence further shows that Samuel R. Dawson, his wife, Catherine, and Robert Dawson, Albert H. Dawson, John W. Dawson, and Katie Newman have resided in the Cherokee Nation since 1886, August Bulawsky and his wife Josephine, since 1892, and Sarah F. and Nannie Dawson since 1894. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group III, includes the application of John Dawson, and those claiming through him and embraces cases numbered D 578, D 360 and D 530. The evidence shows that John Dawson is the same person admitted to citizenship in the Cherokee Nation as hereinbefore stated. Sarah J. Dawson, nee Wood, his wife, a white woman, was married to him on October 4, 1871. The Cherokee Supreme Court in the cases of Cherokee Nation vs. Nancy Rogers and Melissa Dawson vs. W. A. Dawson held that a white woman married to a Cherokee Indian at the time of his admission to citizenship acquires thereby the rights of Cherokee citizenship. She has lived with her said husband since they were married and the nine children included in the application of said John Dawson, and hereinbefore named, are the issue of said marriage. John Dawson, his wife, and his seven older children are identified on the Cherokee Census roll of 1896. The two younger children are identified by birth affidavits on file with this Commission.

Thomas P. Dawson and Orle M. Dawson are the children of said John Dawson. They were minors at the date of their father's admission to citizenship, and they are both identified on the Cherokee

Census roll of 1896.

Thomas P. Dawson was married on April 24, 1898, to Allen A. Allison, and Marion J. Dawson is the issue of that marriage. The said child is identified by a birth affidavit on file with this Commission.

Orle H. Dawson was married on December 28, 1899, to Addie York, and Burr R. and James W. Dawson are the issue of that marriage. The said children are identified by birth affidavits on file with this Commission.

The evidence further shows that the said John Dawson and his wife, Sarah J., have resided together in the Cherokee Nation since 1883; that said Orle H. Dawson has resided in the Cherokee Nation since 1883, and that Thomas P. Dawson has resided in the Cherokee Nation since 1888. The residence of the minor children herein is considered to be that of their parents, with whom they are living.

Group IV, includes the applications of those claiming through the said Josephine Dawson, now deceased. At the time of her admission she was the wife of one Thomas Pierce, but was admitted to citizenship under maiden name of Dawson. The group embraces cases numbered D 408, D 409, D 431, D 471, D 472 and D 479.

The evidence shows that Robert Pierce, William Pierce, Charles F. Pierce, Oma Gray, formerly Oma Pierce, Effie Pierce (now Effie Akin) and Nancy J. Bogle, formerly Nancy J. Pierce are the children of said Josephine Dawson. They were minors at the date of their mother's admission to citizenship, and they are all identified on the Cherokee Census roll of 1896.

Nellie Pierce, a white woman, was married to said Robert Pierce on July 15, 1894. She has lived with her said husband since they were married, and Myrtle and Arthur Pierce are the issue of that marriage. Nellie Pierce is identified on the Cherokee Census roll of 1896, and her two children are identified by birth affidavits on file with this Commission.

Oma Gray was married to John B. Gray on April 7, 1898, and Cecil and Walton Gray are the issue of that marriage. Oma Gray is identified on the strip payment roll of 1894 and her children are identified by birth affidavits on file with this Commission.

John S. Bogle was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on April 5, 1894, to the above named Nancy J. Pierce. He has lived with his said wife since they were married and the six children included in his application, and hereinbefore named, are the issue of that marriage. John S. Bogle and his two older children are identified on the Cherokee Census roll of 1896, and his four younger children are identified by birth affidavits on file with this Commission.

The evidence further shows that the said William Pierce died in January, 1902.

It further appears that Robert Pierce, Charles E. Pierce, Nancy J. Bogle and Oma Gray have resided in the Cherokee Nation since 1884; that John S. Bogle, husband of Nancy J. Bogle, and Nellie Pierce, wife of Robert Pierce, have resided in said Nation ever since they were married, and the residence of the minor children herein is considered to be that of their parents with whom they are living. It appears that Ellie Akin was seventeen years old at the date of the application for her enrollment and it further appears that she resided in the Cherokee Nation from about 1886 up to September, 1901, when she went to Colorado, was married there to [illegible] Akin, and is now living in that state with her said husband.

Group V, includes the application of the minor Joseph Dawson, Wilborn Dawson and James Dawson, and embraces in the number A 1 364, D 475 and D 526.

Joseph R. Dawson is identified as the Joseph Dawson admitted to citizenship in the Cherokee Nation as hereinbefore stated. He was married to Florence Jackson on May 16, 1886, and they have lived to-

gether since the date of their marriage. The said Florence Jackson is the daughter of Ella Dawson, but she was of age at the date of her mother's admission to citizenship. The six children included in the application of said Joseph R. Dawson, and hereinbefore named, are the issue of the marriage between the said Joseph R. Dawson and Florence Jackson. The applicant, his said wife and his four older children are identified on the Cherokee Census roll of 1896. The two younger children are identified by birth affidavits on file with this Commission.

Wilborn Dawson is identified as the person of that name admitted to citizenship in the Cherokee Nation as hereinbefore stated. He is identified on the Cherokee Census roll of 1896.

James R. Dawson is identified as the James Dawson admitted to citizenship in the Cherokee Nation as heretofore stated. His wife, Martha A. Dawson was married to him on February 20, 1890. She has lived with her said husband since the date of their marriage, and the four children included in the application of said James R. Dawson, and hereinbefore named, are the issue of said marriage. The applicant, his said wife and his three older children are identified on the Cherokee Census roll of 1896. The youngest child is identified by a birth affidavit on file with this Commission.

The evidence further shows that Joseph R. Dawson has resided in the Cherokee Nation since 1883; that Florence Dawson and Wilborn Dawson have resided in said Nation since 1886, and that James R. Dawson has resided in said Nation since 1883, excepting a temporary absence from 1889 to 1891. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group VI, includes the application of Mollie Dawson and those claiming through her and embraces case numbered D 518.

The evidence shows that Mollie Moore, formerly Dawson, is identified as the Mollie Dawson admitted to citizenship in the Cherokee

Nation as hereinbefore stated. Her husband, Charles T. Moore, was married to her under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on January 17, 1887. He has lived with his said wife since they were married and the six children included in his application, and hereinbefore named, are the issue of said marriage. Charles T. Moore, his wife Mollie, and his four older children are identified on the Cherokee Census roll of 1896; the two younger children are identified by birth affidavits on file with this Commission.

The evidence further shows that said Charles T. Moore, his wife Mollie and his oldest child have resided in the Cherokee Nation since 1883; the younger children have resided in said nation all their lives.

Group VII, includes the applications of those claiming through the above named Jane Dawson who, at the time of her admission to citizenship in the Cherokee Nation, as hereinbefore stated, was the wife of one Alexander Blasingame, but she was admitted under her maiden name of Dawson. Jane Dawson is a resident of Arkansas, and is not an applicant for enrollment. This group embraces cases numbered D 832, D 833 and D 834.

The evidence shows that Henry A. Blasingame, Elbert L. Blasingame, and James R. Blasingame are the children of said Jane Dawson. They were minors at the time of their mother's admission to citizenship and they are all identified on the Cherokee Census roll of 1896.

Henry A. Blasingame was married to his wife Birdie J., on December 6, 1896, and Vinnie C. Blasingame is the issue of that marriage. The said child is identified by a birth affidavit on file with this Commission.

Ida Blasingame, a white woman, was married to the said Elbert L. Blasingame on September 5, 1894. She has lived with her said husband ever since they were married and the four minor children included in the application of said Elbert L. Blasingame are the

issue of that marriage. The said Ida Blasingame and her two older children are identified on the Cherokee Census roll of 1896. The two younger children are identified by birth affidavits on file with this Commission.

Mary A. Blasingame was married to the said James R. Blasingame on August 11, 1895. She has lived with her said husband since they were married and the three minor children included in the application of said James R. Blasingame, and hereinbefore named, are the issue of that marriage. Mary A. Blasingame and her oldest child are identified on the Cherokee Census roll of 1896. The two younger children are identified by birth affidavits on file with this Commission.

The evidence further shows that the said Henry A. Blasingame, Elbert L. Blasingame and James R. Blasingame removed to the Cherokee Nation in 1897 and have resided therein with their said wives ever since. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group VIII, includes the applications of those claiming through the said Elbert Dawson, and embraces cases numbered D 435, D 604, D 608, D 605, D 609, D 617, D 626 and D 627.

The evidence shows that Zona Patterson, formerly Dawson, William C. Dawson, Robert L. Dawson, Elbert B. Dawson, Richard W. Dawson, Ella L. Spickerman, formerly Dawson, and Francis M. Dawson are the children of the said Elbert Dawson. All of them, excepting the said Francis M. Dawson, were minors at the time of their father's admission to citizenship. Zona Patterson is identified on the Cherokee Census roll of 1896, and William C. Dawson, Robert L. Dawson, Elbert B. Dawson and Richard W. Dawson are identified on the Strip payment roll of 1894. An examination of the Cherokee tribal rolls, in the possession of this Commission, shows that the said Ella L. Spickerman is also identified on the Strip payment roll of 1894.

Martin L. Patterson was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on July 13, 1890, to the said Nona Dawson. He has lived with his said wife since they were married and the six children included in his application, and hereinbefore named, are the issue of that marriage. Martin L. Patterson and his three older children are identified on the Cherokee Census roll of 1896, and his three younger children are identified by birth affidavits on file with this Commission.

Alice Dawson, nee Alexander, was married to the said William C. Dawson on November 18, 1886. She has lived with her said husband ever since they were married.

Elbert B. Dawson was married on February 16, 1898, to Cora Bright, a non-citizen, and his child Ralph E. Dawson is the issue of that marriage. The said child is identified by a birth affidavit on file with this Commission.

Sarah J. Dawson, nee Jones, was married to the above named Elbert Dawson about 1854, and lived with him as his wife until his death in February, 1899, and has not re-married since his death. The Cherokee Supreme Court in the cases of Cherokee Nation vs. Nancy Rogers and Melissa Dawson vs. W. A. Dawson held that a white woman married to a Cherokee Indian at the time of his admission to citizenship acquires thereby the rights of Cherokee citizenship.

Richard W. Dawson was married to Luella Mason, a white woman, on January 24, 1893. His child Ina E. Dawson is the issue of that marriage, and she is identified by a birth affidavit on file with this Commission.

Ella L. Spickerman was married to John J. Spickerman, a white man on September 7, 1897. Her children Hellen J. and William Glenn are the issue of that marriage. They are identified by birth affidavits on file with this Commission.

It further appears from the evidence that Francis M. Dawson, son of Elbert Dawson, at the time of his father's admission to citizen-

ship in the Cherokee Nation was twenty-two or twenty-three years old. There is no evidence that the said Francis M. Dawson has been admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation, or by the Commission to the Five Civilized Tribes, or by the United States Court under the provisions of the Act of Congress of June 10. 1896 (29 Stats., 321), Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), provides for the enrollment of,

> "all persons who have been enrolled by the tribal authorities who have heretofore made permanent settlement in the Cherokee Nation whose parents, by reason of their Cherokee blood have been lawfully admitted to citizenship by the tribal authorities, and who were minors when their parents were so admitted."

The evidence further shows that Zona Patterson, William C. Dawson and Richard W. Dawson have resided in the Cherokee Nation since 1884; Robert L. Dawson, Elbert B. Dawson, Sarah J. Dawson, and Ella L. Spickerman since 1883; Alice Dawson since 1886, and Martin L. Patterson since 1894. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group IX. includes the applications of the said Missouri Dawson, and those claiming through her. The said Missouri Dawson at the time of her admission to citizenship was the wife of one John W. Graham, but she was admitted under her maiden name of Dawson, This group embraces cases numbered D 27, D 35, D 836, D 1124, D 1125, D 1126, D 1127 and D 1128.

The evidence shows that John W. Graham was married under a Cherokee Marriage license, and in accordance with the laws of the Cherokee Nation on February 12, 1888, to the said Missouri Dawson. He had been formerly married to her in the State of Texas in 1868, and has lived with her since that time. Tempa V. and Robert S. Graham are the issue of the aforesaid marriage. John W. Graham, his wife and two children are identified on the Cherokee Census roll of 1896.

ship in the Cherokee Nation was twenty-two or twenty-three years old. There is no evidence that the said Francis M. Dawson has been admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation, or by the Commission to the Five Civilized Tribes, or by the United States Court under the provisions of the Act of Congress of June 10, 1896 (29 Stats., 321). Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), provides for the enrollment of,

> "all persons who have been enrolled by the tribal authorities who have heretofore made permanent settlement in the Cherokee Nation whose parents, by reason of their Cherokee blood have been lawfully admitted to citizenship by the tribal authorities,"

and who were minors when their parents were so admitted."

The evidence further shows that Zona Patterson, William C. Dawson and Richard W. Dawson have resided in the Cherokee Nation since 1884; Robert L. Dawson, Hubert D. Dawson, Sarah F. Dawson, and Ella L. Spicherman since 1883; Alice Dawson since 1886, and Martin L. Patterson since 1894. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group IX, includes the applications of the said Missouri Dawson, and those claiming through her. The said Missouri Dawson at the time of her admission to citizenship was the wife of one John W. Graham, but she was admitted under her maiden name of Dawson. This group embraces cases numbered, D 23, D 35, D 836, D 1124, D 1125, D 1126, D 1127 and D 1128.

The evidence shows that John W. Graham was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on February 12, 1888, to the said Missouri Dawson. He had been formerly married to her in the State of Texas in 1886, and has lived with her since that time. Tempe W. and Robert S. Graham are the issue of the aforesaid marriage. John W. Graham, his wife and two children are identified on the Cherokee Census roll of 1896.

Joe N. Graham was married to Mary Bradshaw, a non-citizen on January 6, 1898. William C. Graham is the issue of that marriage, and he is identified by a birth affidavit on file with this Commission.

John F. Graham was married on February 11, 1900, to Mattie Lawson, a non-citizen, and Edna M. and Robert Lee are the issue of that marriage. Said children are identified by birth affidavits on file with this Commission.

Bessie Graham was married on November 2, 1892, to the said James M. Graham. She has lived with him since the date of their marriage, and the six children included in the application of said James M. Graham, and hereinbefore named, are the issue of the said marriage. The oldest child Marion is identified on the Strip payment roll of 1894, and the five younger children are identified by birth affidavits on file with this Commission.

The evidence further shows that the said John W. Graham, his wife Missouri Graham, Gideon Graham, Mathew A. Painter, and his wife Laverna A. Painter, Florence P. Bradshaw, John F. Graham and Joe Willie Neal have resided in the Cherokee Nation since 1888, and that Joe N. Graham and James M. Graham have resided in the Cherokee Nation since 1884. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group X. includes the application of the said Ella Dawson and those claiming through her. The said Ella Dawson, at the time of her admission to citizenship, was the wife of Green W. Jackson, but she was admitted to citizenship under the [illegible] name of Dawson. This group embraces cases numbered D 335, D 476, D 508, D 830 and D 847.

The evidence shows that Green W. Jackson was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on March 24, 1887 to the said Ella Dawson. He had been previously married to her in Texas prior to her admission to

citizenship. From an affidavit made a part of this record it appears that Green W. Jackson died subsequent to the date of this application, and prior to September 1, 1902.

The evidence further shows that Flora Harmon, formerly Jackson, Tashie A. Jackson, William Jackson and Fannie Lenox, formerly Jackson are the children of said Ella Dawson, now Ella Jackson. Flora Harmon, Tashie A. Jackson and Fannie Lenox were minors at the date of their mother's admission to citizenship, and they are all identified on the Cherokee Census roll of 1896.

James H. Harmon was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on April 24, 1887, to the said Flora Jackson. He has lived with his wife since the date of their marriage, and the four minor children included in his application, and hereinbefore named, are the issue of the said marriage. James H. Harmon and his three elder children are identified on the Cherokee Census roll of 1896. The youngest child is identified by a birth affidavit on file with this Commission.

William C. Lenox was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on April 1, 1888, to the said Fannie Jackson. He has lived with his wife since the date of their marriage, and the two children Birtie E. and Myrtle Lenox, included in his application, are the issue of the said marriage. William C. Lenox and his two children are identified on the Cherokee Census roll of 1896.

Lizzie Jackson claims to have been married in 1888 to the said William Jackson, who is now deceased. It appears that William Jackson at the date of his mother's admission to citizenship, was over twenty-one years old. There is no evidence that the said William Jackson was ever admitted to citizenship in the Cherokee Nation, by the duly constituted authorities of said Nation, or by the Commission

to the Five Civilized Tribes, or by the United States Court under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321). Lizzie Jackson and the five minor children included in her application, and hereinbefore named, are identified on the Cherokee Census roll of 1896, and they take only such rights as may have been possessed by the said William Jackson. The authority of the Commission herein is defined in Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), heretofore quoted.

The evidence further shows that the said Ella Jackson, the said Flora Harmon and the said Toshie A. Jackson have resided in the Cherokee Nation since 1884, and that William C. Lenox, and his wife Fannie Lenox have resided in the Cherokee Nation since 1888. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group XI, includes the applications of those claiming through Melvina Dawson and embraces case numbered D 839.

The evidence shows that James Lowe is the son of the said Melvina Dawson, and that at the time of her admission to citizenship the said James Lowe was over 21 years old. There is no evidence that the said James Lowe was ever admitted to citizenship in the Cherokee Nation, by the duly constituted authorities of said Nation, or by the Commission to the Five Civilized Tribes, or by the United States Court under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321). It further appears that the said James Lowe was married on June 12, 1887, to Mollie Knight, a white woman, and the four minor children included in his application and hereinbefore named, are the issue of that marriage. James Lowe and his said children are identified on the Cherokee Census roll of 1896 and said children take only the rights which may have been acquired by their father.

The authority of the Commission herein is defined in Section 21 of the Act of Congress approved June 28, 1898 (30 Stats., 495), heretofore quoted.

Group XII, includes the applications of those claiming through the said W. A. Dawson and embraces cases numbered D 405, D 406, D 715, R 12 and R 13.

The evidence shows that Millie T. Dawson was married to the said W. A. Dawson in 1892 and lived with him as his wife in the Cherokee Nation until his death in 1899, and that she has not re-married since his death. Texanna Woolley is the daughter of said W. A. Dawson and his former wife Melissa A. Dawson. Texanna Woolley was a minor at the date of her father's admission to citizenship, and she is identified on the Strip payment roll of 1894. She was married on March 27, 1898, to James Woolley, and her children Irene W. and Wilburn E. are the issue of that marriage. They are identified by birth affidavits on file with this Commission.

Henry T. Richardson was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on July 11, 1886, to one Sellar Dawson, who was the daughter of the said W. A. Dawson by his first wife Melissa A. Sellar Dawson was a minor at the date of her father's admission to citizenship. Henry T. Richardson lived in the Cherokee Nation with his said wife Sellar from the date of their marriage until her death in 1892. On September 22, 1898, Henry T. Richardson married one Kitty Flournoy nee Dawson. The said Kitty Flournoy was re-admitted to citizenship in the Cherokee Nation by an Act of the Cherokee National Council on December 1, 1894. Of the children herein applied for, Delia F. Richardson is the child of the applicant by his first wife, Sellar. Finis T. Richardson and Jasper C. Richardson are children by his wife Kitty. Edgar, Walter, Alice, Laura, Oscar, Claude and Edna Flournoy are the children of his said wife Kitty by a former husband.

The six older children were admitted to citizenship in the Cherokee Nation on December 1, 1894, with their mother as the members of her family. The youngest child Edna Flournoy was born in 1896 and was living at the date of this application. Delia F. Richardson is identified on the Cherokee Census roll of 1896, and Finis T. and Jasper C. Richardson are identified by birth affidavits on file with this Commission.

Etta Brauer is the daughter of said W. A. Dawson, and was a minor at the date of her father's admission. She was married in 1892 to a non-citizen but such marriage was not in accordance with Cherokee laws. She is identified on the Cherokee Census roll of 1896.

Melissa A. Dawson was married to the said W. A. Dawson in the State of Texas on September 26, 1873. The Supreme Court of the Cherokee Nation in the case of Melissa A. Dawson vs. W. A. Dawson, decided that Melissa A. Dawson, the applicant herein was a citizen of the Cherokee Nation by virtue of intermarriage with her said husband, W. A. Dawson. She is identified on the Cherokee Census roll of 1896, and she has not re-married since her divorce from said W. A. Dawson.

The evidence shows that Texanna Woolley has resided in the Cherokee Nation since 1884; that Etta Brauer and Melissa A. Dawson have resided in the Cherokee Nation, with the exception of temporary absences, since 1864; that Millie T. Dawson has resided in the Cherokee Nation since 1892; that Henry T. Richardson has resided in the Cherokee Nation since 1886, and that Kitty Richardson, his wife, has resided in the Cherokee Nation since 1894. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group XIII, includes the following applications: Hiram J. Weddle, et al D 521; William D. Douthitt, D 522; Alonzo M. Fishback, D 343; Florence Morgan, et al D 737; John E. Fishback, D 845 and George A. Mabry, et al D 979. The persons embraced in these appli-

cations are related to the above named Dawsons. They are not claiming the right to enrollment by virtue of such relationship, but rely upon a separate adjudication of their rights.

The evidence shows that Hiram F. Weddle was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on September 13, 1884, to Lula P. Douthitt, who was admitted to citizenship in the Cherokee Nation by the said "Spears Court" on September 13, 1884. Curtis, Morris O. and Roy Weddle are the issue of the said marriage. Hiram F. Weddle and his said wife are identified on the Cherokee Census roll of 1896, and their three children are identified by birth affidavits on file with this Commission.

William D. Douthitt is the brother of said Lula P. Weddle, and was admitted to citizenship in the Cherokee Nation with his said sister on September 13, 1884. He is identified on the Cherokee Census roll of 1896.

Alonzo L. Fishback was married under a Cherokee marriage license and in accordance with the laws of the Cherokee Nation on May 17, 1883, to Lavirna A. Dawson. He had been previously married to the said wife in Texas in 1877, and has lived with her ever since. It appears that Lavirna Fishback was re-admitted to citizenship in the Cherokee Nation by an Act of the Cherokee National Council on December 1, 1894. William A. and Annie B. Fishback are the issue of the said marriage. Alonzo L. Fishback and his said wife and children are all identified on the Cherokee Census roll of 1896, and his wife is also identified on the Cherokee pay roll of 1890.

Florence Morgan, the wife of Elbert L. Morgan, is the daughter of the Kitty Richardson heretofore mentioned and was admitted to citizenship in the Cherokee Nation on December 1, 1894 with the said Kitty Richardson as a member of her family. Clide and Alice A. Morgan are the children by the said marriage. The said children are

identified by birth affidavits on file with this Commission.

John E. Fishback is the son of Laverna Fishback, who was re-admitted to citizenship on December 1, 1894, as heretofore stated. He was a minor at the date of his mother's admission to citizenship and he is identified on the Cherokee Census roll of 1896.

George A. Mabry was married to one Edna Dawson in the State of Arkansas in 1884. He claims to have been married under a Cherokee marriage license to his said wife in 1880, but he presents no satisfactory proof of such marriage. Edna Dawson was re-admitted to citizenship in the Cherokee Nation by an Act of the Cherokee National Council on December 1, 1894. Roby and Charley Mabry are her children by her said husband, George A. Mabry. Edna Mabry is identified on the strip payment roll of 1894, and the two children were minors at the date of their mother's admission to citizenship.

The evidence further shows that Alonzo H. Fishback and his wife Laverna A. Fishback have resided in the Cherokee Nation since 1883; that Lula P. Weddle, William D. Douthitt, and John E. Fishback have resided in the Cherokee Nation since 1884, and that Florence Morgan and Edna Mabry have resided in said Nation since 1894. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

All birth affidavits for the minor children embraced in this decision, and hereinbefore noted, are made a part of this record.

It is contended by the Cherokee Nation that the applicants herein are not entitled to be enrolled by this Commission because they have never been lawfully admitted or enrolled by the Cherokee authorities, and that the judgment of the Cherokee Commission on Citizenship admitting Robert Dawson and his family was obtained by fraud on the part of said Dawson.

In considering the question at issue, it is the opinion of this Commission that it has no power, and that it is not the purpose of this proceeding, to review or to set aside the judgment in the Dawson case, or to determine such questions as were necessarily involved in the issues before the Cherokee Commission, and were passed upon by that Commission. In United States vs. Throckmorton, 98 U.S. Page 61, it is stated, "the doctrine is well settled that the Court will not set aside a judgment because it was founded on perjured testimony or for any matter which was actually presented and considered in the judgment assailed." Only such facts therefore, are considered by this Commission, as were not part of the record in the Robert Dawson case before the Teehee Commission, and which tend to show whether the judgment admitting the Dawsons was a bona fide judgment of the Teehee Commission, or whether such judgment is void because of fraud, and upon this proposition the burden of proof is upon those attacking the judgment.

Briefly stated, the circumstances attending the admission of the Dawsons appear to be as follows:

On September 24, 1881, an application was made to the Cherokee Commission on Citizenship known as the "Teehee Court" for admission to Cherokee citizenship of Robert Dawson and the members of his family above mentioned. The members of that Commission were Thomas Teehee, Alex Wolfe and T. F. Thompson. The first two were full blood Cherokee Indians; they could understand, but could not talk English. One D. W. C. Duncan was the Clerk of the Commission. The Dawson case was continued several times before final decision. J. M. Bryan appears to have been an attorney in the case, and after some delay he notified Francis M. Dawson that the case would be taken up by the Commission at its session in January, 1883, and also informed him that C.H.Taylor would look after Dawson's interests as he, Bryan,

would be in Washington. On receipt of this notice Francis M. Dawson went to Fort Gibson, Cherokee Nation, and made arrangements with his uncle Samuel L. Benge to go to Tahlequah and conduct the case. Benge who is a witness herein testifies that he was connected with the Dawson case when it was commenced in 1871; that it was continued several times for want of evidence, and that in January, 1880, in company with T. M. Dawson he went to Tahlequah and while there secured the testimony of Tosh Rogers, a negro, who knew the Dawson's ancestors, and that after he had his evidence the case was submitted to the Commission. He further testifies that the Commission rendered a decision against the Dawsons and that next morning the Commission reopened the case, but not upon motion of the witness, and rendered a judgment admitting the Dawsons to citizenship. He further states that on his way home to Fort Gibson with Dawson he remarked to the latter, "it was a pretty hard blow when they rendered a decision against us," to which Dawson is alleged to have replied, "yes, but Duncan was the man to reach and he reached him with five hundred dollars."

Dawson denies ever having had such a conversation and says that he did not return to Fort Gibson with Benge but went home to Arkansas by a different route.

C. J. Taylor testifies that he was an attorney in the case and was present when the case was decided. He says there were only two Commissioners present, Teehee and Wolfe. He further testifies that D. W. C. Duncan, the Clerk of the Court asked the witness to let him know when any large citizenship cases came up; that he introduced T. M. Dawson to Duncan on the evening of January 10th, heard part of a conversation between them in which Duncan addressing Dawson said, "there is a hitch in your evidence, if that was straightened out it will be all right." Next morning witness says Dawson told him to call up the case, which he did. That there was no additional

evidence introduced and no argument made, and that the case was then decided in favor of the Dawsons. Witness further testifies that Dawson gave him two hundred dollars and said he would send him the balance in a short time, that in the course of ten days he sent him one hundred dollars with directions to pay over half of it to Duncan; that Dawson soon afterwards sent him another hundred dollars with the same instructions to give Duncan half of it.

Taylor denied the matters testified to by Taylor excepting in the matter of paying Taylor money, which he admits in part, but says that the twenty dollars mentioned was sent to Taylor about a year after the decision, and that he instructed Taylor to pay it over to Duncan to pay him for a land claim, and that the other money was in payment of J. M. Bryan's attorney fees which Taylor represented to Dawson he had for collection against him. Taylor's reputation for truth and veracity has been impeached by various disinterested witnesses.

The evidence which may be considered as tending to support the charge of fraud is the testimony of S. H. Denge, C. H. Taylor, Thomas J. Dabeart, W. F. Clinkenbeard, James W. Lewis, C. E. Draught and David Meredith.

S. H. Denge testifies that a judgment adverse to the Dawsons was rendered by the Commission on the evening of one day and without any additional proceedings in the case that judgment was reversed on the morning of the next day.

Even if this were a material fact, there is no other proof that two judgments in the case were ever rendered. The record of the proceedings and judgment in the Commission's docket is all on one page, the entry of the application in 1881 and the first continuance being entered under authority of a former Commission and by a different clerk, and there is no evidence of erasure on that page. It is not an unusual thing for a Court to change its judgment, and this fact, if it is a fact, is not in itself any evidence of fraud.

Thomas B. Dabeart testifies that one James Dawson, a man of forty or fifty years of age, in company with Butler, the Commission's interpreter and Jim Smith, solicitor for the Nation, came to the witness in Tahlequah the evening of January 10, 1883, to borrow some money; that Dawson was vouched for by Butler as a responsible party and that Dawson told the witness that he had to have money that night, that his case was to be submitted the next day if he could get some money, that Smith had agreed to submit the case without evidence, and that witness thereupon let Dawson have ten dollars.

Admitting all this to be true and that the influence of these officials was purchased for the sum of ten dollars, the Commission fails to see how these alleged facts show that the Court was imposed upon or misled. Bribery of officials to use their influence with the Commission would not necessarily vitiate the judgment, but it must appear that the fraud, or corruption reached the members of the Commission and tainted the judgment itself. The case was not submitted without evidence as appears from the record, and it is shown that such evidence was carefully considered by that Commission. Furthermore, the evidence shows that there was no such person then in Tahlequah as the James Dawson described by witness.

Clinkenbeard testifies that he had a talk with Elbert Dawson about 1881; that Dawson told him he had only one witness, Dr. Baker of Arkansas, "an old man 85 or 90 years old who did not know straight up" and that he could give Dr. Baker four drinks of Arkansas whiskey and he would swear black was white. Witness further testifies that Dawson told him that money was what made the mare go in Texas, and that he had found out that it goes here too.

Assuming that this Commission can go into thequestion of perjury in connection with evidence in that case, the testimony of Clinkenbeard establishes, if anything, only the facts stated, and does not prove that Dr. Baker committed perjury in giving his testi-

mony before the Commission. Further, it is not clear that Dr. Baker was the only witness in the case. Benge stated that Tosh Rogers was a witness, Duncan is under that impression also, and T. F. Thompson, one of the Commissioners, states that he thinks there were three witnesses. The testimony of Dr. Baker, seems, however, to be the only testimony preserved of record. As to whether Doctor Baker offered perjured testimony by Dawson's procurement, it is proper to state that the evidence of W. H. Curtis and A. S. McKennon, witnesses for applicants, show that Doctor Baker was a man of integrity and was not addicted to drinking.

The testimony of James W. Lewis is to the effect that he had a conversation with F. M. Dawson about 1883, in which Dawson had told the witness that it had cost him seven hundred dollars to get his rights. Draught also testifies that he was an applicant for citizenship about 1881 or 1882, and that while his case was pending he had a talk with F. M. Dawson who told him that if he (the witness) ever got in, it would cost him seven hundred dollars, and that Dawson told him he had paid one witness three hundred dollars, and made arrangements with the Court to get the Dawsons in at one hundred dollars a family. David Meredith testifies that he had a talk with old James Dawson in 1888, and that the latter told the witness it cost him twelve hundred dollars to get his case through.

It can hardly be urged that such evidence is sufficient to show that the members of the Teehee Commission were corrupted by the fraudulent use of money. So far as these witnesses have been able to testify the money spent by the Dawsons might have been for proper and legitimate purposes. F. M. Dawson gives a detailed statement of what the case cost him and his brother in a legitimate way. The presumption can not be indulged that such moneys were used for fraudulent purposes and the proof to the contrary must be very clear

before this Commission will deny applicants the right to be enrolled upon that ground.

Admitting the truth of all the testimony in this case as to the actual transfer of money by the Dawsons, it appears that Duncan, Butler and Smith were the only beneficiaries of that money. There is no evidence that the members of the Commission received or were offered any of it.

The judgment entered in the Commission's docket shows the signature of the three members of the Commission appended thereto. There is some conflict as to whether Duncan signed Thompson's name, or whether Thompson affixed his own signature. Duncan testified that all three signatures were made by him as Clerk under authority of the Commissioners present, the two full bloods being unable to sign their names. T. F. Thompson testifies that he signed the original transcript of the judgment, which was made on the day of its rendition. The question, however, is not considered to be very material. The signing of judgments by each Commissioner appears to have been a matter of custom only. T. F. Thompson testifies that he remembers the Dawson case and recognizes the judgment therein as the final judgment of the Commission, and that there was no fraud or corruption in the procurement of that judgment by the Dawsons or by any one else so far as he knew.

Much evidence has been introduced by the Cherokee Nation for the purpose of showing that the ancestor, through whom the Dawsons claim, was not a Cherokee, and that other members of the Dawson family, claiming from the same source, have been denied Cherokee citizenship by subsequent Cherokee tribunals, and also by this Commission and by the United States Court. Such evidence, in the opinion of this Commission, is not competent for any purpose in this proceeding. The only question before this Commission is whether there was

fraud in the procurement of the Robert Dawson judgment, and not whether the applicants are Cherokee Indians, or whether they ought to have been admitted to citizenship upon the proof submitted. These were questions presented, considered and passed upon by the Teehee Commission. If their decision is a valid and regular judgment, it is binding on this Commission. If, on the contrary, the applicants were never lawfully admitted to citizenship, because the judgment under which they claim is void, for fraud, then the question as to whether they are Cherokees by blood is not material, as this Commission has now no authority to admit them to citizenship.

While it is true, that since 1883, a number of applicants, members of the Dawson family, have been denied admission to citizenship in the Cherokee Nation, no argument derived therefrom is of any force, for it is also true that other members of the same family have been admitted to citizenship, and the action of the Cherokee authorities in admitting them has never been questioned by the Cherokee Nation. Whatever inference, therefore, may be drawn from these facts applies with equal force both for and against the validity of the judgment in question.

The Dawsons have lived in the Cherokee Nation, most of them since 1883; they have exercised the rights of Cherokee citizenship for many years, some of them occupying official positions in the Nation, and no protest seems to have been made against their citizenship until within the last few years. The records of the Cherokee Nation, in the possession of this Commission, show, that since 1883, there have been Commissions on citizenship charged with authority to investigate the judgments of former tribunals alleged to have been secured by fraud, and the Cherokee Legislature had power to order an investigation, and to create a tribunal with authority to set aside a judgment so obtained. No such action appears to have been taken

by the Cherokee authorities with reference to the judgment of the Teehee Commission in the Robert Dawson case.

After a careful consideration of all the facts in this case this Commission is of the opinion that the evidence fails to establish that the Dawsons secured their admission to citizenship by fraud or that the judgment of the Teehee Commission as rendered January 11, 1883, was fraudulent as the result of corruption, bribery, or deception upon the part of the Dawsons, or their agents, and that such judgment, and also the judgment of the Spears Commission in 1884, and the Act of the Cherokee National Council of December 1, 1894, which have not been attacked by the Cherokee Nation, being regular on their face, must therefore be accepted by this Commission as the valid judgments of the duly constituted Cherokee authorities.

It is, therefore, the opinion of this Commission that,

(Group I.) Francis M. Dawson, son of Robert Dawson, Lula Dawson, Ray Dawson, Jessie J. Dawson, Jacob L. Dawson, Hugh A. Dawson, Laura A. Dawson, John Dawson, William R. Dawson, Lizzie Atkins, Arthur Atkins, Edna E. Atkins, Edward C. Atkins, George J. F. Atkins, Francis M. Dawson, Jr., son of Francis M. Dawson and grand-son of Robert Dawson,

(Group II.) Samuel R. Dawson, August Dawson, Nate Dawson, Robert Dawson, Albert E. Dawson, Ralph H. Dawson, Alford Dawson, Josephine Bulawsky, Dora Bulawsky, Ida Bulawsky, Annie Bulawsky, Blanche Bulawsky, May Bulawsky, Oscar Bulawsky, John W. Dawson, Katie Bowman,

(Group III) John Dawson, Robert B. Dawson, Iola M. Dawson, Lemuel H. Dawson, Rosa B. Dawson, Charles B. Dawson, Hattie J. Dawson, Jennings B. Dawson, James U. Dawson, Vergal C. Dawson, Thomas P. Dawson, Marice J. Dawson, Orle H. Dawson, Burr R. Dawson, James W. Dawson,

(Group IV) Robert Pierce, Myrtle Pierce, Arthur Pierce, Charles E. Pierce, Ona Gray, Cecil Gray, Velton Gray, Effie Akin (formerly

Effie Pierce), Nancy J. Bogle, James E. Bogle, Edna M. Bogle, John H. Bogle, Marvin R. Bogle, Claud Bogle, Nancy Edith Bogle,

(Group V) Joseph R. Dawson, Clarence E. Dawson, Council J. Dawson, Elmer A. Dawson, Cleo Dawson, Rufus T. Dawson, Wilborn Dawson, Edgar Dawson, James R. Dawson, Vinnie D. Dawson, Ermine C. Dawson, Edwin C. Dawson, Ancil F. Dawson,

(Group VI) Mollie Moore, Nora Moore, Walter Moore, Clara Moore, Ora Moore, James W. Moore, Edna E. Moore,

(Group VII) Henry A. Blasingame, Vinnie C. Blasingame, Elbert L. Blasingame, Ellis W. Blasingame, Earl D. Blasingame, Alexander Blasingame, Jr., Elmer H. Blasingame, James R. Blasingame, William A. Blasingame, George L. Blasingame, Grace D. Blasingame,

(Group VIII) Zona Patterson, Sarah A. Patterson, Martha A. Patterson, Claud A. Patterson, Edgar D. Patterson, Thomas H. Patterson, Virgil V. Patterson, William C. Dawson, Robert L. Dawson, Elbert B. Dawson, Ralph E. Dawson, Richard W. Dawson, Ina E. Dawson, Ella L. Spickerman, Hellen J. Spickerman, William Glenn Spickerman,

(Group IX) Missouri Graham, Tempa V. Graham, Robert S. Graham, Gideon Graham, John W. Graham, Julius E. Graham, Francis W. Graham, Mary E. Graham, Jesse E. Graham, Gracie M. Graham, Florence M. Graham, Lavinia A. Painter, Ada R. Painter, Eva P. Painter, John W. Painter, Ray D. Painter, Roberta A. Painter, Roy W. Painter, Florence P. Bradshaw, Myrtle Bradshaw, Claude Bradshaw, Joe E. Graham, William C. Graham, John F. Graham, Edna M. Graham, Robert Lee Graham, Joe Willie Neal, James M. Graham, Marion Graham, Maggie Graham, Luther Graham, Floyd Graham,

(Group X) Ella Jackson, Flora Harmon, Lillie R. Harmon, Claud Harmon,

Dwight Harmon, William D. Harmon, Toshie A. Jackson, Dannie Lenox, Birtie E. Lenox, Myrtle Lenox,

(Group XII) Texanna Woolley, Irene W. Woolley, Wilburn E. Woolley, Witty Richardson, Edgar Flournoy, Walter Flournoy, Alice Flournoy, Laura Flournoy, Oscar Flournoy, Claude Flournoy, Edna Flournoy, Finis T. Richardson, Jasper C. Richardson, Delia E. Richardson, Etta Drawer,

(Group XIII) Lula Pearl Weddle, Curtis Weddle, Morris O. Weddle, Roy Weddle, William D. Dowdnitt, Laverna A. Fishback, William A. Fishback, Annie B. Fishback, Florence Morgan, Clide Morgan, Alice A. Morgan, John H. Fishback, Edna Mabry, Roby Mabry, and Charley Mabry,

should be enrolled as citizens by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and that

(Group I) Katie Dawson, Andrew C. Atkins,

(Group II) Catherine Dawson, Sarah F. Dawson, August Dulavsky, Nannie Dawson,

(Group III) Sarah J. Dawson, nee Wood,

(Group IV) Nellie Pierce, John S. Bogle,

(Group V) Florence Dawson, Martha A. Dawson,

(Group VI) Charles T. Moore,

(Group VII) Ida Blasingame, Mary A. Blasingame,

(Group VIII) Martin L. Patterson, Alice Dawson, Sarah J. Dawson, nee Jones,

(Group IX) John W. Graham, Elizabeth Graham, Mathew A. Painter, Charles T. Bradshaw, Bessie Graham,

(Group X) James H. Harmon, William C. Lenox,

(Group XII) Millie T. Dawson, Henry T. Richardson, Melissa A. Dawson

(Group XIII) Hiram F. Weddle and Alonzo M. Fishback, should be

Dwight Harmon, William D. Harmon, Tookie A. Jackson, Fannie Lenox, Dirtie E. Lenox, Myrtle Lenox,

(Group VII) Texanna Woolley, Irene W. Woolley, Wilburn E. Woolley, Witty Richardson, Edgar Flournoy, Walter Flournoy, Alice Flournoy, Laura Flournoy, Oscar Flournoy, Claude Flournoy, Edna Flournoy, Finis T. Richardson, Jasper C. Richardson, Delia E. Richardson, Etta Draper,

(Group XIII) Lula Pearl Weddle, Curtis Weddle, Morris O. Weddle, Roy Weddle, William D. Pitchitt, Laverna A. Fishback, William A. Fishback, Annie B. Fishback, Florence Morgan, Clide Morgan, Alice A. Morgan, John D. Fishback, Edna Mabry, Roby Mabry, and Charley Mabry,

should be enrolled as citizens by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and that

(Group I) Katie Dawson, Andrew C. Atkins,

(Group II) Catherine Dawson, Sarah F. Dawson, August Dularsky, Nannie Dawson,

(Group III) Sarah J. Dawson, nee Wood,

(Group IV) Nellie Pierce, John S. Bogle,

(Group V) Florence Dawson, Martha A. Dawson,

(Group VI) Charles T. Moore,

(Group VII) Ida Blasingame, Mary A. Blasingame,

(Group VIII) Martin L. Patterson, Alice Dawson, Sarah J. Dawson, nee Jones,

(Group IX) John T. Graham, Elizabeth Graham, Mathew A. Painter, Charles T. Bradshaw, Bessie Graham,

(Group X) James M. Harmon, William C. Lenox,

(Group XII) Millie T. Dawson, Henry T. Richardson, Melissa A. Dawson

(Group XIII) Miram F. Weddle and Alonzo M. Fishback, should be

enrolled as citizens by intermarriage of the Cherokee Nation in accordance with the provisions of said Section twenty-one of the Act of Congress, and it is so ordered.

It is further the opinion of this Commission that, for the reasons heretofore stated, the applications for the enrollment of Arizona Allred and William C. Allred, (embraced in D 835); Francis M. Dawson, son of Elbert Dawson, (embraced in D 627); Osie Jackson, Lizzie Jackson, Jessie Jackson, Ray Jackson, and Clyde Jackson, the children of William and Lizzie Jackson, (embraced in D 830); James Lowe, May Lowe, Zelma Lowe, Roberta Lowe and Rosa Lowe, (embraced in D 836), as citizens by blood of the Cherokee Nation, and that the applications of Lizzie Jackson, widow of William Jackson, (embraced in D 830), and George A. Mabry (embraced in D 979), as citizens by intermarriage of the Cherokee Nation should be denied, in accordance with the provisions of the law heretofore quoted, and it is so ordered.

As hereinbefore stated William Pierce (D 409) and Cecil Dawson (D 358) and Green W. Jackson (D 396), died prior to September 1, 1902. It further appears from affidavits, made a part of this record that Liddie and Margaret Graham (D 1128) have died since the date of the application for their enrollment and prior to September 1, 1902.

It is, therefore, ordered that the applications for the enrollment of said William Pierce, Cecil Dawson, Green W. Jackson, Liddie Graham and Margaret Graham be, and the same are hereby dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

(Signed) TAMS BIXBY,
Acting Chairman.

(Signed) T. B. NEEDLES,
Commissioner.

Dated at Muskogee, Ind. Ter.,
this Dec. 23, 1902.

(Signed) C. R. BREEDLOVE,
Commissioner.

COPY.

Cherokee D-524--

Muskogee, Indian Territory, January 24, 1903.

W. W. Hastings,

Attorney for the Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 23, 1902, granting the application for the enrollment of Francis M. Dawson, Lula Dawson, Ray Dawson, Jessie V. Dawson, Jacob L. Dawson, Hugh A. Dawson, Laura A. Dawson, John Dawson, William R. Dawson, Lizzie Atkins, Arthur Atkins, Edna E. Atkins, Edward C. Atkins, George J. F. Atkins, Francis M. Dawson, Jr., Samuel H. Dawson, August Dawson, Nate Dawson, Robert Dawson, Albert M. Dawson, Ralph H. Dawson, Alford Dawson, Josephine Bulawsky, Dora Bulawsky, Ida Bulawsky, Annie Bulawsky, Blanche Bulawsky, May Bulawsky, Oscar Bulawsky, John W. Dawson, Katie Newman, John Dawson, Robert E. Dawson, Iola M. Dawson, Lemuel H. Dawson, Rosa B. Dawson, Charles B. Dawson, Hattie J. Dawson, Jennings B. Dawson, James U. Dawson, Vergal C. Dawson, Thomas P. Dawson, Marice J. Dawson, Orie M. Dawson, Burr R. Dawson, James V. Dawson, Robert Pierce, Myrtle Pierce, Arthur Pierce, Charles E. Pierce, Ona Gray, Cecil Gray, Velton Gray, Effie Akin, Nancy J. Poole, James E. Bogle, Edna M. Bogle, John H. Bogle, Marvin R. Bogle,

Claud Bogle, Nancy Edith Bogle, Joseph R. Dawson, Clarence E. Dawson, Council J. Dawson, Elmer A. Dawson, Cleo Dawson, Rufus T. Dawson, Wilborn Dawson, Edgar Dawson, James R. Dawson, Vinnie D. Dawson, Ermine C. Dawson, Edwin C. Dawson, Ancil F. Dawson, Mollie Moore, Nora Moore, Walter Moore, Clara Moore, Ora Moore, James W. Moore, Edna E. Moore, Henry A. Blasingame, Vinnie C. Blasingame, Elbert L. Blasingame, Ellis W. Blasingame, Earl D. Blasingame, Alexander Blasingame, Jr., Elmer H. Blasingame, James R. Blasingame, William A. Blasingame, George L. Blasingame, Grace D. Blasingame, Zona Patterson, Sarah A. Patterson, Martha A. Patterson, Claud A. Patterson, Edgar D. Patterson, Thomas M. Patterson, Vergil V. Patterson, William C. Dawson, Robert L. Dawson, Elbert L. Dawson, Ralph E. Dawson, Richard W. Dawson, Ina E. Dawson, Ella L. Spickerman, Hellen J. Spickerman, William Glenn Spickerman, Missouri Graham, Tempa V. Graham, Robert S. Graham, Gideon Graham, John W. Graham, Julius E. Graham, Francis W. Graham, Mary E. Graham, Jesse E. Graham, Gracie L. Graham, Florence M. Graham, Laverna A. Painter, Ada R. Painter, Eva P. Painter, John W. Painter, Ray D. Painter, Roberta A. Painter, Roy V. Painter, Florence P. Bradshaw, Myrtle Bradshaw, Claude Bradshaw, Joe E. Graham, William C. Graham, John F. Graham, Edna M. Graham, Robert Lee Graham, Joe Willie Neal, James M. Graham, Marion Graham, Maggie Graham, Luther Graham, Floyd Graham, Ella Jackson, Flora Harmon, Lillie R. Harmon, Claud Harmon, Dwight Harmon, William D. Harmon, Toshie A. Jackson, Fannie Lenox, Birtie E. Lenox, Myrtle Lenox, Texanna Woolley, Irene W. Woolley, Wilburn E. Woolley,

Mittie Richardson, Edgar Flournoy, Walter Flournoy, Alice Flournoy, Laura Flournoy, Oscar Flournoy, Claude Flournoy, Edna Flournoy, Finis T. Richardson, Jasper C. Richardson, Delia P. Richardson, Etta Brauer, Lula Pearl Weddle, Curtis Weddle, Morris O. Weddle, Roy Weddle, William D. Douthitt, Laverna A. Fishback, William A. Fishback, Annie B. Fishback, Florence Morgan, Clide Morgan, Alice A. Morgan, John E. Fishback, Edna Mabry, Roby Mabry and Charley Mabry as citizens by blood of the Cherokee Nation, and for the enrollment of Katie Dawson, Andrew C. Atkins, Catherine Dawson, Sarah F. Dawson, August Bulawsky, Fannie Dawson, Sarah J. Dawson, Nellie Pierce, John S. Bogle, Florence Dawson, Martha A. Dawson, Charles T. Moore, Ida Blasingame, Mary A. Blasingame, Martin L. Patterson, Alice Dawson, Sarah J. Dawson (nee Jones), John W. Graham, Elizabeth Graham, Mathew A. Painter, Charles T. Bradshaw, Bessie Graham, James H. Harmon, William C. Lenox, Millie T. Dawson, Henry T. Richardson, Melissa A. Dawson, Hiram F. Weddle, and Alonzo M. Fishback as citizens by intermarriage of the Cherokee Nation; rejecting the application for the enrollment of Arizona Allred, William C. Allred, Francis M. Dawson, Osie Jackson, Lizzie Jackson, Jessie Jackson, Ray Jackson, Clyde Jackson, James Lowe, May Lowe, Zelma Lowe, Roberta Lowe and Rosa Lowe as citizens by blood of the Cherokee Nation, and for the enrollment of Lizzie Jackson and George A. Mabry as citizens by intermarriage of the Cherokee Nation; and dismissing the application for the enrollment of William Pierce, Cecil Dawson, Green W. Jackson, Liddie Graham and Margaret Graham.

You are hereby advised that you will be allowed fifteen days from date hereof, in which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

(Signed) TAMS BIXBY,

Acting Chairman.

amc. M-130.

COPY.

Cherokee D-324---

Muskogee, Indian Territory, February [illegible] 1917.

A. C. McKennon,

Attorney for Francis M. Dawson, et al,

Wewoka, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 15, 1916, granting the application for the enrollment of Francis M. Dawson, Lula Dawson, Ray Dawson, Jessie J. Dawson, Jacob L. Dawson, Hugh A. Dawson, Laura A. Dawson, John Dawson, William R. Dawson, Lizzie Atkins, Arthur Atkins, Edna D. Atkins, Edward C. Atkins, George J.F. Atkins, Francis M. Dawson, Jr., Samuel R. Dawson, August Dawson, Mate Dawson, Robert Dawson, Albert H. Dawson, Ralph H. Dawson, Alford Dawson, Josephine Bulawsky, Dora Bulawsky, Ida Bulawsky, Annie Bulawsky, Blanche Bulawsky, May Bulawsky, Oscar Bulawsky, John W. Dawson, Katie Newman, John Dawson, Robert B. Dawson, Lula F. Dawson, Lemuel H. Dawson, Rosa B. Dawson, Charles L. Dawson, Hattie L. Dawson, Jennings B. Dawson, James U. Dawson, Vergal C. Dawson, Thomas P. Dawson, Mariee J. Dawson, Orlo H. Dawson, Burr R. Dawson, James W. Dawson, Robert Pierce, Myrtle Pierce, Arthur Pierce, Charles E. Pierce, Oma Gray, Cecil Gray, Velton Gray, Effie Akin, Nancy J. Bogle, James B. Bogle, Edna M. Bogle, John H. Bogle, Marvin R. Bogle, Claud Bogle, Nancy Edith Bogle, Joseph R. Dawson, Clarence E.

Dawson, Council J. Dawson, Elmer A. Dawson, Cleo Dawson, Rufus T. Dawson, Wilborn Dawson, Edgar Dawson, James R. Dawson, Vinnie D. Dawson, Ermine C. Dawson, Edwin C. Dawson, Ancil F. Dawson, Mollie Moore, Nora Moore, Walter Moore, Clara Moore, Ora Moore, James W. Moore, Edna E. Moore, Henry A. Blasingame, Vinnie C. Blasingame, Elbert L. Blasingame, Ellis W. Blasingame, Earl D. Blasingame, Alexander Blasingame, Jr., Elmer H. Blasingame, James R. Blasingame, William A. Blasingame, George L. Blasingame, Grace D. Blasingame, Zona Patterson, Sarah A. Patterson, Martha A. Patterson, Claud A. Patterson, Edgar D. Patterson, Thomas M. Patterson, Vergil V. Patterson, William C. Dawson, Robert L. Dawson, Elbert E. Dawson, Ralph E. Dawson, Richard W. Dawson, Ina E. Dawson, Ella L. Spickerman, Hellen J. Spickerman, William Glenn Spickerman, Missouri Graham, Tempa V. Graham, Robert S. Graham, Gideon Graham, John W. Graham, Julius E. Graham, Francis W. Graham, Mary E. Graham, Jesse E. Graham, Gracie M. Graham, Florence M. Graham, Laverna A. Painter, Ada R. Painter, Eva P. Painter, John W. Painter, Ray D. Painter, Roberta A. Painter, Roy V. Painter, Florence P. Bradshaw, Myrtle Bradshaw, Claude Bradshaw, Joe E. Graham, William C. Graham, John F. Graham, Edna M. Graham, Robert Lee Graham, Joe Willie Neal, James M. Graham, Marion Graham, Maggie Graham, Luther Graham, Floyd Graham, Ella Jackson, Flora Harmon, Lillie R. Harmon, Claud Harmon, Dwight Harmon, William D. Harmon, Toshie A. Jackson, Fannie Lenox, Birtie E. Lenox, Myrtle Lenox, Texanna Woolley, Irene W. Woolley, Wilburn E. Woolley, Kittie Richardson, Edgar Flournoy, Walter Flournoy, Alice Flournoy, Laura

Fluornoy, Oscar Fluornoy, Claude Fluornoy, Edna Fluornoy, Finis T. Richardson, Jasper C. Richardson, Delia F. Richardson, Etta Brauer, Lula Pearl Weddle, Curtis Weddle, Morris O. Weddle, Roy Weddle, William D. Douthitt, Laverna A. Fishback, William A. Fishback, Annie M. Fishback, Florence Morgan, Clide Morgan, Alice A. Morgan, Johnnie Fishback, Edna Mabry, Roby Mabry and Charley Mabry as citizens by blood of the Cherokee Nation, and for the enrollment of Hattie Dawson, Andrew C. Atkins, Catherine Dawson, Sarah T. Dawson, August Bulawsky, Nannie Dawson, Sarah J. Dawson, Nellie Pierce, John S. Bogle, Florence Dawson, Martha A. Dawson, Charles T. Moore, Ida Blasingame, Mary A. Blasingame, Martin L. Patterson, Alice Dawson, Sarah J. Dawson (nee Jones), John W. Graham, Elizabeth Graham, Mathew A. Painter, Charles T. Bradshaw, Bessie Graham, James H. Harmon, William C. Lenox, Millie T. Dawson, Henry T. Richardson, Melissa A. Dawson, Hiram F. Weddle, and Alonzo M. Fishback as citizens by intermarriage of the Cherokee Nation; rejecting the application for the enrollment of Arizona Allred, William C. Allred, Francis M. Dawson, Osie Jackson, Lizzie Jackson, Jessie Jackson, Ray Jackson, Clyde Jackson, James Lowe, Ray Lowe, Zelma Lowe, Roberta Lowe and Rosa Lowe as citizens by blood of the Cherokee Nation, and for the enrollment of Lizzie Jackson and George A. Mabry as citizens by intermarriage of the Cherokee Nation; and dismissing the application for the enrollment of William Pierce, Cecil Dawson, Green W. Jackson, Liddie Graham and Margaret Graham.

You have heretofore been furnished with a copy of the record of proceedings had in this case.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest has been furnished both yourself and the principal applicant, by the attorney for the Nation.

The decision, together with the record of proceedings had in this case will be transmitted to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as the Commission is informed of same.

You are requested to forward to the Commission two copies of your printed brief in this case, in order that the same may be included in the record to be forwarded to the Secretary of the Interior

Respectfully,

(Signed) TAMS BIXBY,

Acting Chairman.

Enc. 15-45.

Register.

Cherokee D-435.

Muskogee, Indian Territory, February 25, 1903.

Martin L. Patterson,

Afton, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 13, 1902, in the consolidated case of Francis L. Dawson,et al.,granting, among others, your application for the enrollment of yourself as a citizen by intermarriage, and for the enrollment of your wife, Zona Patterson, and your six minor children, Sarah A., Martha A., Claud A., Edgar D., Thomas M. and Virgil V. Patterson, as citizens by blood of the Cherokee Nation. There has heretofore been furnished your attorney, A. S. McKennon, Wewoka, Indian Territory, a copy of the record of proceedings, together with a copy of the Commission's decision.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest has been furnished both your attorney and the principal applicant by the attorney for the Nation.

The decision, with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Enc. H-29.
Register.

Acting Chairman.

COPY.

Cherokee D-324.

Muskogee, Indian Territory, February 25, 1903.

The Honorable

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings had in the consolidated case of Francis M. Dawson et al., applicants for enrollment as citizens of the Cherokee Nation, including the Commission's decision, dated December 23, 1903, granting said application as to Francis M. Dawson, Lula Dawson, Ray Dawson, Jessie J. Dawson, Jacob L. Dawson, Hugh A. Dawson, Laura A. Dawson, John Dawson, William R. Dawson, Lizzie Atkins, Arthur Atkins, Edna E. Atkins, Edward C. Atkins, George J. F. Atkins, Francis M. Dawson Jr., Samuel R. Dawson, August Dawson, Mate Dawson, Robert Dawson, Albert H. Dawson, Ralph H. Dawson, Alford Dawson, Josephine Bulawsky, Dora Bulawsky, Ida Bulawsky, Annie Bulawsky, Blanche Bulawsky, May Bulawsky, Oscar Bulawsky, John W. Dawson, Katie Newman, John Dawson, Robert B. Dawson, Iola M. Dawson, Lemuel H. Dawson, Rosa B. Dawson, Charles B. Dawson, Hattie J. Dawson, Jennings B. Dawson, James U. Dawson, Vergal C. Dawson, Thomas P. Dawson, Mariee J. Dawson, Orle H. Dawson, Burr R. Dawson, James W. Dawson, Robert Pierce, Myrtle Pierce, Arthur Pierce, Charles C. Pierce, Oma Gray, Cecil Gray, Velton Gray, Effie Akin, Nancy J. Bogle, James E.Bogle, Edna B. Bogle, John H. Bogle, Marvin R.Bogle,

Claud Bogle, Nancy Edith Bogle, Joseph P. Dawson, Clarence E. Dawson, Council J. Dawson, Elmer A. Dawson, Cleo Dawson, Rufus T. Dawson, Wilborn Dawson, Edgar Dawson, James R. Dawson, Vinnie D. Dawson, Ermine C. Dawson, Edwin C. Dawson, Ancil F. Dawson, Mollie Moore, Lora Moore, Walter Moore, Clara Moore, Ora Moore, James W. Moore, Edna E. Moore, Henry A. Blasingame, Vinnie C. Blasingame, Elbert L. Blasingame, Ellis W. Blasingame, Earl D. Blasingame, Alexander Blasingame Jr., Elmer H. Blasingame, James R. Blasingame, William A. Blasingame, George L. Blasingame, Grace D. Blasingame, Zona Patterson, Sarah A. Patterson, Martha A. Patterson, Claud A. Patterson, Edgar D. Patterson, Thomas M. Patterson, Virgil V. Patterson, William C. Dawson, Robert L. Dawson, Elbert B. Dawson, Ralph E. Dawson, Richard W. Dawson, Ina E. Dawson, Ella L. Spickerman, Hellen J. Spickerman, William Glenn Spickerman, Missouri Graham, Tempa V. Graham, Robert S. Graham, Gideon Graham, John W. Graham, Julius E. Graham, Francis W. Graham, Laverna A. Painter, Mary E. Graham, Jesse F. Graham, Gracie M. Graham, Florence M. Graham, Ada R. Painter, Eva P. Painter, John W. Painter, Ray D. Painter, Roberta A. Painter, Roy V. Painter, Florence P. Bradshaw, Myrtle Bradshaw, Claude Bradshaw, Joe E. Graham, William C. Graham, John F. Graham, Edna M. Graham, Robert Lee Graham, Joe Willie Neal, James M. Graham, Marion Graham, Maggie Graham, Luther Graham, Floyd Graham, Ella Jackson, Flora Harmon, Lillie R. Harmon, Claud Harmon, Dwight Harmon, William D. Harmon, Toshie A. Jackson, Fannie Lenox, Birtie E. Lenox, Myrtle Lenox, Texanna Woolley, Irene W. Woolley, Wilburn E. Woolley,

Mittie Richardson, Edgar Flournoy, Walter Flournoy, Alice Flournoy, Laura Flournoy, Oscar Flournoy, Claude Flournoy, Edna Flournoy, Minis T. Richardson, Jasper C. Richardson, Delia F. Richardson, Etta Brauer, Lula Pearl Weddle, Curtis Weddle, Morris O. Weddle, Roy Weddle, William D. Douthitt, Laverna A. Fishback, William A. Fishback, Annie E. Fishback, Florence Morgan, Clide Morgan, Alice A. Morgan, John E. Fishback, Edna Mabry, Roby Mabry and Charley Mabry as citizens by blood of the Cherokee Nation, and Katie Dawson, Andrew C. Atkins, Catherine Dawson, Sarah F. Dawson, August Bulawsky, Nannie Dawson, Sarah J. Dawson, Nellie Pierce, John S. Fogle, Florence Dawson, Martha A. Dawson, Charles T. Moore, Ida Blasingame, Mary A. Blasingame, Martin L. Patterson, Alice Dawson, Sarah J. Dawson (nee Jones), John W. Graham, Elizabeth Graham, Mathew A. Painter, Charles T. Bradshaw, Bessie Graham, James H. Parmon, William C. Lenox, Millie T. Dawson, Henry T. Richardson, Melissa A. Dawson, Hiram F. Weddle, and Alonzo M. Fishback as citizens by intermarriage of the Cherokee Nation; rejecting the application for the enrollment of Arizona Allred, William C. Allred, Francis M. Dawson, Osie Jackson, Lizzie Jackson, Jessie Jackson, Ray Jackson , Clyde Jackson, James Lowe, May Lowe, Velma Lowe, Roberta Lowe and Rosa Lowe as citizens by blood of the Cherokee Nation, and for the enrollment of Lizzie Jackson, and George A. Mabry as citizens by intermarriage of the Cherokee Nation; and dismissing the application for the enrollment of William Pierce, Cecil Dawson, Green W. Jackson, Liddie Graham and Margaret Graham.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest is enclosed.

Respectfully,

(Signed) TAMS BIXBY,

Chairman.

Enc. M-135.

Through the

Commissioner of Indian Affairs.

COPY.

Cherokee D-324.

Muskogee, Indian Territory, February 25, 1903.

W. W. Hastings,
Attorney for the Cherokee Nation,
Vinita, Indian Territory.

Dear Sir:

You are hereby advised that there has this day been transmitted to the Secretary of the Interior, for review, the record of proceedings had in the matter of the application of Francis M. Dawson, et al., for enrollment as citizens of the Cherokee Nation, together with the Commission's decision in said case, and the protest of the Cherokee Nation against said decision, dated February 6, 1903.

The action of the Secretary will be made known to you as soon as the Commission is informed of same.

Respectfully,

(Signed) TAMS BIXBY,
Chairman.

COPY.

Cherokee D-324.

Muskogee, Indian Territory, February 25, 1903.

A. S. McClennon,

Attorney for Francis M. Dawson, et al.,

Wewoka, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision in the matter of the application of Francis M. Dawson, et al., for enrollment as citizens of the Cherokee Nation, has this day been transmitted to the Secretary of the Interior for his review and decision.

The action of the Secretary will be made known to you as soon as the Commission is informed of same.

Respectfully,

(Signed) TAMS BIXBY,

Chairman.

(COPY)

Refer in reply
to the following:
Land
13855-1903.
55921-1903.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,
Washington, Oct. 16, 1903.

C O P Y

CHEROKEE ENROLLMENT.

Francis M. Dawson, et al.,

GROUP VIII.

The Honorable,

The Secretary of the Interior.

Sir:

Referring to office report of even date transmitting Group I of the consolidated case of Francis M. Dawson, et al., applicants for enrollment as citizens of the Cherokee Nation, there is enclosed herewith the record relative to the applicants parties to Group VIII.---

D.435, Group VIII, page 1.

Martin L. Patterson applies for the enrollment of himself as an intermarried citizen, and for the enrollment of his wife, Zona, and their minor children, Sarah A., Martha A., Claude A., Edgar D., Thomas M. and Virgil V. Patterson, as citizens by blood. Virgil V. was born subsequent to the date of his original application and is identified by birth affidavit.

D.604, Group VIII, page 11.

William C. Dawson applies for the enrollment of himself as a citizen by blood, and for the enrollment of his wife, Alice Dawson, as an intermarried citizens

D.605, Group VIII, page 15.

Robert. L. Dawson applies for enrollment as a citizen by blood.

D.608, Group VIII, page 16.

Albert B. Dawson applied for the enrollment of himself and his minor child, Ralph B. Dawson, as citizens by blood. The child was born subsequent to the date of his original application, and is identified by birth affidavit.

D.609, Group VIII, page 19.

Sarah J. Dawson applies for the enrollment of herself as an intermarried citizen.

D.617, Group VIII, page 23.

Richard W. Dawson applies for the enrollment of himself and his minor child, Ina B. Dawson, as citizens by blood, and for the enrollment of his wife, Luella Dawson, as a citizen by intermarriage. The Commission states that Luella Dawson is differently classed and is not embraced in its decision.

D.626, Group VIII, page 27.

Nila L. Spickerman applied for the enrollment of herself and her minor child, Helen J. Spickerman, as citizens by blood, and for the enrollment of her husband, John J. Spickerman, as a citizen by intermarriage. She also applies for the enrollment as a citizen by blood of her child, William G. Spickerman, who was born after her original application. This child is identified by a birth affidavit. The Commission states that John J. Spickerman has been differently classed and is not embraced in its decision.

D.627, Group VIII, page 31.

Francis M. Dawson applies for the enrollment of himself as a citizen by blood.

The record in this case shows that Martin L. Patterson, (Group VIII, page 1), was married July 13, 1890, to Zona Patterson nee Dawson, daughter of Elbert Dawson, who was admitted by the Tahlequah Court, January 11, 1883. The marriage was performed in accordance with the laws of the Cherokee Nation. Zona Patterson nee Dawson was a minor when her father was admitted. Zona Patterson's name appears on the 1896 census roll, as does the names of Martin L. Patterson, Sarah A., Martha and Claude (A.) Patterson. Edgar D., Thomas M. and Virgil V. Patterson are identified by birth affidavits.

William C. Dawson, (Group VIII, page 11), is a son of Elbert Dawson, who was admitted January 11, 1883. He was a minor when his father was admitted. He was married to Alice Dawson, November 18, 1886. He is identified by the 1894 and 1896 rolls of the Cherokee Nation. From the record it does not seem that the name of his wife is found on any of the rolls of the Cherokee Nation.

Robert L. Dawson, (Group VIII, page 15), is a son of Elbert Dawson who was admitted January 11, 1883. He was a minor when his father was admitted.

Elbert B. Dawson, (Group VIII, page 16), is the son of Elbert Dawson who was admitted January 11, 1883. He was a minor when his father was admitted. February 16, 1898, he was married to Cora Bright, a non-citizen. His name appears on the 1894 roll, but is not on the 1896 roll.

Sarah J. Dawson, (Group VIII, page 19), is the widow of Elbert Dawson, who was admitted January 11, 1883. The applicant's husband is identified by the 1894 pay-roll of the Cherokee Nation. It does not appear from the record that her name is on any roll of the Cherokee Nation.

Richard W. Dawson, (Group VIII, page 42), is the son of Elbert Dawson who was admitted January 11, 1883. He was a minor when his father was admitted to citizenship. He was married to Luella Mason, a white woman, January 24, 1898.

Ella L. Spiekerman, (Group VIII, page 27), is the daughter of Elbert Dawson, who was admitted in 1883. She was a minor when her father was admitted to citizenship. Sept. 7, 1897, she was married to John J. Spiekerman, a white man. She is identified by the 1894 roll.

Francis M. Dawson, (Group VIII, page 31), is a son of Elbert Dawson, who was admitted January 11, 1883. He was of age when his father was admitted, and it does not appear that he was admitted to citizenship. From the evidence it does not seem that Francis M. Dawson's name is found on any roll of the Cherokee Nation. He claims to have lived in the Cherokee Nation since 1883. It appears that he and the members of his family were refused enrollment by the Cherokee tribal authorities in 1896.

It is shown that Zona Patterson, William C. Dawson and Richard W. Dawson, have resided in the Cherokee Nation since 1884. Robert L. Dawson, Elbert B. Dawson, Sarah J. Dawson and Ella L. Spiekerman, have resided there since 1883. Alice Dawson has resided in the Nation since 1886 and Martin L. Patterson since 1894.

The Commission in its decision of December 23, 1902, held that all of the parties in this group, except Luella Dawson and J. J. Spiekerman, who are differently classed, and Francis M. Dawson (Group VIII, page 31), were entitled to enrollment as citizens of the Cherokee Nation---Martin L. Patterson, Alice Dawson and Sarah J. Dawson, as citizens by intermarriage and the others as citizens by blood.

[illegible]

For the reasons set forth in office report of even date, transmitting Group I of this consolidated case, the approval of the Commission's decision is recommended, except in so far as it relates to Martin L. Patterson, Alice Dawson and Sarah J. Dawson, who apply for enrollment as intermarried citizens. The question submitted to the Court of Claims not having been passed upon by the Court, their applications should not be considered at this time. The right of Francis M. Dawson to enrollment as a citizen by blood will be discussed herein.

August 31, 1903, Harry S. Kimball and W. H. White, attorneys for this city, filed a brief on behalf of applicant Francis M. Dawson, for enrollment as a citizen of the Cherokee Nation. In their letter it is said that a copy of this brief has been forwarded to the attorney for the Cherokee Nation, W. W. Hastings, Esq. Kimball & White in their brief state that Francis M. Dawson is the son of Elbert Dawson, who was admitted to citizenship in the Cherokee Nation, January 11, 1883, and that he was at that time about 22 years of age. They claim that his father applied for readmission February 24, 1880, and that Francis M. Dawson was at the date of this application less than 21 years of age; that he has resided in the Cherokee Nation from the time of his father's admission, and they take the position that the only reason the Commission gives for refusing his enrollment is that he was more than 21 years of age at the time of his father's admission. The statement is made by them "his name appears upon every roll since his father's admission. He drew his share of the Strip money and has resided nowhere except in said Nation." They claim that under Section 5, of the Amendments to Article 3, of the Constitution, and the opinion of the Assistant Attorney General in the James W. Shirley case of June 11, 1903, Francis M. Dawson is entitled to enrollment as a citizen of the Cherokee Nation.

From the record it does not appear that the name of Francis M. Dawson is found on any rolls of the Cherokee Nation. The Commission, in what is understood to be its field decision or field note, says: "He is not identified on any roll since that time," meaning the date of his father's admission. In this decision or note it is also said: "The application for admission is shown by the document cited to be dated January 4, 1881, and giving the applicant the benefit of the opinion that the fact of admission would date from the application, he was a minor at that time.

In the brief of Kimball & White it is alleged that Elbert Dawson applied "for admission February 24, 1880." There seems to be considerable doubt as to the exact date Elbert Dawson made application for admission for citizenship in the Cherokee Nation, but from the records it appears the true date is September 24, 1881. By the supplemental testimony it is shown that the application of Elbert Dawson et al., for admission to citizenship was "filed September 24, 1881."

Francis M. Dawson, October 17, 1890, (Group VIII, page 31), testified among other things that he was 39 years of age "on the last day of December last," meaning December 31, 1889. If this be true, and if the correct date of the application of his father, Elbert Dawson, is September 24, 1881, Francis M. Dawson was 20 years 8 months and 23 days old at the date of his father's application. The office believes that the date of admission should be held to relate back to the date of the application. There is nothing in the record which shows that Elbert Dawson, or any of the other applicants of 1881, were asked in 1883 whether any of their children had arrived at the age of majority.

In view of the foregoing, it is respectfully recommended that

the decision of the Commission as to Francis M. Dawson be not approved, and that the Commission be directed to enroll him as a citizen of the Cherokee nation by blood, unless there be some reason which does not appear in the record why the same should not be done. There seems to be no question but that he is of Cherokee blood.

Very respectfully,

W. A. Jones,
Commissioner.

C.A.W.-L.C.

(MYM)

(COPY)

I.T.D. 7442-1903
7456- "
7906- "

DEPARTMENT OF THE INTERIOR,
WASHINGTON.

J.W.M.
J.P.
WMR

LRS

March 31, 1904.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

February 25, 1903, you transmitted the record in the matter of the application of Francis M. Dawson et al., for enrollment as citizens of the Cherokee Nation.

In your decision of December 23, 1902, you disposed of the applications in the Dawson case by groups. Group VIII, as disposed of by you, includes the applications of those persons who claim enrollment by virtue of their descent from Elbert Dawson, who was admitted to Cherokee citizenship by decree of the Tahee Court dated January 11, 1883. These applications are designated by you as D.435, D.604, D.605, D.608, D.609, D.617, D.626, and D.627.

It appears that the principal applicants in this group, claiming enrollment by blood, viz: Zona Patterson, formerly Dawson, William C. Dawson, Robert L. Dawson, Elbert B. Dawson, Richard W. Dawson, Ella L. Spickerman, formerly Dawson, and Francis M. Dawson, are the children of the said Elbert Dawson. All of them except the said Francis M. Dawson were minors at the time of their father's admission to citizenship.

The application of Martin L. Patterson, D.435, was for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Zona Patterson, and his six minor children, Sarah A., Martha A., Claude A., Edgar D., Thomas M., and Virgil V. Patterson, as citizens by blood of the Cherokee Nation. The said Martin L. Patterson was married July 13, 1890, in accordance with the laws of the Cherokee Nation, to the said Zona Patterson, nee Dawson. He has resided in the

nation since his marriage, and the six children named above are the issue of said marriage. His name, and the names of his three elder children, are on the Cherokee census roll of 1896. The three younger children are identified by birth affidavits. Zona Patterson, nee Dawson, is also identified on said roll, andhas resided in the Cherokee Nation since 1884.

William C. Dawson, D.604, applied for the enrollment of himself as a citizen by blood, and for the enrollment of his wife, Alice Dawson, as a citizen by intermarriage of the Cherokee Nation. He is identified upon the strip payment roll of 1894, and has resided in the nation since 1884. He was married November 18, 1886, to the said Alice Dawson,nee Alexander. She has resided with him since their marriage.

The application of Robert L.Dawson, D.605,was for the enrollment of himself as a citizen by blood of the Cherokee Nation. He is identified on the strip payment roll of 1894,and has resided in the nation since 1883.

The application of Elbert B. Dawson, D.608, was for the enrollment of himself and his minor child, Ralph E. Dawson, as Cherokees by blood. Said Elbert B. Dawson is identified upon the strip payment roll of 1894. His son is identified by a birth affidavit. The father has resided in the nation since 1883. On February 16,1898, he married Cora Bright,a non-citizen,who is the mother of said child. It appears,however,that no application was made for her enrollment under this title.

The application of Sarah J. Dawson, D.609, was for the enrollment of herself as an intermarried citizen of the Cherokee Nation. In 1854 she married the said Elbert Dawson,and lived with him as his wife until his death in February, 1899. Since then she has not married. She has resided in the nation since 1883.

The application of Richard W. Dawson, D.617, was for the enrollment of himself and his minor child, Ina E. Dawson, as citizens by blood and for the enrollment of his wife, Luella Dawson, as a citizen of said nation by intermarriage. The latter is differently classified and is not embraced in this decision. Said Richard W. Dawson is identified upon the 1894 strip payment roll, and has resided in the nation since 1884. January 24, 1898, he married Luella Mason. Ina E. Dawson, who is identified by a birth affidavit, is the issue of that marriage.

The application of Ella L. Spickerman, D.626, was for the enrollment of herself and her minor children, Helen J. and William G. Spickerman, as citizens by blood, and for the enrollment of her husband John J. Spickerman, as a citizen by intermarriage of the Cherokee Nation. His application is differently classified and will not be considered herein. The said Ella L. Spickerman, nee Dawson, is identified on the strip payment roll of 1894, and has resided in the nation since 1883. Said children are identified by birth affidavits.

The application of Francis M. Dawson, D.627, was for the enrollment of himself as a citizen by blood of the Cherokee Nation. His case is distinguished from that of the other principal applicants who claim by blood, in that he was not a minor at the date of his father's admission to citizenship. Itappears, however, that the petition for the enrollment of his father, Elbert Dawson et al., was filed when he was a minor. The exact date when said petition was filed is uncertain. The Indian Office finds that the date of the petition was September 24, 1881. You find that the petition bears a still earlier date. It is claimed by this applicant and by his attorneys that his name is borne upon various tribal rolls. It does not appear from the record, however, that such is the fact. He states that he has resided in the nation "ever since 1883", and that he drew strip money "at Claremore."

In his report of October 16, 1903, relative to this group, the Commissioner of Indian Affairs calls attention to that portion of the evidence which shows that the applicant was a minor when the petition for the enrollment of his father was filed, and expresses the opinion that the admission of his father (construed as including his minor children living with him) should be considered as taking effect from the date the petition was filed.

In your decision of December 23, 1902, in which you refused to enroll this applicant, you make no reference to this aspect of the case. It is observed, however, from the field notes as they appear in connection with the record in this case, that the examiner was then of the opinion that the date of the father's petition might possibly affect the rights of the applicant.

The attorneys for this applicant and for the Nation have filed briefs. The attorneys for neither, however, have discussed the rights of the applicant from this standpoint.

It is considered that both parties should be furnished with a copy of the Commissioner's letter relating to this group, and be allowed to be heard in reference to the matter.

From a letter addressed to the Assistant Attorney General for this Department, from Kimball & White, attorneys for Francis M. Dawson, Jr., dated February 13, 1904, it appears that under date of January 13, 1904, you wrote said attorneys as follows:

> "You are advised that the 1894 pay roll does not contain the name of such a person as Francis M. Dawson. There does appear upon that roll, however, the name of one Marion Dawson, and it is possible this is the same person."

Although not addressed to the Department, it was considered that your letter should be received as authentic evidence of the matters stated therein. It is believed, in view of the statement contained in

said letter and from the testimony of Francis Marion Dawson, referred to above, that an adjudication of his case upon the record as it now stands would be untimely and inadvisable.

In your decision of December 23, 1902, you held that all of the applicants are entitled to enrollment except Francis M. Dawson. The Commissioner of Indian Affairs concurred in your recommendation respecting those applicants claiming by blood, except as to him, and also recommended his enrollment. As to those applicants claiming by intermarriage the Commissioner recommended that no action be taken at present.

The Department concurs in the recommendation of the Commissioner as to all of the applicants, except Francis M. Dawson. The record in his case is herewith returned for further investigation in accordance with the suggestions herein contained.

The attorney for the Cherokee Nation protests against the enrollment of these applicants, claiming that their enrollment was obtained through fraud. In this connection see opinion of the Assistant Attorney General of February 18, 1904, relating to the Dawson case, a copy of which was sent you February 24, 1904.

A copy of Indian Office letter of October 16, 1903, relating to this group, is also inclosed.

Respectfully,

(signed) Thos Ryan

Acting Secretary.

2 inclosures.

(MBM)

Cherokee D-435

Muskogee, Indian Territory, April 12, 1904.

Martin L. Patterson,

Afton, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated December 23, 1902, granting, among others, your application for the enrollment of your wife, Zona Patterson, and your minor children, Sarah A., Martha A., Claud A., Edgar M., Thomas M. and Virgil V. Patterson, as citizens by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on March 31, 1904.

Respectfully,

Commissioner in Charge.

Cherokee D 324, et al.

[illegible], Indian Territory, April 12, 1904.

[illegible],

Attorneys for Francis [illegible], et al.,

[illegible], Indian Territory.

Dear Sir:

You are hereby notified that the Commission's decision dated December 23, 1903, in the consolidated case of Francis L. Dawson, et al., granting the applications for the enrollment of Francis L., Lula, Ray, Jessie [illegible], Jacob L., Hugh A., Laura A., John, William R. and Francis [illegible], Jr., Lizzie, Arthur, Edna E., Edward C., and George J. H. Atkins, John W., Albert H., Ralph H., Alford, Samuel R., August, Kate and Robert Dawson, Katie Newman, Josephine, Dora, Ida, Annie, Blanche, Ray and Oscar Bulawsky, John, Robert E., Iola M., Lemuel H., Rosa D., Charles [illegible], Hattie J., Jennings D., James U., Vergal C., Thomas J., Maries [illegible], Orle M., Burr R. and James W. Dawson, Ella Jackson, Flora, Lillie R., Claud, Dwight and William D. Harmon, Tommie J. Jackson, Mannie, Birtie E. and Myrtle Lenox, Missouri, [illegible] Tempa W., Robert N., Gideon, John W., Julius E., Francis M., [illegible] E., Jesse W., Gracie [illegible] and Florence M. Graham, Laverna A., Ada [illegible], Eva P., John T., Ray D., Roberta A., and

Roy W. Painter, Florence P., Myrtle and Claude Bradshaw, Joe E., William C., Nona B., Dana L. and Robert Lee Graham, Joe Willie Neal, James L., Marion, Nannie, Luther and Floyd Graham, Mollie, Nora, Walter, Clara, Ora, James W., and Edna Edith Moore, Richard W. and Ina E. Dawson, Ella L., Nellen F. and William Glenn Spickerman, Elbert L., Ralph E., Robert L., and William C. Dawson, Zona, Sarah A., Martha A., Clark ..., Edgar D., Thomas A. and Virgil V. Patterson, Joseph R., Clarence E., Council J., Elmer A., Cleo, Rufus T., Edgar, Wilborn, James R., Minnie L., Ermine C., Edwin C. and Ancil F. Dawson, Etta Brauer, Minnie, Bobbie E., Minnis T. and Jasper Cecil Richardson, Edgar, Walter, Alice, Laura, Oscar, Claude and Edna Flournoy, Texanna, Irene W. and Wilburn E. Woolley, Laverna A., William A. and Annie B. Fishback, Lula P., Curtis, Morris O. and Roy Weddle, Florence, Clide and Alice A. Morgan, John E. Fishback, Edna, Roby and Charley Mabry and William D. Douthitt, as citizens by blood of the Cherokee Nation, and dismissing the applications for the enrollment of Cecil Dawson, Lizzie and Margaret Graham as citizens by blood of the Cherokee Nation, they having died prior to September 1, 1902, was affirmed by the Secretary of the Interior on March 31, 1904, and that the Commission's decision rejecting the applications for the enrollment of James, May, Zelma, Roberta, and Rosa Lowe, Osie, Lizzie, Jessie, Fay, and Clyde Jackson as citizens

by blood of the Cherokee Nation, was reversed by the Secretary of the Interior on the same date.

Respectfully,

Commissioner in Charge.

Cherokee D 324, et al.

Muskogee, Indian Territory, April 12, 1904.

W. W. Hastings,

Attorney for the Cherokee Nation,

Tahlequah, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision dated December 23, 1902, in the consolidated case of Francis M. Dawson, et al., granting the applications for the enrollment of Francis M., Eula, Ray, Jessie J., Jacob L., Hugh A., Laura A., John, William R. and Francis M. Dawson, Jr., Lizzie, Arthur, Edna E., Edward C., and George J. P. Atkins, John W., Albert M., Ralph M., Alford, Samuel R., August, Nate and Robert Dawson, Mattie Newman, Josephine, Dora, Ida, Annie, Llanone, May and Oscar Bulawsky, John, Robert B., Iola M., Lemuel M., Rosa B., Charles B., Hattie J., Jennings B., James U., Vergal C., Thomas P., Mariee J., Orle M., Burr R. and James W. Dawson, Ella Jackson, Flora, Lillie B., Claud, Dwight and William D. Harmon, Toshie A. Jackson, Jennie, Birtie E. and Myrtle Lenox, Missouri, Tempa W., Robert S., Gideon, John W., Julius E., Francis W., Mary E., Jesse E., Gracie M. and Florence M. Graham, Laverna A., Ada R., Eva P., John W., Ray D., Roberta A., and

[illegible] Palmer, Florence [illegible], [illegible] and Claude Bradshaw, Joe L., Lillian B., Rose B., Rose L. and Robert Lee Graham, Joe Willie Bell, [illegible], Marion, [illegible], Luther and Floyd Graham, Nellie, Nora, Walter, Clara, Ora, James M., and Edna Edith Moore, Richard M. and Ina M. [illegible], Ella L., Nellen J. and William Glenn Spickerman, Albert [illegible], Ralph E., Robert L., and William B. Dawson, Rose, Sarah A., Martha [illegible], Clay [illegible], Lemar D., Thomas L. and Virgil V. Patterson, Josephine M., Clarence E., Council J., Elmer [illegible], Cleo, Rufus E., Edgar, William, Howard B., Minnie [illegible], Ursaine [illegible], Marvin C. and Ancil M. Dawson, Etta Brauer, Pitty, Delia [illegible], Annis L. and Jasper Cecil Richardson, Edgar, Walter, Alice, Laura, Oscar, Claude and Edna Flournoy, Texanna, Irene [illegible] and Gilbert E. Woolley, Laverna A., William A. and Annie B. Fishback, Lula B., Curtis, Morris O. and Roy Weddle, Florence, Clide and Alice A. Morgan, John E. Fishback, Edna, Roby and Charley Mary and William D. Douthitt, as citizens by blood of the Cherokee Nation, and dismissing the applications for the enrollment of Cecil Dawson, Lizzie and Margaret Graham as citizens by blood of the Cherokee Nation, they having died prior to September 1, 1902, was affirmed by the Secretary of the Interior on March 31, 1904, and that the Commission's decision rejecting the applications for the enrollment of James, May, Zelma, Roberta, and Rosa Lowe, Osie, Lizzie, Jessie, Ray, and Clyde Jackson as citizens

[illegible] Interior [illegible] date.

Respectfully,

Commissioner in Charge.

Tahlequah, Indian Territory, April 19, 1904.

Commission to the Five Civilized Tribes,

(Cherokee Division),

Muskogee, Indian Territory.

Gentlemen:

As requested in the Commission's letter of April 14, there are enclosed herewith two copies of Departmental letter of March 31, approving the Commission's decisions in several cases, and remanding for further hearing the application of Francis M. Dawson, Cherokee D-627.

There are also transmitted, the original cards, jackets and records in the following cases:

Cherokee D-455, Martin L. Patterson.
Cherokee D-604, Alice Dawson.

These cases were finally decided in Departmental letter of March 31, except as to the intermarried applicants. The proper transfers have been made as to all except such intermarried applicants and the cards, jackets and records are now transmitted to the office at Muskogee to be held until such time as decisions can be rendered in intermarried cases.

Respectfully,

Commissioner in Charge
Cherokee Land Office.

Encl. P-2.
RP

Cherokee 10726

Zona Patterson, et al.

For [illegible], see
[illegible], Martin L. Pat-
terson.

Cher 10727

William C. Dawson

Trans. from D604

Cher 10727

Department of the Interior,
Commission to the Five Civilized Tribes,
Nowata, I.T. October, 16th, 1900.

In the matter of the application of William C. Dawson, for the enrollment of himself and wife as Cherokee Citizens, He being duly sworn testified as follows-

Q What is your name? A William C. Dawson.
Q How old are you? A 33.
Q What is your post office Talala.
Q Is Coweescoowee your district? A Yes sir.
Q Who is it that you want enrolled? A Myself and wife.
Q Are you a Cherokee by blood? A Yes sir.
Q Is your wife a Cherokee by blood? A No sir a white woman.
Q How long have you lived in the Cherokee Nation? A Since 1883.
Q Were you admitted to citizenship by the Cherokee Commission?
A Yes sir my father was.
Q Let me see your certificate?
The applicant presents an official copy of the records of the Cherokee Commission showing that on January 11th 1883, certain persons were admitted to Cherokee Citizenship, (Q What was the name of your father? A Elbert Dawson) and named among other persons one Elbert Dawson. This is recognized as official evidence of the facts stated.
Q Give me your mothers name? A Jane.
(The document quoted is returned to applicant.

Q How did your father come here when he was admitted in 1883?
A Yes sir.
Q Was he here at the time that he was admitted? A I don't know.
Q When did you come here? A In 1883 and then went back to Texas and came back in 1884 and have lived here ever since.
Q Have your father and mother also lived here the same length of time that you have? A He moved his family here in 1885 but he came here in 1883 and then again in 1884 he moved his stock here in that year, and then went back and moved his younger children in 1885, I came with the stock in 1884.
Q Is your father living? A No sir, he is dead.
Q Is your mother living? A Yes sir.
Q Is your mother a white woman? A Yes sir.
Q Was she ever married before she married your father? A No sir.
Q Was he ever married before he married your mother? A No sir.
Q When were they married? A In the '50's.
Q When did your father die? A January 1st 1899.
Q Give me the name of your wife? A Alice.
Q How old is she? A 32.
Q When did you marry her? A 18th of November 1886.
Q Have you a certificate of marriage? A Just got one from the preacher. (Here applicant presents a paper which the Commissioner examining him read and says in only an affidavit)
Q What was your wifes name when you married her ? A Alexander.
Q Was she ever married before you married her? A No sir.
Q Alexander was her maiden name? A Yes sir.
Q Were you ever married before you married her? A No sir.
Q Have you lived with her ever since you married her? A Yes sir.
Q Your wife is not on the roll of 1896 ? A She ought to be we have been on all the rolls since 1886.
Q Her only claim to Cherokee citizenship is by reason of her marriage to you is it not? A Yes sir.
1896 roll, page 176, No. 1116 Wm. C. Dawson, Coweescoowee.
Q How comes it that neither you nor your wife were enrolled in 1896?
Q We were enrolled but they scratched us off the roll.
Q How did you get scratched off the roll? A They claim that we were admitted by fraud in 1883.

FRANCIS M. DAWSON called as a witness, sworn and examined.

Q What is your full name? A Francis M. Dawson.
Q How old are you? A 48.
Q What is your postoffice? A Oscola.
Q Do you know the applicant here? A Yes sir.
Q Do you know his wife? A Yes sir.
Q What is her name? A Alice.
Q When did she marry him A Good while ago.
Q Was it as much as 13 or 14 years ago? A Yes sir.
Q Were either of them ever married before? A No sir.
Q She was an Alexander before she married him? A Yes sir.
Q Have they lived together ever since their marriage and in the Cherokee Nation? A Yes sir.

The applicant applies for the enrollment of himself and wife. He is shown to have been admitted to Cherokee citizenship in the year 1883. He is identified on the 1894 roll, but he is not identified on the roll of 1896. He testifies himself that objection was made to this enrollment in 1896 on the ground that the original admission of his father was by fraud, and that this ground was set up as an opposition to his enrollment in 1896 by the Cherokee Nation, nd the same objection is made the ground of the protest entered to his enrollment at this time by the Cherokee representative present. He states that he has lived in the Cherokee Nation since his admission and he will be placed upon a doubtful card until such time as satisfactory evidence is presented to the Commission as to the admission of his father in 1883. His wife is shown be satisfactory testimony to have been married to him in 1886. She is not identified on the roll of 1896. It is shown that neither of them were ever married before. She has lived with him ever since her marriage and she will be placed on a doubtful card as an intermarried citizen He being placed thereon as a Cherokee by blood. The final decision of the Commission as to this application will be made known to the applicant at his post office address.

Chas. von Weise being sworn states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all the proceedings had in the above entitled cause and the the foregoing is a true, correct and complete transcript of his stenographic notes taken in said proceedings.

(Signed) Chas. VonWeise,

Subscribed and sworn to before me this the 16th day of October 1900.

(Signed) T. B. Needles,
Commissioner.

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Edith L. Morey, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, she made the above and foregoing copy and that the same is a true and correct copy of the original transcript.

Edith L. Morey

Subscribed and sworn to before me this the 16th day of August 1904.

Charles W. Lawyer

Notary Public.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 16 1900 1900.

1 33rd Name William C. Dawson, Talala I.T.

District COOWEESCOOWEE. Year 1894 Page 176 No. 1316

Citizen by blood Yes Mother's citizenship Albert Dawson — d

Intermarried citizen No Jane " — w — d

Married under what law Date of marriage

License Certificate

2 33rd Wife's name Alice Dawson nee Alexander

District Year Page No.

Citizen by blood Yes Mother's citizenship

Intermarried citizen No

Married under what law Date of marriage Nov 1885

License Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

1 Card 1894 Roll as Wm C Dawson.

B

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
OCT 16 1900

[redacted] Acting Chairman

COMMISSIONERS:
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee I.T. Feb 26-1907

Received of the Commission to the Five Civilized Tribes, one copy of the testimony in the matter of the application of William McNaughton et al for enrollment as [redacted] of the Cherokee Nation.

Witness

Stenographer.

Clerk for applicants.

No. Enld. Card

Cher. B-604.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., April 8, 1902.

In the matter of the application of William G. Dawson for the enrollment of himself and wife as citizens of the Cherokee Nation.

Francis Marion Dawson, being sworn and examined by the Commission, testified as follows:

Q What is your name? A Francis Marion Dawson.
Q How old are you? A Nearly 60 years old.
Q What is your postoffice address? A Afton.
Q Are you acquainted with William G. Dawson, the applicant in this case? A Yes sir.
Q Do you know his wife Alice? A Yes sir.
Q Is she a Cherokee or a white woman? A She is a white woman.
Q Do you know anything about their marriage? A I wasn't at the wedding; they were married and are living together as man and wife and have been for years.
Q Do you know about when they were married? A I know pretty near it; they were living at Vinita about -- let me study on that; they were married about '86 or '7, I can't say exactly when.
Q Did they continue to live together from the time of their marriage until the present time? A Yes sir.
Q Are they living together now? A Yes sir.
Q Are they generally recognized as man and wife throughout the community? A Yes sir.
Q Now William G. Dawson is the child of your brother by his wife Jane? A Yes sir.
Q Hibert Dawson is his father? A Yes sir.
Q Jane Dawson is the mother? A Yes sir.
Q Do you know anything about the marriage of Hibert Dawson and Jane Dawson? A He brought her home to my father's; they were married on day and brought her home the next day.
Q Did they continue to live together as man and wife until the death of Hibert Dawson? A Yes sir.
Q Generally recognized as man and wife throughout the community? A Yes sir.

—o—

I, the undersigned stenographer to the Commission to the Five Civilized Tribes, do hereby certify that I recorded the proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

[signature]

Cherokee D 604.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
MUSKOGEE, I.T., October 10, 1902.

In the matter of the application of William C. Dawson for the enrollment of himself as a citizen by blood, and for the enrollment of his wife, Alice Dawson, as a citizen by intermarriage, of the Cherokee Nation.

Supplemental Proceedings.

WILLIAM C. DAWSON, being sworn, testified as follows:

By the Commission,

Q What is your name Mr. Dawson? A William C. Dawson.
Q What is your age at this time? A About thirty-five.
Q What's your postoffice? A Talala, Cherokee Nation.
Q Are you the same William C. Dawson that made application for enrollment as a citizen by blood of the Cherokee Nation on October 16, 1900? A Yes, sir.
Q And at the same time made application for the enrollment of your wife as an intermarried citizen? A I suppose about that time.
Q What is your wife's name? A Alice.
Q Is she a white person? A Yes, sir.
Q What's her age at this time? A Thirty-four, I think.
Q When were you married to your wife, Alice? A November, '86.
Q November, '86? A Yes, sir, that's my recollection.
Q Had you ever been married prior to your marriage to your wife, Alice? A No, sir.
Q Had she ever been married prior to her marriage to you? A No, sir.
Q Are you her first husband? A Yes, sir.
Q She's your first wife? A Yes, sir.
Q Have you and she lived together as husband and wife from the time of your marriage up to the present time? A Yes, sir.
Q You never have been separated? A No, sir.
Q She has never been married to any other man since her marriage to you? A No, sir.
Q Living together as husband and wife on the first day of September, 1902? A Yes, sir.
Q How long have you lived in the Cherokee Nation? A I settled there in '84.
Q Has your wife lived with you all the time in the Cherokee Nation since her marriage to you in '86? A Yes, sir.
Q Got no children? A No.

Retta Chick, being first duly sworn, states that, as stenographer to the Commission to the Five Civilized Tribes, she recorded the testimony and proceedings in the matter of the fore-

going application and the above is a true and complete transcript of her stenographic notes thereof.

(Signed) Retta Chick.

Subscribed and sworn to before me this 18 day of October, 1902.

(Signed) P. C. Reuter,

Notary Public.

---:---

Edith L. Morey, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, she made the above and foregoing copy and that the same is a true and correct copy of the original transcript.

Edith L. Morey.

Subscribed and sworn to before me this the 16th day of August 1904.

Chas. F. L. Thompson

Notary Public.

Cherokee D 604.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.
Muskogee, I. T., October 10, 1902.

In the matter of the application of William C. Dawson for the enrollment of himself as a citizen by blood, and for the enrollment of his wife, Alice Dawson, as a citizen by intermarriage, of the Cherokee Nation.

Supplemental Proceedings.

WILLIAM C. DAWSON, being sworn, testified as follows:

By the Commission,

Q What is your name, Mr. Dawson? A William C. Dawson.
Q What is your age at this time? A About thirty-five.
Q What's your postoffice? A Talala, Cherokee Nation.
Q Are you the same William C. Dawson that made application for enrollment as a citizen by blood of the Cherokee Nation in October 16, 1900? A Yes, sir.
Q And at the same time made application for the enrollment of your wife as an intermarried citizen? A I suppose about that time.
Q What is your wife's name? A Alice.
Q Is she a white person? A Yes, sir.
Q What's her age at this time? A Thirty-four, I think.
Q When were you married to your wife, Alice? A November, '86.
Q November, '86? A Yes, sir, that's my recollection.
Q Had you ever been married prior to your marriage to your wife, Alice? A No, sir.
Q Had she ever been married prior to her marriage to you? A No, sir.
Q You are her first husband? A Yes, sir.
Q She's your first wife? A Yes, sir.
Q Have you and she lived together as husband and wife from the time of your marriage up to the present time? A Yes, sir.
Q You never have been separated? A No, sir.
Q She has never been married to any other man since her marriage to you? A No, sir.
Q Living together as husband and wife on the first day of September, 1902? A Yes, sir.
Q How long have you lived in the Cherokee Nation? A I settled there in '84.
Q Has your wife lived with you all the time in the Cherokee Nation since her marriage to you in '86? A Yes, sir.
Q Got no children? A No.

Retta Chick, being first duly sworn, states that, as stenographer to the Commission to the Five Civilized Tribes, she recorded the testimony and proceedings in the matter of the foregoing application and the above is a true and complete transcript of her stenographic notes thereof.

Retta Chick

Subscribed and sworn to before me this 18 day of October, 1902.

Notary Public.

DEPARTMENT OF THE INTERIOR,
COMMISSIONER FIVE CIVILIZED TRIBES.

FILED
OCT 20 1902

Acting Chairman.

To be filed with C. D. Rae, William P. Boudinot.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
VINITA, I. T., SEPTEMBER 10th, 1900.

IN THE MATTER OF THE APPLICATION OF Francis Marion Dawson, wife and children for enrollment as citizens of the Cherokee Nation, and he being sworn by Commissioner, T. B. Brockinridge, testified as follows:

Q What is your full name? A Francis Marion Dawson.
Q What is your age? A I am fifty eight years old.
Q What is your Postoffice? A Oocona.
Q What District do you live in? A Delaware.
Q Who is it you want to have enrolled? A Myself and family.
Q Your wife? A Yes, sir.
Q How many children? A Six.
Q Do you apply for enrollment as a Cherokee by blood? A Yes, sir.
Q Is your wife a Cherokee by blood? A No, sir; she is a white woman.
Q How long have you lived in the Cherokee Nation? A Since 1883.
Q Were you admitted by the Cherokee Commission? A Yes, sir.

The applicant presents a duly authenticated certificate of admission to citizenship, showing that on the 11th day of January, 1883, certain persons were admitted by the Commission on citizenship, and among whom appears the name of F. M. Dawson.

Q That is your name is it? A Yes, sir.

This is recognized as satisfactory evidence of the facts stated.

Q Have you lived in the Cherokee Nation ever since your admission?
A Yes, sir; in Delaware District ever since.
Q Give me the name of your wife? A Katie Dawson.
Q How old is she now? A Forty five.
Q Was she admitted with you? A No, sir.
Q Have you married her according to Cherokee law since your admission? A No, sir.
Q You have not remarried since your admission? A No, sir; it was not necessary.

The applicant presents a duly authenticated marriage license and certificate, showing that he was married to his wife, as stated by him, in 1880, by the Reverend R. W. Goudelock, in Carrol County, Arkansas, the license being issued by the Clerk of that County.

These papers are filed herewith.

Q Your wife was not admitted by the Cherokee Commission, when you were? A No, sir.
Q Or at any other time? A No, sir.
Q By act of the Commission or Council? A No, sir; she was placed on the rolls.
Q On the census rolls? A Yes, sir.
Q Give me the names of your children, please? A Lula.
Q How old? A Seventeen.
Q Next child? A Ray.
Q How old? A Fifteen.
Q Next child? A [illegible].
Q How old? A Fourteen.
Q Next child? A [illegible].
Q How old? A [illegible].
Q Next child? A [illegible].
Q How old? A He is eight I believe.

Q Next child? A Laura.
Q How old is that child? A She is four years old.
Q Is that all? A Yes, sir; six of them. I have others, but they are not at home.
Q Are they married? A No, sir.
Q Are they over age? A Yes, sir.

(1896 Roll, Page 461, #902, Francis Marion Dawson, Delaware.)
(1896 Roll, Page 569, #135, Katie Dawson, Delaware District.)
(1896 Roll, Page 461, #903, Lula Dawson, " "
(1896 Roll, Page 461, #904, May Dawson, " "
(1896 Roll, Page 461, #905, Jesse James Dawson, Delaware Dis't.)
(1896 Roll, Page 461, #906, Jacob Levy Dawson, " "
(1896 Roll, Page 461, #907, Hugh A. Dunmore Dawson, " "
(1896 Roll, Page 461, #908, Laura Albertae Dawson, " "

Q Is this Lula or Luly? A Luly.
The applicant applies for the enrollment of himself, wife and six Children;
Q Were these children all born since you were admitted into the Cherokee Nation? A Yes, sir.

The applicant is shown by the certificate of admission, cited in the testimony, to have been admitted to Cherokee citizenship, by the Commission on Citizenship, January 11th, 1896; he is identified on the roll of 1896, but the representative of the Cherokee Nation desires to make inquiry into the methods of that time, and for that reason, the application of the applicant will at present be placed on a "Doubtful Card." He has lived in the Cherokee Nation ever since his admission to citizenship. His wife was married to him under United States law, and was married prior to his admission: she has never been remarried according to Cherokee law: She has lived with him ever since his admission to citizenship, and she is identified on the roll of 1896. The application for her enrollment will be placed on a "Doubtful Card".
Their six children, as enumerated in the testimony are identified on the roll of 1896. They are living at this time, all having been born since his admission (Applicant's). These children will be placed with him on a "Doubtful Card". The applicant's marriage to the mother of these children is established by the marriage license and certificate filed herewith. If any additional papers, adverse are developed in this case, he will be given timely notice thereof.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

(Signed) R. R. Cravens.

Subscribed and sworn to before me
this 10th day of September, 1900.

(Signed) C. R. Breckinridge,
Commissioner.

BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the enrollment :
of F. M. Dawson and others as :
Cherokee citizens. :

Depositions of sundry persons in behalf of the applicants for enrollment mentioned in the title, taken before me, Lewis T. Martin, a Notary Public in and for the Northern District of the Indian Territory, duly appointed, qualified and acting as such, at the office of C. B. Denison in the Gray-Halsell building in the town of Vinita, Indian Territory, on Thursday the fourth day of October 1900, between the hours of one and a half o'clock and six o'clock in the afternoon of said day, in accordance with the agreement to take testimony, entered into between the applicants and the Cherokee Nation, by their respective attorneys, which agreement is hereto attached.

T. F. Thompson, being produced by the applicants, being first duly sworn to testify to the truth, the whole truth and nothing but the truth, testified as follows:

DIRECT EXAMINATION BY C. B. DENISON:

Q State your name, age, residence and occupation?
A T. F. Thompson, 53 years old, I live near Vinita, Cherokee Nation, I. T. I am a farmer.
Q How long have resided in the Cherokee Nation? A All my life.
Q Are you a citizen of the Cherokee Nation as now constituted?
A Yes, sir.
Q Upon what is that citizenship based, blood or otherwise?
A Blood.
Q What, if any official position have you held in the Cherokee Nation, and at what time?
A I was elected to the Cherokee Council in 1870 some odd, I don't remember the exact year, I was also on the Commission Court.
Q Do you remember when that was? A Some time in 1880 or 1881, I think, it may have been earlier.
Q Did that Commission or Court have anything to do with admission to citizenship in the Cherokee Nation? A Yes, sir.
Q State, if you remember, how many members of that Commission or Court, there were, and who they were besides yourself?
A There were three, Tehee, Wolf and myself, Tehee was President of the Court.
Q Where were the sessions of that body held? A Tahlequah, Cherokee Nation.
Q Did you have a Clerk? A Yes, sir.
Q Do you remember who that was? A D. W. C. Duncan.
Q Do you know whether the members of that Commission beside yourself, are living or dead? A Yes, sir, they are both dead.
Q Can you recollect how what period of time that Commission lasted?
A About two years I think, two sessions, and there was one session each year.
Q Were the sessions of that body held in Tahlequah, open to the public at all times when it was in session?
A Yes, sir.
Q Were the cases coming before that body heard in open session?
A Yes.
Q Witnesses examined orally? A Yes, sir.

Q Judgments of the Court or Commission pronounced in open session?
A In case of decisions I think they sometimes had secret sessions, yes, the judgments of the Commission were pronounced openly.
Q What you intended to convey by you answer to the former question was that after hearing the proof the Commission or Court deliberated in secret session upon the testimony taken before reaching a decision or announcing it? A After hearing all the testimony we went into secret session.
Q I will present you with a paper which the Notary will mark exhibit "A" and a copy of which he will attach to your deposition, and will ask you if with the exception of the certificate of record by M. L. Bragdon, Clerk, and John L. Adair Asst. Ex. Secretary, you recognize it as a paper you have ever seen before?
A I recognize the signature to it, but don't remember the instrument.
Q Which signature on that paper do you recognize? A My own.
Q That signature is in your own handwriting? A Yes, sir.
Q Do you know whether Thomas Tehee, president of the Commission could write in English or not? A No, I don't think he could.
Q How as to Alexander Wolfe, a member of the Commission?
A I don't think he could write either, I don't think either of them ever wrote except by touching the pen.
Q Were you, and are you familiar with the handwriting of D. W. C. Duncan, the Clerk of that Commission?
A Tolerably well, but it has been a long time since I saw any of it.
Q Will you look at the paper again and say whether you recognize his signature attached thereto?
A Yes, that is his signature to the best of my knowledge.
Q Do you preserve any personal recollection of the application before that Commission of F. H. Dawson and other members of the Dawson family, to be admitted as citizens of the Cherokee Nation by that Commission?
A I remember F. H. Dawson and his brother, that is about the only ones I remember.
Q The question was not as to the personal recollection of the individuals, but as to the claim being presented by the Dawsons for admission?
A Yes, there was such a claim before the Commission.
Q Can you state as to the citizenship of Thomas Tehee, whether he was a citizen of the Nation by blood or not?
A Yes, sir, he was always recognized as such, full blood besides.
Q What is your knowledge of Alexander Wolfe?
A About the same, he was also a full blood and recognized as a Cherokee.
Q Judge Thompson, if you possessed or had, or have now any knowledge of any corruption or bribery of the court or Commission, or any member of it by F. H. Dawson or any of the Dawson family or anybody connected with the presentation of their claim for citizenship, state it fully?
A None whatever as far as I was concerned, and I don't think there was by the balance of the Court.

CROSS-EXAMINATION BY W. T. HUTCHINGS:

Q Do you mean to say Mr. Thompson that your name attached to the certificate shown you is in your handwriting?
A Yes, sir.
Q Then Mr. Duncan certified that this is a transcript of the decision in the case, he is mistaken, that is the original?
A No, I don't know, that may be the original, if that is not the original I did not sign it, if it is the original I signed it.
Q You state that the witnesses were examined orally before the Court, don't you know that in almost every case you took ex parte

affidavits of witnesses when those witnesses were not present?
A I think we ruled exparte evidence out, as well as I remember.
Q Did you have any stenographer or anybody to copy the evidence?
Mr. Duncan did all of the copying.
Q Was the evidence copied and preserved?
A Yes, sir, I think it was.
Q What was done with that evidence, where was any of it ever put?
A I suppose it is at Tahlequah in the office of the Treasurer or Secretary.
Q When you went into secret session did you have Mr. Duncan read that evidence to you?
A Yes, sir, we went over the evidence thoroughly.
Q Did you allow the applicants or their attorneys admission to any of your secret sessions?
No, sir.
Q When you got ready to render your decisions did you then send for the applicants or their attorneys?
A No, sir.
Q And you rendered them in secret also, did you? A Yes, sir.
Q Have you any recollection who testified in the Dawson case, as to their claim? A No, sir, I have not.
Q Have you any recollection as to who they claimed their Cherokee ancestors were? A Yes, sir, they claimed the Rogers.
Q Did they claim relationship with any of the present families of Rogers residing in the Cherokee Nation?

The applicant objects to this question as tending to elicit testimony wholly incompetent and irrelevant to the issue, and not cross-examination of this witness.

A I don't know that they did, particularly.
Q How could your court determine when they claimed descent through some Rogers family, that that family was of Cherokee blood?

The applicant objects to the question upon the same grounds as their objection to the previous question.

A By the evidence they produced.
Q Didn't you make them prove that that family was well known at one time to be connected with the Cherokee Nation, and were citizens thereof? A Yes.
Q Who was the attorney for the Dawsons? A Old man Houston Benge.
Q Could either Tehee or Wolfe speak English? A They could understand, but they never spoke English, they had an interpreter.
Q Did you ever talk to either of them as to whether they got anything for decidingthis case? A No, sir.
Q How long were you considering the case altogether?
A I could not say as to that, I think we were on it two or three weeks anyhow, I could not say positively now, they were a long time getting in testimony.
Q There were only two or three witnesses examined all told, were there not?
A I think so, three I think, they had quite a lot of affidavits, but we did not consider them.
Q Well the Court was a good while arriving at its conclusion after the evidence was closed?
A Yes, quite a good while, I don't remember the exact time.

RE-DIRECT EXAMINATION:

Q Do you remember who the interpreter the commission had during the hearing of the Dawson case.
A His name was Reese, I forget his given name.

Q Do you know whether he is living or dead?
A I don't know, he seemed to be in bad health at the time we had the case up, I think they are all dead but me and Mr. Duncan.
Q What was he, a Cherokee by blood?
A He was considered a Cherokee by blood.
Q Do you know where he lived at that time?
A No, sir, he lived in the South part of the Nation though, I think in Sequoyah.

(Signed) T. F. Thompson.

Copy of Ex. "A" to T. F. Thompson's testimony.

CERTIFICATE OF RECORD.

United States of America,
Indian Territory,
Northern District.

I, Marshall L. Bragdon, Clerk of the United States Court in the Indian Territory, her by certify that the instrument hereto attached was filed for record in my office the 9 day of March, A. D. 1893, at 10-30 o'clock A. M. and duly recorded in book C. Misl Record Mortg. & Liens, page 339,

Witness my hand and seal of said court at Muscogee, in said Territory this 16 day of March, A. D. 1893.

(SEAL)

M. L. Bragdon,

Clerk.

Transcript to which this is attached, endorsed on back as follows:

"No. 108, Robt. Dawson et al, VS the Cheroke Nation, Transcript of Judgment, Filed Mar. 9, 1893 10-30 A. M. Marshall L. Bragdon, Clerk.,

OFFICE OF COMMISSION ON CITIZENSHIP,
TAHLEQUAH, CHEROKEE NATION, JANUARY 11th, 1883.

No. 108 Robt. Dawson, F. M. Dawson, Elbert Dawson, Jasper Dawson, John Dawson, Josephine Dawson, Joseph Dawson, Jane Dawson, Molly Dawson, Wilbron Dawson, James Dawson, Rial Dawson,

VS,

The Cherokee Nation.

And now on this, the 11th day of January, A. D. 1883, this cause coming on for final hearing and all the evidence produced in the case being carefully read and duly considered by the Commission, it was adjudged and determined by the Commission on Citizenship, that the claimants, Rob't Dawson, F. M. Dawson, Elbert Dawson, Jasper Dawson, John Dawson, Josephine Dawson, Joseph Dawson, Jane Dawson, Molly Dawson, Wilbron Dawson, James Dawson, and Rial Dawson, are Cherokees by blood: and that they are entitled to all the rights and privileges of Cherokee citizenship within the Cherokee Nation, and that they should be, and they are hereby

admitted to the full and complete enjoyment of the same in all respects as native born Cherokees.

D. W. C. Duncan, Clerk of Commission. } Thomas Tehee, President of Com. Alex Wolf, T. F. Thompson, } Commissioners.

I hereby certify that the above is a correct transcript of the decision of the Commission on Citizenship in the above entitled case as appears of the record in my office.

D. W. C. Duncan,
January 11th, 1883. Clerk of Commission.

Executive Department,
Tahlequah, Cherokee Nation,
January 11th, 1883,

I hereby certify that the within named Commission on Citizenship, composed of Thomas Tehee, President, Alex Wolf and T. F. Thompson, are now and were at the time the within named persons were admitted to Cherokee Citizenship, a duly authorized and Commissioned Commission on Citizenship, and that their actions as such are legal and binding.

Witness my hand the

Witness my hand and the seal of the Cherokee Nation, on the date above written.

John L. Adair,
Asst. Ex. Secretary.

United States of America,
Indian Territory,
Northern District,

I, Lewis T. Martin, a Notary Public in and for the Northern District of the Indian Territory, duly appointed, qualified and acting as such, do hereby certify that the above and foregoing two pages, consisting of this one and the preceding one which is attached hereto, is a true, complete, and perfect copy of the transcript of the judgment of the Commission on Citizenship as the same was presented to me during the examination of T. F. Thompson as a witness, and identified by me at the time by writing thereon "Exhibit A" to testimony of T. F. Thompson, L. T. M. - N. P. Oct. 4, 1900." The foregoing copy having been carefully compared by me with the said original.

Given under my hand and seal of office as such Notary Public, this 4th day of October, A. D. 1900.

(SEAL) (Signed) Lewis T. Martin.

Notary Public.

My commission expires Feb 3rd. 1902.,

D. F. C. Duncan being produced by the applicants after being sworn to testify to the truth, the whole truth and nothing but the truth testified as follows:

DIRECT EXAMINATION BY C. B. DENISON:

Q Please state your name, age, residence and occupation?
A My name is D. F. C. Duncan, my age is 70 years, my residence is Vinita, Indian Territory, my occupation is a farmer.
Q How long has that been your place of residence? A Since 1874.
Q Are you a member of the Cherokee Nation as it is now constituted?
A Yes, sir.
Q Upon what is your citizenship based, a Cherokee by blood?
A Yes, a Cherokee by blood.
Q In January 1883, did you hold any official position in the Cherokee Nation, if so, what was it?
A About that time I held the position of Clerk of the Citizenship Court or Commission.
Q If you remember the names of themembers of that Commission or Court, please give them?
A The President of the Commission was Tehee I believe, and a member by the name of Wolfe whose first name I don't recollect, and Mr. Thompson here.
Q T. F. Thompson?
A Yes.
Q Do you know whether those three members of that Commission were recognized citizens of the Cherokee Nation, and whether their citizenship was based upon blood or not?
A They were supposed to be citizens of the Cherokee Nation and their citizenship was based upon their blood.
Q Will you please look at the paper now handed you which the Notary has marked exhibit "A" to the deposition of Mr. T. F. Thompson, and a copy of which he will attach to Mr. Thompson's depositions, and state whether with the exception of the certificate of M. L. Dragdon, Clerk, and of John L. Adair Asst. Ex. Secretary, you recognize the paper as one you have ever seen before?
A Yes, I think I have seen this before.
Q When, and where, if you remember, did you first see that paper?
A This is a paper I drew up at the time I was acting as clerk of the said Citizenship Court.
Q Looking at its date, was it drawn at you at the time it bears date?
A To the best of my recollection it was drawn at the date specified.
Q Do you recognize the signature to the certificate attached to that paper?
A Yes, that is my signature.
Q State if you know, in whose handwriting the body of the paper is?
A It is in my handwriting.
Q And at that time you were Clerk of that Commission? A Yes.
Q Will you please look at the signatures of the members of the Commission as they appear on that paper, and state if you can, by whom they were written?
A I think the first two in my handwriting, the last I recognize that as T. F. Thompson's.
Q Explain please, how you came to write the signatures of Thomas Tehee and Alex Wolfe to that paper?
A Thomas Tehee and Alex Wolfe were full bloods and could not write, and in their presence, and at their request I wrote their signatures.

Q Was that the usual manner of certifying to the action of the Commission to applicants as to the decision of their application for citizenship, where admitted?
A In all instances where it was necessary for the Court to sign a paper of any kind it was adopted by that Court for the Clerk to sign Tehee's and Wolf's names and T. F. Thompson to sign his own name.
Q You didn't catch exactly my idea, but perhaps that answered it, what I intended to call you attention to, was whether when applicants had been admitted to citizenship a paper of this kind now shown you, signed by the judges as you have explained, and certified by you as a transcript of the proceedings was issued?
A My recollection is that a transcript of the judgment was issued to the applicant when they were admitted at their request, the judgment was entered upon the record when they were admitted and signed by the judges, and whenever the transcript was delivered to the applicants I think it was signed by the judges.
Q If you had any knowledge at the time the application of the Dawson family, F. M. and others whose names are mentioned in that paper, was pending before that Commission, or before or after, of any corruption or bribery, or attempted corruption or bribery of the Court or any of its officers, by F. M. Dawson, or any person connected in any manner with the claim of the Dawsons to citizenship in the Cherokee Nation, state it fully?
A I never heard a thing of the kind, I know nothing of the kind, all that I have ever heard about a question of that kind is what has originated recently, since the enrollment business has been inaugurated.

CROSS-EXAMINATION BY W. T. HUTCHINGS:

Q If as you certify, this paper was a transcript of the record, why did you have the judges sign it?
A I know no reason further than that was the practice at that time, the members of the Court being present I presume it was thought it would be as good or better than the signature of the Clerk.
Q Examine that signature of Mr. Thompson, examine the first T in his name and the T in Tehee's name and see if it is not all your own handwriting?
A No, I would not call that mine, there is a resemblance between the letters but I am satisfied it is a mere fortuity, accidant.
Q How was the evidence taken in those cases?
A It was taken by the witness being present and detailing his knowledge of the case, I wrote it down sentence by sentence as it was delivered.

Q Do you know whether that evidence is in existance or not?
A I do not, the last I saw of it was when I turned the records over to the Executive office at Tahlequah, and I have not seen it since.
Q You say you never heard any talk about this being an improper case until very recently?
A Well, that would depend upon what you mean by recently, I don't think I ever heard of it prior to three years ago, I can safely say that did not.

Q Do you remember through what ancestor they claimed their right to citizenship here?

Objected to by applicants because the question tends to elicit testimony which is wholly incompetent and irrelevant, and because it is not proper cross-examination.

A They claimed their right of citizenship through a man by the name of Rogers, I don't recollect his first name.
Q Do you know how many Rogers families there are who have citizenship in the Cherokee Nation?
A I do.

(Signed) D. W. C. Duncan.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT,

I, LEWIS T. MARTIN, a Notary Public in and for the Northern District of the Indian Territory, do certify that the foregoing depositions of T. F. Thompson and D. W. C. Duncan were taken before me at the time and place and in the action mentioned in the caption, and said T. F. Thompson and D. W. C. Duncan, having been first by me sworn that the evidence they should give in this matter should be the truth, the whole truth and nothing but the truth, and that their statements were reduced to writing by me on the typewriter in their presence; the claimants being present in person and by their attorney C. B. Denison, and the Cherokee Nation being represented by W. T. Hutchings Esquire its attorney,.

Given under my hand this 4th day of October, A. D. 1900.
(SEAL) (Signed) Lewis T. Martin.

Notary Public.
My commission expires 2/3/1902.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., April 8, 1902.

In the matter of the application of Francis Marion Dawson et al for enrollment as citizens of the Cherokee Nation,. He being sworn and examined by the Commission, testified as follows:

Q What is your name? A Francis Marion Dawson.
Q How old are you? A Soon will be sixty years old.
Q What is your postoffice address? A Afton now, it used to be Oceuna.
Q What was the name of your wife? A My first wife was Julia Ann Howard.
Q She was a white woman? A Yes, sir.
Q When were you married to her? A I think it was the 8th of January, 1864.
Q Where were you living at that time? A In Arkansas.
Q Who married you? A A man by the name of Dave Sturdy.
Q Was he a preacher? A Yes, sir.
Q A Minister of the Gospel? A Yes, sir.
Q Did you and she live together as husband and wife up to the time of her death? A Yes, sir.
Q Did you have any children by her? A Yes, sir.
Q What are their names? A Willie R. Dawson.
Q The next one? A Francis Marion Dawson Jr.
Q The next one? A Johnnie.
Q The next child? A Elizabeth.
Q The next one? A Arizona Allred.
Q Those are all the children you had by your first wife? A Yes, sir.

Joseph R. Dawson, being sworn and examined by the Commission, testified as follows:
Q What is your name? A Joseph R. Dawson.
Q How old are you? A I will be 51 the 18th day of June.
Q Are you related to the applicant here in this case, Francis M. Dawson? A Yes, sir.
Q How are you related to him? A Brother.
Q Did you know his former wife, Julia? A Yes, sir.
Q Is she living or dead? A She is dead.
Q Was she a Cherokee or white woman? A I couldn't say that: She they married in the states.
Q Do you know when he was married to her? A Yes, sir.
Q When was it? A About the close of the war.
Q Who married them? A Parson Sturdy.
Q Were you present when they were married? A Yes, sir.
Q Did they continue to live together as man and wife up until the time his wife Julia died? A Yes, sir.

John K. Stevens, being sworn and examined by the Commission, testified as follows:
Q What is your name? A John K. Stevens.
Q How old are you? A 56 years old.
Q What is your postoffice address? A Afton.
Q Are you acquainted with the applicant here in this case, Francis M. Dawson? A Yes, sir, as we call him, Bud Dawson.
Q How long have you known him? A My first acquaintance with him was in '61.
Q Did you know his first wife, Julia? A Yes, sir.

Q Do you know whether or not they were married? A Yes, sir, they were married.
Q Were you present at the marriage? A No, I wasn't present at the marriage.
Q Did you see them soon after their marriage? A Yes, sir.
Q Did you continue to know them for any length of time afterwards? I knowed them as long as she lived.
Q During the time you knew them did they live together as husband and wife? A Yes, sir.
Q Were they recognized in the community as such? A Everybody recognized them.

This testimony will be filed with and made a part of the record in the following Cherokee cases:
Arizona Allred et al D-835, John Dawson, D-580, William R. Dawson D-581, Lizzie Dawson D-584 and Francis M. Dawson Jr. D-588.

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I, the undersigned stenographer to the Commission to the Five Civilized Tribes, do hereby certify that I recorded the proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

(Signed) E. G. Rothenberger.

Supl.-C. D. #524.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 17, 1902.

SUPPLEMENTAL TESTIMONY in the matter of the enrollment of FRANCIS M. DAWSON, ET AL., as citizens of the Cherokee Nation:

The case having been set for final hearing March. 17, 1902, the following proceedings were had:

APPEARANCES:
Mr. A. S. McKennon, of counsel for applicants;
Mr. W. T. Hutchings, of counsel for Cherokee Nation.

Mr. Hutchings: Comes now the Nation on the calling of this case and announces that it is ready for trial, provided permission is given to hereafter examine before the Commission, either at this place or Fort Gibson, the witness S. H. Benge, who has been regularly summoned to attend at this day and time but who is too sick to travel at this time and probably will be for some time to come. As evidence of a good faith of the Nation we hereby present an affidavit of the facts sought to be proven by the said Benge. If the applicant's counsel are willing to concede that the witness if present would testify to the facts herein set forth, the Nation is ready to proceed to trial without reservation of any kind. If they are not it desires to reserve this privilege of hereafter, either tomorrow or otherwise, this case being set for to-day and tomorrow, of examining before the Commission, or its authorized officer, this witness as above set forth.

Mr. McKennon: Applicants object to the introduction of the paper presented and do not admit that the witness, Samuel H. Benge if present would testify to the facts therein stated. They consent and desire that the testimony of said Benge be taken before the Commission at its office in Muskogee but not elsewhere, and protest against it being taken at any other place, with the understanding, however, that when taken we have opportunity to introduce any evidence we may desire in rebuttal.

Mr. Hutchings:
The Nation will pay all the expenses of the opposing Counsel, their client and Commission officers in taking the deposition at Fort Gibson.

Commissioner Breckinridge: The allegations of this witness are material in their character and are quite tangent. The Commission of its own volition would acquire information of that character if it knew of its existance anywhere. While the functions of the Commission, as well known are in many respects judicial, yet it is bodied with somewhat complex powers, such as Congress creates from time to time to do business of certain character, and it is ordered to make a correct roll, which is a duty largely independent of hearing simply what is brought before them; it must be the architect and constructor of that roll and if evidence is not brought before [illegible] Commission it must go out and [illegible] it, to be uniform on [illegible] construction of the law. The Commission, therefore, desires this information independent of any counsel on either side both with respect to the applicant and to the Nation, and if this witness is

is not able to come one of the Commissioners will go to Fort Gibson and to his bed-side, or send a Proper official, if necessary to take his testimony. The only matter to consider, therefore, is one of convenience with respect to getting this testimony. Now, I understand that this witness is an extreme sufferer from Bright's Disease he is an old man and he may never be able to get out of the house, and it may be an injustice to him to subject him to a trip here, and therefore it seems to me better that counsel for plaintiff submit to a form of taking a deposition or else accompany an official of this Commission over to Fort Gibson and let his testimony be taken there.

After consultation with the attorneys upon the two sides it is found to be agreeable that the parties start to Fort Gibson tomorrow morning at half past eight o'clock, and it is agreed then and directed with an official of the Commission with a stenographer leave from the office of the Corrmission for Fort Gibson at 8:30 to-morrow morning.

FRANCIS M. DAWSON, the applicant, re-called for additional cross-examination on part of the Cherokee Nation:

MR. HUTCHINGS:

Q What is your name? A Francis M. Dawson.
Q Where do you reside? A In Afton.
Q You have been examined in this case heretofore, have you?
A I don't know which case it is.
Q In your own case? A Yes, sir.
Q Are you the one that is commonly called Bud Dawson? A Yes, sir.
Q You made the original application in the Dawson family for admission to citizenship in the Cherokee Nation, didn't you? No, sir; my brother.
Q What was his name? A A. E. Dawson.
Q You and Robert Dawson and Elbert Dawson and others applied September 24, '81, about that time? A Yes, sir.
Q And you were admitted about the 11th of January '83? A Yes, sir.
Q There were other members of your family that applied and were admitted after that time? A Yes, sir.
Q Do you or not remember the evidence offered in theirs to substantiate their cases was the relationship between yourself and Robert and others and the evidence of your admission by the Teh[illegible] Court. In all the subsequent admissions I mean the only evidence offered was the fact that you and your brothers had been admitted before and that they were kin to you; that was the only evidence offered in any subsequent cases, wasn't it; so far as you know?
A That is afterwards?
Q Yes, afterwards? A I think there was some other evidence introduced.
Q Don't you know that there was never any evidence offered in any other case except evidence of Dr. Baker of Arkansas? A Yes, sir.
Q Who else? A Oliver Miller.
Q Who was Oliver Miller; the records in this case have been somewhat destroyed and mutilated? A Oliver Miller lived in Arkansas.
Q What was he, who was he? A He is no kin to us at all.
Q Well, what station in life did he occupy; was he a farmer?
A Yes, sir, farmer.
Q Were you present when he testified? A Yes, sir.
Q Were you present when Dr. Baker testified? A Yes, sir.

Q Have you a fair recollection of the testimony of those two men?
A No, not at all.
Q You don't read do you, Mr. Dawson? A No, sir, I dont read nor write; I can barely write my name.
Q Do you think you would remember the testimony of Dr. Baker if your mind was refreshed on it? A Part of it I think.
Q Were you present when you were admitted? A I was not in the room.
Q You were in Tahlequah at the time? A I was in the town of Tahlequah at the time.
Q I will read this paer to you and desire for you to say whether or not it was the testimony of Dr. Baker in your case:
(Affidavit of Dr. Arthur Baker read to witness, and asked to be copied in the record later.)
Q Is that the correct transcript of the testimony? A It has been so long ago, I could not say; a part of it is, I could not remember it all.
Q Does that state the facts as to the family history correctly so far as you know about it? A So far as I know.
Q Now, you were a son of what Dawson? A Robert Dawson.
Q How many children did Robert Dawson have, and give me their names?
A Elbert Dawson, the oldest; Lila, Jesper, Francis Marion-
Q That is yourself? A Yes, sir; Elizabeth Dawson, Josephine Dawson, John Dawson, Joseph Dawson, Jane Dawson, James Dawson, Edna Dawson, Mollie Dawson, Wilburn Dawson.
Q Thirteen? (No response.)
Q Now, Rober Dawson's father was whom? A Sam Dawson.
Q Who was Sam Dawson's wife, your grandmother? A I have been told.
Q By family history is all you know? A She was called Polly Dawson.
Q Who was Anna Pruitt? A I don't know.
Q Never heard of anybody in the family by the name of Anna Pruitt? A No, sir, that was away back in the old country; I have heard talk about it, old Dr. Baker talked about it.
Q Your grand-mother's name was Polly Dawson? A Yes, sir; I don't remember seeing her but once, she died when I was small, died in Texas.
Q Pollie Dawson? A Yes, sir.
Q And she was known to be Pollie Rogers, her maiden name? A Yes, sir.
Q Daughter of Captain John Rogers? A Yes, sir.
Q Now, she died in Texas what time? A I don't remember.
Q Can't you guess at it? A Oh, I could guess.
Q Give your best recollection? A About '58 or '59, or no, '46 or '49; I don't say positive, just guessing at it.
Q How old a boy were you then? A I was born in '42.
Q Have you any distinct recollection of her? A No, sir.
Q Have you any recollection of all the children of Sam and Pollie Dawson; that is, your father, uncles and Aunts? I didn't see all of them.
Q Do you know by family history the names of all of them? A Yes, sir.
Q Will you give them to me?
A Betsy Ann Dawson, I believe her name was.
Q Did she marry a Petty? A Yes, sir; the next is Robert Dawson.
Q Your father? A Yes, sir.
Q Next one? A I think the next was James Dawson, and I think the next one was a girl, Edna Dawson.
Q Did he have two daughters? A Yes, sir.
Q Well sir? A The next one was Joe Dawson: I never saw him; Riley Dawson.

Q That is Samuel R. Dawson, Riley Dawson? A Yes, sir.
Q Any other one? A That is all I know anything about.
Q Did he have any child by the name of John? A Yes, Jack.
Q Didn't you get Jack misplaced with Joe? A No, it was Joe; I have heard my father speak of him.
Q Then they have seven children? A I never saw them all.
Q How many of them did you ever see? A I saw uncle Riley Dawson and James Dawson and Jack Dawson and Betsy Ann Petty; I don't think I saw but one of Pa's sisters and brother, they went to Mississippi I think.
Q Do you know what your family history says that the mother of your grandmother, Pollie Rogers' name was? A We have no history.
Q Well, as it was brought down to you; did you ever hear anybody say what your great grandmother's name was? A No, I don't remember.
Q What is that other man, Oliver Millerthat testified in your case? A He testified in James Dawson's case; he never testified in my father's case.
Q Well, didn't anybody testify in your case but Dr. Baker?
A Yes, sir, several other witnesses.
Q Who were they? A I don't remember; my mother got them witnesses around Tahlequah, old people.
Q Were you present? A No, sir.
Q You were only present when Mr. Baker testified? A Yes, sir.
Q Now, do you find any mistakes in Dr. Baker's statement there? A I could not say all of them was correct or not, part of it is correct.
Q What part is correct? A Why about knowing the family over there.
Q Who is Buck Dawson? A My brother.
Q What is his name? A We always called him Buck, it is Elbert, E. Dawson.
Q Who went with you the first time you went up to make application for citizenship do you remember? A With my brother.
Q The first time? A I met my brother in Texas.
Q Which one? A E. Dawson.
Q That is Elbert or Buck? A Yes, sir.
Q You were living in Arkansas? A Yes, sir.
Q And he was living in Texas? A Yes, sir, and another one of little brothers, Dr. Dawson now:
Q Dr. Dawson now? A Yes, sir.
Q What is his name? A James.
Q And you three went there? A Yes, sir.

Mr. McKennon: Applicants by their counsel object to all the statement of the witness relating to the testimony introduced before the Cherokee Citizenship Commission, and the history of the family as detailed by him, because the same is incompetent and irrelevant, and cannot be used for the purpose of impeaching the integrity of the judgment of said Commission, or either of the Commissioners in admitting members of the Dawson family.

Commission: The objection of the Attorney for the applicants to the testimony above will be noted. The same will be filed and noted for what it is worth.

(Attorney for applicants waives examination.)

C. H. TAYLOR, being, duly sworn, testified as follows on part of the Cherokee Nation:
MR. HUTCHINGS:

Q State your name? A C. H. Taylor.
Q Where do you reside, Mr. Taylor? A Near Coffeyville.
Q Were you an attorney before various citizenship Courts along in April to '8' in the Cherokee Nation at Tahlequah? A Yes, sir.
Q Were you attorney for F. M. Dawson commonly known as Bud Dawson? A Yes, sir.
Q Were you present at the taking of testimony in that case? A No, sir; I wasn't present.
Q Do you know who composed the court that decided the case at that time? A Yes, sir.
Q Who were they? A Tom Tehee and Alex Wolfe and Toby Thompson.
Q Do you know whether or not they were all there when the case was decided? A No, sir, there were only two of them present.
Q Which two? A Tehee and Wolfe.
Q Who was the Clerk of the Court at that time? A Mr. Duncan, D. W. C. Duncan.
Q Do you know that witnesses were used in the case of Bud Dawson? A No, sir; now I was the attorney in the case and the evidence had already been filed before the Court.
Q When were you made attorney? A I was only called in as an attorney at the— Well, Mr. Duncan came down there, and Mr. Bryant had the case and several other attorneys had the case and he employed me.
Q Did you read the evidence in this case? A No, sir.
Q Did you deliver any money? A Now, I was the attorney in the case and I don't think it would be right for me to make any statement.
Q Now, you have claimed your privilege, I ask that you answer the question? Did Dawson ever send you any money with the direction to pay it to either member of the Court or the Clerk of the Court, D. W. C. Duncan, and if so state the amount? A I had a heap of trouble over this matter.—

Commission: Just answer the question, Mr. Taylor.

A Being the attorney I don't believe it is right for me to answer that question.

Commission: Do you refuse to answer? A Yes, sir.

Q Did the matter to which you object to testifying occur prior to the rendition of the decision admitting to citizenship or afterwards? (No response)

COMMISSIONER BRECKINRIDGE:

Q Do you desire to reply to the last question? A I don't think it is right; I was attorney in the case.
Q Mr. Taylor, do you object to answering that question? A Yes, sir.
Q You refuse to answer that question, do you? A I had rather not answer it.

Q Either answer it or say you won't answer it? A I had rather not answer it.
Q Mr. Taylor, you have answered a number of questions down to this point, but it is at this point that you prefer to plead your privileges, as an attorney, do you? A Yes, sir.

Com'r Breckinridge: The power in regard to these matters is lodged in the United States. The Court is clothed with special power with reference to matters with arise through this Commission. Of course the Commission desires and the Government needs for the sake of a correct roll the fullest information possible, but it is subject to the limitation of law, and it is not for this Commission to decide of the law in a matter of this character with any authority as I understand it at this time, but to report the matter to the United States Court and let the Court pass judgment.

Under Section 21 of the Curtis law as it is commonly called Act of June 28,1898, the members of the Commission shall in performing all duties required of them by law, have authority to administer oaths, examine witnesses and send for papers and persons, and the court is clothed with authority to enforce obedience. The law having enumerated certain powers goes on to say so far as all others are concerned to enable said Commission to make rolls as therein required, and to punish anyone who may in any manner or by any means obstruct said work. Now, the Commission will report the facts to the United States Court and let the Court decide whether or not you are within your lawful privilege. It seems that you refuse to answer questions, or at least one question, which tends to establish as to whether or not you are claiming what what is commonly considered a matter of privilege--according to an authority referred to by an attorney, but the enforcement of an answer seems clearly to be a matter for the Court to deal with.

Q Now, Mr. Taylor, in regard to the last question asked you by Mr. Hutchings, one of the Counsel for the Cherokee Nation, I direct that you make answer, and if you refuse I shall report the matter to the United States Court: do you refuse? A Yes, sir.
Q Now, you have read to you, Mr. Taylor, the first of the two questions propounded to you by Mr. Hutchings, and which you declined at the time to make answer; viz; as to whether Mr. Dawson sent you money to pay to the Court or to any officials of the Court, it seems to come to the question as to whether there was any collusion between you and Mr. Dawson and any member of the Court; now, I understand that you refuse to answer that question upon the grounds that you were Mr. Dawson's attorney? A Yes, sir.
Q Now, I require that you answer that question, do you refuse?
A Yes, sir.
Q I shall also report that refusal to the United States Court as it seems to come under the provision of law, relating to conspiracy between you and Mr. Dawson which apparently considered a privilege matter, and you base your refusal now, not upon the ground that you are incriminating yourself, but that you were counsel for Mr. Dawson. I will report the matter to the Court and you will be informed at the time of any proceedings in the matter I caution you not to talk with Mr. Dawson or may of the applicants in this case.

Mr. McKennon: Applicants do not object and have not objected to the witness answering on account of his privilege as an attorney or for any other cause whatever, they only want to object to the incompetence and irrelevancy of the testimony, with the privilege of cross-examining upon any testimony given by the witness.

COM'R BRECKINRIDGE:
Q You still refuse having the consent of the attorneys in the case to make answer? A I will just ask your Honor to let the matter go over until morning.

Commissioner Breckinridge: It will rest until in the morning at its present status; it is after business hours now.

As for the objection made by Captain McKennon, Counsel for the applicant, it will be taken into consideration, but will not be passed at the present.
(The Commission adjourns until 1:30 P. M. to-day or afternoon, March 13, 1903.)

Supl.-C. D. #384.

Department of the Interior,
Commission to the Five Civilized Tribes,
Fort Gibson, I. T., March 10, 1902.

SUPPLEMENTAL TESTIMONY in the matter of the enrollment of FRANCIS M. DAWSON ET AL., as citizens of the Cherokee Nation:

Appearances:
Mr. A. S. McKennon, of Counsel for applicants.
Mr. W. T. Hutchings, of Counsel for Cherokee Nation.

SAMUEL H. BENGE, being duly sworn, testified as follows on part of the Cherokee Nation:
MR. HUTCHINGS:

Q State your name? A Samuel H. Benge.
Q Where do you reside? A Fort Gibson.
Q How old are you? A I am 70 years old, going in 71.
Q Are you a citizen of the Cherokee Nation? A Yes, sir; Cherokee by blood.
Q State what official position you have held in the Cherokee Nation and what your general connection with the Nation officially in the last 40 years? A Well, I had several; I have been Sheriff, Councilman, Senator, Delegate to Washington; had a hand in making the treaty of 1866, I am the only one living that signed that treaty; President of the National Council of different tribes of Indians.
Q Were you acquainted with F. M. Dawson, commonly called Frid Dawson? A Yes, sir; I knew him.
Q State you connection with and what you know about his citizenship case before what is known as the Thomas Tehee Citizenship Court? A Mr. Dawson come down, I was living down below here, he come and employed me to tend to his case and we went to Tahlequah, I believe if I ain't mistaken in 1881 and filed his case there; we went several times and continued his case on for the want of evidence, and finally while we was up there we run across one old darkey by the name of Tosh Rogers; we got his testimony and after we got that testimony we concluded that it was sufficient to go into the trial with. Tosh lived here at Fort Gibson, he was a horse trainer down here and stayed here; he claimed that he knew the Rogers and belonged to one of them and after that we thought we had sufficient evidence we submitted our case to the Court for trial, and the Court went to work and rendered a decision against Mr. Dawson.
I told Mr. Dawson right there that "our cake is dough", just made that remark, and he just made the remark "never mind", and next morning they taken up his case again and they rendered a decision in his favor. I filed no motion nor any evidence at all whatever; I give the case up right there and the decision was then given in his favor, and on our way back from Tahlequah, why we got to talking about the case and I told him: "it was a pretty hard blow when they rendered that decision against us." He said: "yes, but Duncan was the man to reach", but he reached him with five hundred dollars.
Q What position did Duncan occupy? A He was Clerk of the Court.
Q Duncan an educated man or—? Yes, sir; he was an educated man.
Q Who were the members of the Court? A Tom Tehee, Alex Wolfe and Tom Thompson.
Q How many of these could speak English at all? A One.
Q Which one? A Thompson.
Q Who was the Attorney that represented the Nation in those cases? A Wm Sanders.

Q What was his given name? A Wilson Sanders; was it Wilson Sanders?
A Wilson Sanders.
Q Was he an educated man, or could speak English well? A No, sir.
Q Did Mr. Dawson say anything about the matters having cost him a good deal of money? A He said it had cost him a right smart.
Q Was any remark made on the way back about the opening up of the case, and if so, what? A He asked me if I thought the case was ever investigated eventially and I told him I didn't know.

MR. McKENNON:

Q Were you ever a witness in the Dawson case, Judge, in any of those investigations that have been made since that time? A I don't know that you might call it a witness; that young man came to me once at Tahlequah, and asked me to help him up there that the case was going against him, him and his mother and all was about knocked out and I interceded and done what I could there before the committee. I was not a witness but that is what I don't for him.
Q That was Mr. Graham, wasn't it? A Yes, sir.
Q Have you had conversations with Mr. Grahan since that time about it? A Well, I might, I don't recollect, I might have had conversations with him.
Q Well, after the Dawes Commission began taking a census of the Cherokees and when they were about Sallisaw down here, did you have a conversation with him here in Fort Gibson about the matter?
A Now, I just can't tell you; I have seen him on several occasions, but the conversations we might have had I can't state.
Q To refresh your memory I will ask you if he did not tell you that they were making a fight on the Dawson family and he wanted to know of you whether that judgment in favor of Robert Dawson's family was fairly rendered, and did you not then tell him that it was all right, that it was fairly obtained? A Not as I recollect of; all he was; that is as I have stated he talked to me in regard to his mother, himself and probably his brothers and sisters, I don't recollect how many there were, but he told me they were rejected, that is just the words he used.
Q When? A It has been sometime ago.
Q Here in Fort Gibson? A Well, that is I saw him here in Fort Gibson, and then I saw him in Tahlequah.
Q Well, did he here in Fort Gibson ask you particularly about the Robert Dawson judgment, as to whether it was fairly obtained or not?
A No, sir; he was basing his claim on the Dawson case, that is the way he—
Q That is the principal Dawson family? A Yes.
Q When was this other written statement here made, when was this made by you? (referring to affidavit heretofore referred to.)
A Yesterday I reckon.
Q Who came to take this? A Mr. Starr.
Q Who else was present when this was taken? A No, sir.
Q How had you told about this matter, Judge? A No one as I know of.
Q Do you know how it was that they knew that you knew this?
A No, sir.
Q You never made any statement? A Never made any statement that I recollect of except I might have talked with Scales, he and him talked about these cases a good many times; if I ever made a statement it was to Joe Ab Scales.
Q How did Mr. Starr know? A I could not tell you how Mr. Starr knew.

Q He came alone here as a Notary Public? A He came alone here as a Notary Public. All he said when he come, he says 'we understand that you know something in regard to these cases', I said ' what case,' and he went to work and named Shoemake case and Dawson case.
Q And thereupon you made this tatement? A He said he wanted to qualify me.
Q Are you certain Judge that after the rendition of tat judgment Mr. Dawson came back here to Fort Gibson with you?
A Yes, sir; we was together.
Q Let me ask you if it was not a very cold day when he came here and he went over ahead of you and you went over to Tahlequah the next day or two after he left? A My recollection was he and I went together.
Q And returned here together? A Yes, sir.
Q Did he not leave you there and go back direct to Arkansas?
A No, sir, we came here together. If my memory serves me right, I might be mistaken but then I don't believe I am, he came from Webbers Falls up here to my house, that is according to his statement.
Q What amount of fee did they pay you? A I don't know as that is in connection with the case whatever the money they paid me.
Q How didthey pay you? A Paid me the money.
Q Who paid it to you? A Dawson there and that fealow, young fellow paid me some.
Q Mr. Grahar? A Yes.
Q At the same time? A Oh, no, he wanted me to intercede for him at Tahlequah and paid me to do something for him which I did.
Q I will ask you if Mr. F. M. Dawson here did not obtain two copies of the judgment one of which you sent in a letter in which you wrote to his brother living in Texas and that brother in Texas, the one they called Buck, didn't send you $50 that they paid you? A No, if I ever got a letter of Buck whatever you might call him, I don't recollect it and if I ever got a nickel from him I don't recollect it. Old man paid me what money I got from it. I don't know nothing about his brothers; he told me he had an uncle living over i Arkansas, but not living down in Texas, I don't know about it.
Q Where did he pay you the money? A Paid it here at home.
Q Before you went out? A He paid me fifty dollars before we went up and when we went up yonder he paid me fifty dollars more; if you want to know what I got, I got one hundredn dollars.
Q You were acting as his attorney in the case? A Yes, sir.
Q How many judges were there present when the judgment was rendered?
A In his case?
Q Yes, sir. A Well, according to my recollect there was all there, but if they were not all there, Tom Thompson was sick. Taher and Wolfe.
Q Don't you remember that they were all present? A No, I think they were present though.
Q Who else was present at the ime? A Oh, I could not tell you, there were several people in the house; could not tell you at all.
Q Were there several in the house the evening before the judgment was rendered against them as you say? A Yes, there were several in the house.
Q And several in the house when the judgment was rendered the next day? A I don't know how many there was.
Q Do you remember the names of any of them? A Why not exactly, mostly full bloods.
Q How long didyou remain out at Tahlequah on that trip?
A I guess I was there about three days.

Q Tending to this case alone, or did you have other cases? A No, sir.
Q Do you know of your own knowledge that the judges received any money (this question asked at the instance of Mr. Graham present) A I don't know whether the judges received nay or not.

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I, J. O. Rosson, do hereby certify upon my official oath as stenographer to the Commission to the Five Civilized Tribes that I correctly recorded the testimony had this day in the above case, and that the foregoing is a true and complete transcript of my stenographic notes thereof.

(Signed) J. O. Rosson.

March 18, 1902. Commission convened pursuant to adjournment.

Appearances;
Mr. A. S. McKennon, of counsel for applicants.
Mr. W. T. Hutchings, of Counsel for Cherokee Nation.

C. H. TAYLOR takes the stand and continues his testimony.

BY MR. HUTCHINGS:

Q Mr. Taylor, you said you would consider the matter yesterday and let us know whether you would answer those questions today: have you decided what you would do about the matter? A Well, it is like this, of course I don't want to be held as in contempt of the Court.
Q You would be held in contempt and the other Court would make you answer? A That being he case of course I would make a statement.
Q Are you acquainted with L. W. C. Duncan, the Clerk of what is known as the Tehee Citizenship Commission Court? A Yes, sir.
Q Did you ever have any conversation with him about letting him know of the different character of cases that would come up before the Court that you knew of, whether they were good ones or bad ones? A No, the only thi g that ever come up in that respect; he asked me if whatever large cases that would come up befor the Court to let him know.
Q Did you have any talk with him about the Dawson case during the progress of its trial or before and ever introduced Mr. F. M. Dawson to him, or carry him to him? A I spoke to him when Mr. Dawson came to Tahlequah to see about his case, and he said that he would take the papers over to his room, the Dawson papers.
Q Did you see him again that night? A Yes, sir; after supper I went down to his room.
Q Did he ask you about the Dawsons or Dawson case? A He asked me where Dawson was.
Q Which Dawson are you referring to now, F. M. Dawson, known as Bud Dawson? A Bud Dawson.
Q Well, what didyou reply to him? A I told him that I thought he had gone to church.
Q [illegible] A Yes, sir, he told me to come
Q [illegible] A [illegible]

Q Did you remain during the conversation? A Only a minute.
Q What was said if anything while you were present? A Mr. Duncan spoke to Mr. Dawson and says "there is a hitch in your evidence."
Q Go ahead and state what else he said? A He said "if that was straightened out it would be all right," and I turned and went away, I says, "gentlemen, I will go home."
Q Did you know of their having any other conversation or communication after that? A No, sir.
Q You left them there together yourself? A Yes, sir.
Q Did Mr. Dawson give you any directions the next morning about submitting the case? A Yes, sir, he asked me to call it up the case.
Q The next morning? A Yes, sir.
Q Had there been any additional evidence offered? A No, sir; there was not additional testimony offered.
Q He told you the next morning to call up the case? A Yes, sir.
Q Was it called up and submitted the next morning? A Yes, sir.
Q Now, how many of the members of the Court were there present that morning? A There were only two, two full-blood Indians.
Q Could they speak english at all? A Tehee could talk a little, talk some.
Q Did that Court have open sessions all the time or what is called executive sessions sometimes? A Well, I don't remember about that; it was generally when the case was submitted the attorneys would go out. The parties would go out and they would determine the case.
Q Well, did they go out into that sort of executive session the next morning on the Dawson case? A Well, we went out when the case was submitted.
Q And was the decision rendered that morning in their favor?
A Yes, sir.
Q Who notified you of the decision of the Court? A Why, Mr. Dawson.
Q Do you remember whether he went out with you or was in there during the consideration of the case? A I think he went out with me.
Q Did you at any time thereafter receive any money, checks or other evidence money from Mr. Dawson with direction to turn it in part over to D. W. C. Duncan, the Clerk of that Court? A Mr. Dawson gave me 20 dollars and said he would send the balance in a short time, said he would send some more money in a short time.
Q Well, did he send any money afterwards? A Yes, sir, in the course of ten days or two weeks he send a hundred dollar check, draft.
Q What did he direct you to do with it? A He directed me to give D. W. C. Duncan half of it.
Q Did you give him half of it? A Yes, sir.
Q Did he send you any at any other time after that? A Well, in the course of a couple of weeks he sent me a hundred dollars more.
Q Did he direct you to turn any of that and if so how much, to D. W. C. Duncan? A He told me to give him half of it,
Q Did you give him half of it? A I did, sir.
Q Do you remember whether on Dr. Arthur Baker was the principal witness in behalf of the Dawson case? A No, sir, I don't because I never had any connection with the case, but I heard that he was a witness in the case.
Q No argument was made when you submitted the case? A No, sir.
Q Just submitted it on the testimony? A Yes, sir.

MR. McKENNON:

Q Are you a citizen of the Cherokee Nation? A Yes, sir.
Q Were you born and reared in the Cherokee Nation? A No, sir: I was born in the old Nation.

Q When did you come to the Cherokee Nation? A Come here in 1355.
Q How long have you been practicing law in the Cherokee Nation?
A I think since '68.
Q You have done a great deal of citizenship business haven't you?
A Yes, sir.
Q You were in the United States Court at Fort Smith on charges in regard to the citizenship business? A Yes, sir.
Q Were you convicted there? A Yes, sir; I was convicted there on this very case.
Q And served a term of what length? A I was sent to the jail hospital for sixty days and I stayed in about 38 or 39 days, and I was released.
Q When was that? A I don't remember how long ago it has been.
Q You say it was in regard to this case? A Yes, sir; this case was the bone of contention; Clem Rogers and the Chief, they are the ones that had me arrested, carried to Fort Smith.
Q Well, now, were you charged with an offense against the law in this case, or was it in regard to some other case? A Well, it was in regard to using the mail for fraudulent purposes.
Q Sending out propositions and obtaining case for citizenship for people [illegible] Cherokee Nation? A No, sir, it was for answering correspon[illegible]
Q Not relating to this case at all? A Well, this was the main charge, Clem Rogers went before the Court there and stated that I had got in at least three hundred Dawsons, that they were white people and not entitled to citizenship and that was the main trouble.
Q Well, now, was the charge based upon that or was it based upon your letters you sent out to other people? A That was the charge for using the mail for fraudulent purposes.
Q The use of the mails for fraudulent purposes not in connection of this case was it? A Not particular of this case.
Q Then the trouble you had was the prejudice of Clem Rogers and others caused by your connection with the Dawson case; that is what you mean to say? A Yes, sir.
Q Why did you say because you were charged with an offense based upon this case? A Well, the prejudice grew out of this case.
Q Now, then, you had full conversation with the representatives of the Cherokee Nation as to your testimony in this case, did you not before you came on the stand? A Yes, sir.
Q You had told them of these particulars before you came on the witness stand did you not? A Yes, sir.
Q Yet when you came on the stand you assumed to have conscientious scruples as to answering as to matters which occured between you and your client, Bud Dawson, in relation to this matter and declined to answer claiming your privilege as an attorney did you not? A Yes, sir; I didn't want to make a statement at all in the matter.
Q You had voluntarily made a statement to the representatives of the Cherokee Nation? A Yes, sir; I had stated to Mr. Hastings; he questioned me and I come down here and I didn't want to make a statement to him but he insisted.
Q He had no power to compel you to make a statement? A No, sir.
Q You could then make it very freely and your conscience did not hurt you, but when you came on the stand you became very conscientious about it? A I didn't want to make a statement at all unless I I would be put in jail here if I didn't.
Q But you had armed them with information by which they could ask you these questions when you came on the stand? A I had told Mr. Hastings.

Q You knew when you gave him that information that you would be brought on the stand as a witness, did you not, by reason of that? A No, I didn't know that I would be compelled to make a statement in the matter, a sworn statement.
Q You thought you would not be compelled to answer?
A I didn't think the law would compel me to make a statement.
Q Why then did you make a statement to him about it? A Oh, he was asking me about it, and I told him that I didn't want to make a statement, and I didn't for quite a while after I came down here.
Q When the enrollment division of the Dawes Commission was in Tahlequah, in the winter of 1900, did you not there meet F. M. Dawson and did you not then and there say to him "I told Shoemake I would be for him if he would employ me in his case and if he didn't I would be against him, and the came to you?" A No, sir; I said to him this; I says that if there is not something done that I will likely be summoned against you and Mr. Shoemake both.
Q What did you mean by that? A Well, I just meant this, I just left the matter with him to say what he wanted to do in the matter; I only spoke a word or two about it. I was going out of town just as he came in.
Q When you told him if something was not done you would be summoned as a witness against him; what did you mean by that? A Well, I just meant that the chances were that the Nation would summon me against him.
Q What did you mean by the expression "if there was not something done" that you would be summoned as a witness?
A Well, I meant this, if I was re-employed in the matter if he was to have a case and I was re-employed I would not be required.

Q You could be required to make a statement as to declarations made to you by your client to you in one instance, but if a little more money was put up you could not be required to make a statement; is that what you mean? A I didn't think I could be forced to make a statement at all in the matter.
Q Why did you make that expression to him "if something wasn't done you might be summoned as a witness" if you believed you could not be made to make a statement? A I meant if I was employed in the case.
Q If he would put up you would not testify? A That they could not force me to testify.
Q About the month of February, 1901, in the town of Wagoner, Indian Territory, did you not send your son to get Graham to come to the hotel at night, and did you not then and there say to Gid Graham; "you people are on the doubtful list and if you will give me $500, I will make it all right and see that you are enrolled and if you don't I will se that you don't get on"? A No, sir; I got a letter from Gid Graham in which he asked me to certify that the case was all right and after I met him I told him that I could not do it, that the case was crooked, he then said to me, he says, "I will give you a hundred dollars", he says "will you take a hundred dollars," I said "no, sir." I didn't make any bid, that is I didn't set no price with him.
Q You did not say to him then what I have embraced in that question there? A No, sir.
Q You did have a conversation with him about that time and at that place, did you not? A Yes, sir.
Q You say you didn't make any bid or set any price? A No, sir; he offered me a hundred dollars.
Q Why did you send for him to come to the hotel? A In answer to his letter.

A Did you not K yesterday morning on the street in Muskogee, Indian Territory, in a conversation with W. H. Shoemake say to him: "You have made a great mistake in not keeping in your employment and so have the Dawsons and it will go hard with you and you will see it"? No, sir; I says to Mr. Shoemake, I says: "Who have you employed in your case," and he says "Judge Pruner and Mr. Owen." I said "It might have been a advantage to you if you had retained me in your matter;" Well, he says "there was nothing wrong in my case" and I says "no, there is nothing wrong on earth in your case that I know of." He said all he wanted was justice and I said "I don't know a thing on earth against you," and I says "there is not a thing on earth wrong in your case as I know it came up fairly and squarely and decided in your favor."

Q You said nothing to him about the Dawson case? A Yes, I said to him "it might have been well if the Dawsons had retained me in their case." I said "I am summoned on the part of the Nation and I don't want to make a statement and I want if I can possible avoid it."

Q Was that before or after you talked with Mr. Hastings, the representative of the Nation? A It was afterwards.

Q You meant by that if you had refused to answer you would have gone to jail? A No, sir; it they had employed me before hand I mean't not now.

Q You mean that if they had employed you before hand you would not have given this information to Mr. Hastings? A I would not be required, being the attorney.

Q Were you required to give him the information; did you know that you had to give him any information? A Who do you mean.

Q Mr. Hastings. A I did refuse him and he insisted.

Q Well, he no authority to compel you to do it? A No, sir; I don't know whether he did or not.

Q As a lawyer you knew that he did not have authority to compel you to make a statement to him? A I told him that I was an attorney in the case and I didn't want to make any statement at all.

Q Why did you do it? A Well, he intimated to me it would go no further. He said to me "I will not make this matter — I will not use it;" that is, what I stated to him was part in confidence.

Q And he pledged you his word that it would not be used? A Well, told him I could make a statement in confidence, and that I didn't want to make a statement before the Court.

Q Well, what did he reply, as you said just now? A Oh, he says make the statement and then I told him—I regretted very much to do it, and I regret very much to make a statement here. I tried to avoid it yesterday.

Q You stated just now that he said it would not be used; did he say that or not? A Well, something to that amount; oh, he says it won't make any difference or so with me, to that effect.

Q Now, don't you know that Mr. Hastings did not intimate to you that the statement he was making you to make would not be used? A Well, I didn't think that I could be forced to make a qualified statement before the Court here, because I thought my license would protect me in that matter.

Q Yet it did not protect you or prevent you from making a statement to the attorneys for the Nation? A No, sir.

Q Now, in this conversation with Shoemake to which I have referred did you not ask him to again employ you and tell him if he would you would make it all right for him? A No, sir; I didn't say that; no, I said if he had employed me in the matter "maybe it would have been better for you." Now, he offered me when I was down here last week, he offered me five dollars to go down and talk to the lawyers on the matter, I didn't go I was busy.

Q That was not your price? A No, no, I had nothing to say in his case that would be to his advantage; I knew nothing against him.
Q Now, then, you say that your were present on the morning that the judgment was rendered in favor of the Dawsons? A I was not in the Court house.
Q You were present in Tahlequah? A Yes, sir.
Q How long had you been at Tahlequah? A I was living there at that time.
Q When were you first employed by them? A By Dawsons?
Q Yes, sir. A The evening before the case was tried.
Q You say that after he judgment was rendered Dawson handed you $20? A Yes, sir.
Q And told you to hand to Duncan? A No, sir.
Q What was your statement? A That he paid me $20 and says "I will send you some more in a short time, week or so.
Q And then he sent you $100? A Yes, sir.
Q And wrote you to give D. W. C. Duncan $50 of it? A Yes, sir.
Q And then sent you another $100 and told you to give him half of it? A Yes, sir.
Q How much did they pay you? A Well, that was the agreement, was that he would pay me $50 a family.
Q How much did he pay you? A I think there was $250; now I not sure about the $50, but it appears to me like there was a $50 sent, and Mr. Duncan asked me, as well as I remember, says "have you got a letter from Dawson," I told him "yes, sir." It was either that or the $100, and he says "I would like to have some money", and I went to Stapler's and got it changed-- I won't be sure about it being $50 or $100--I went to Stapler's and got him to cash the check and give him his part of it.
Q How much did they pay you for your services? A That is all I got.
Q How much? A I think it was $100, $120.
Q What did you do for them? A Didn't do a thing; only called up the case and submitted it; never read the evidence.
Q Submitted it without remarks? A Yes, sir.
Q And for that you say they paid you $120? A Yes, sir; $120.
Q Was Houston Benge present when that was done? A No, sir; I don't think he was.
Q Did you see him then at that time in Tahlequah? A I don't remember.
Q Were you associated with him in any manner in connection with the case? A No, sir.
Q You had a great deal of business of that character, have you before the Courts? A Yes, sir.
Q Were you paid like fees in other cases for like services? A Yes, sir.
Q In many of them? A Yes, sir, good many.
Q All like cases? A Oh, citizenship cases.
Q When was it you were in jail at Fort Smith? A I don't remember; Mr. Kellette can remember, he was there, he was my attorney.
Q Was it about 1893? A It was somewhere along there, along in 1890 somewhere.
Q That has been your principal business as a lawyer, has it not? A Yes, sir.
Q You have never practiced much in any other way have you? A Very little.
Q Were you in the habit of working your cases through in the same manner in which you state you worked this through? A No, sir.

Q This was an exception was it? A I never worked this case through. I simply called the case up by request of Mr. Dawson. I read the evidence; don't know what proof there was in it; he just asked me to call the case up.
Q And he agreed to pay you $50 a family for doing that? A Yes, sir.
Q Was that what you required of him? A That is what he agreed to pay. I says "what will you give?" He says "I will give you $50 a family.

MR. HUTCHINGS:

Q At the same time that the attorney for the Nation was talking to you about the Dawson case he also made inquiries about the Shoemake case didn't he? A Yes, sir.
Q And you told him at that time before you knew anything about whether you would be made or compelled to testify that so far as you knew there was nothing you knew detrimental to the Shoemake case? A Yes, sir; that is what I said.
Q You told him at the same time that you not only expected to claim you privilege as an attorney in the case, but that you told him, Mr. Hastings, with the full belief that the Court would sustain your position? A Yes, sir.

Mr. McKennon: That is very leading.

Q Now, did you think that the re-employment, being the attorney in the pending case would strenthen your position or weaken it, when you spoke to Mr. Dawson? A What I thought in the matter was before ever I would be summoned in the matter, a long time ago, that if I had been employed in the matter of course my position would have been such that I would not have been required or could not have been forced.
Q Did you think under those circumstances that Mr. Hastings would approach you about the subject? A No, sir: I don't think I would be forced to, having license to practice law.
Q Did Mr. Hastings tell you at the time that he was going to put you on the stand? A Yes, sir.
Q And let the Court decide? A Yes, sir.

MR. McKENNON:

Q Now, have you a license to practice in the United States Courts?
A Yes, sir.
Q In the Territory? A Yes, sir.
Q And also in the Indian Courts? A Yes, sir; do you want to see them?

JAMES W. LEWIS, being duly sworn, testified as follows on part of the Cherokee Nation:

MR. HUTCHINGS:

Q State your name please? A J. W. Lewis.
Q James W. Lewis? A Yes, sir.
Q Where is your postoffice, Mr. Lewis? A Afton.
Q How old are you? A 73 years old.
Q What is your business ? A I work at the tin business and gun work.
Q Do you know one James Dawson, the brother of F. M. Dawson and the other Dawsons? A I know old man James Dawson.
Q That is the one I mean, old man James Dawson? A Yes, sir; I know him.
Q How long have you known him? A Well, some four or five years, I guess.
Q How long? A Four or five years I think.

Q When did you come to the country? A I have been in the country 70 odd years.
Q Well, when did he come to the country, do you know? A Along about somewheres in eighty if I recollect right, might have been later than that.
Q How did you happen to get acquainted with? A He lived right close by me and I built a house for him.
Q Did you have any conversation with him at the time you built that house? A Yes, several different times.
Q About how he became a citizen of the Cherokee Nation, about the circumstances? A Yes, sir.
Q Did he make any statement to you about the use of money in getting his citizenship, and if so, state what he said?
A Well, he told me that it cost him $700 to get his rights.
Q Didn't tell you to whom he paid it? A No, he didn't and I didn't ask any questions.

MR. McKENNON:

Q How old was he at that time, do you know? A I do not know exactly, must have been somewheres near about 70 years old, he might have been older than that, I don't know.
Q He was a very old and feeble man? A Yes, he was old and feeble.
Q He seldom ever got out away from his house? A No, sir, only short distance.
Q When you first knew him he was that kind of man? A Yes, sir.

J. L. CLINKENBEARD, being duly sworn, testified as follows on part of the Cherokee Nation:

MR. HUTCHINGS:

Q State your name? A J. L. Clinkenbeard.
Q What is your post office address? A Vinita.
Q How old are you? A 56.
Q Were you ever an applicant for citizenship before the Tahlequah citizenship Court in Tahlequah? A Yes, sir.
Q About what time was that? A September '81, I think.
Q Did you meet there about that time, one Elbert or Buck Dawson?
A Yes, sir.
Q How did you happen to meet him? A He and I stopped at the same place, man's by the name of Sharbow.
Q You and he stopped there, did you, board there? A Yes, sir.
Q Well, did you have any talk about citizenship cases, yours and his? A
Yes, sir.
Q Where did he state that he was from? A Texas.
Q Well, state what you can remember of the conversation between you from time to time about citizenship in the Cherokee Nation?
A Well, we were there on the same business and we talked about it at different times, and in talking about the evidence we had there I, of course, told him how many witnesses I had and what I could prove and so on, and he said that he didn't have but one witness, Dr. Baker from Arkansas, a man that was 85 or 90 years old, he said, and he hadn't come and said he was to have got him there, but he hadn't come.
Q Well, what did he say about the doctor's knowing anything?
A Well, he said a man 85 or 90 years old and didn't know straight no.
Q Well, did he say anything about giving him whiskey?
A Well, he said he could give him four drinks of Arkansas whiskey and he would swear that black was white.

Q Did he say anything about what money would do in Texas or Indian Territory? A Well, in talking about the evidence, he said that money was what made a case go down in Texas and he said "I come to get the law of the land" and he says "I find out it goes here," or words to that effect.
Q Did he say what he had to spend on the question? A Well, he said that he could stand a thousand dollars on it and not be hurt very much; finally he said he could stand more than that.
Q What did he tell you what he thought about the necessity of witnesses anyhow? A Well, I don't know as he said as to that, but I understood from what he said that he thought money would beat witnesses.
Q Well, where did he go from there? A He and I left there together; he came to Muskogee by way of Fort Gibson and there we parted.
Q Did you ever see him after that? A I saw him about two years or something like that afterwards.
Q Where? A Vinita.
Q Did you refer to the citizenship matter? A I asked him how he come out and he said all right.
Q Was he deformed in any way this man? A He had a crippled hand or stiff finger; I don't remember just what it was now.

J.H. McKENNON:

Q Your first conversation with him was in '81 was it? A Yes, sir.
Q What time in '81? A September.
Q You were then an applicant for citizenship? A Yes, sir.
Q Were you admitted? A No, sir.
Q You are still an applicant? A No, sir.
Q You are still working to get in as a citizen of the Cherokee Nation? A No, sir; haven't quit it entirely.
Q What business are you in now? A I am running a dairy in Vinita.
Q When did you make these statements now to the representative of the Cherokee Nation? A Well, sir, I haven't; I saw Mr. Hastings I believe here last Saturday the first time.
Q How did they ever know what you had had these conversations with Mr. Dawson? A I don't know.
Q You don't know how they found that out? A No, sir.
Q You say you saw Mr. Hastings here last Saturday? A Yes, sir.
Q Now, did you approach him or did he approach you? A He approached me.
Q You know why? A No, sir; I suppose somebody I have told something at some time about this, I don't know when or who. I don't remember of having talked to anyone about it. I have saw Mr. Hastings for years.
Q Now, you say—now was that expression about his giving Dr. Baker three or four drinks of liquor? A He said the old man; he said that Dr. Baker, he was expecting him there and he didn't come, and he said he didn't care where he died or not; he said he was 85 or 90 years old; he said he didn't know straight up; said he could give him three or four drinks of Arkansas whiskey and he would not know black or white.
Q Now, he said that did he? A Yes, sir.
Q You are just as positive of that as you are of any other statement he made are you? A Yes, sir.
Q You say you next saw Dawson at Vinita? A Yes, sir.
Q How long afterwards was that? A About two years, I think something near that.
Q Did he move to the Territory? A Yes, sir; he lived at Vinita at one time.

Q You speak about having a dairy business there at Vinita, to what extent? A I am only milking about four cows now, I sent the others to the country.
Q Do you run a dairy wagon there? A No, sir.
Q You serve on the jury a good deal? A I have been serving on the Petit jury there this winter.
Q Generally? No, sir.
Q Are you a kind of a professional juror? A No, sir; I was on the regular petit jury, I was on the regular panel and served.

C. C. BRAUGHT, being duly sworn, testified as follows on part of the Cherokee Nation:

MR. HUTCHINGS:

Q State your name? A C. C. Braught.
Q What is your age? A 62 29th day of last January.
Q What is your post office? A Fairland.
Q How long have you been living in the neighborhood of Fairland? A Been living there 19 years.
Q Do you know one Bud Dawson or F. M. Dawson as his name is? A I do.
Q How long have you known him? A About 13 years.
Q How close to you live from him? A Half a mile of him.
Q Does he still own that place? A I think he does.
Q Were you an applicant for citizenship along about '81 or '2 at Tahlequah? A Yes, sir.
Q Did you have at any time a conversation with Bud Dawson about his and your citizenship cases? A Yes, sir.
Q State what he stated to you of citizenship cases in general and about his own in particular, you can state the time that you had these conversations as near as you can? A Well, I think it was in '83, he told me if I ever got in I would have to put up; he said it cost him $700 to get in; he said he paid one witness three hundred dollars.
Q Did he state the name of that witness? A No, he did not.
Q Who did he say he made arrangements with? A He said he made arrangements with the Court; that is, heads of families to get them in at one hundred dollars apiece.
Q Do you know what time of the year tht was, whether it was in the summer or not? A I think it was in June.
Q Did he make any other statements to you at any other time? A No, sir, I don't think he has in regards to that matter.
Q You have been living neighbors with him? A Yes, sir.

MR. McKENNON:

Q You say this was about June of '83? A I think it was in June, 1883, I won't be positive whether it was June or not.
Q You were an applicant; were you admitted? A No, sir.
Q Have you been admitted? A No, sir.
Q You are still an applicant? A Yes, sir.
Q Still trying to get in? A Yes, sir.
Q Where was this conversation had? A Had at Bud Dawson's house.
Q What part of the premises? that is, in his residence? A Yes, sir.
Q In the house? A Yes, sir.
Q Who was present? A There wasn't anybody present; he just built the house and there wasn't anybody there.
Q Was there more than one room? A I won't be positive but I don't think there was but one room, log house.
Q Just one room? A Yes, sir.

Q And in that room he made this statement to you? A Yes, sir.
Q He and you are enemies are you not? A No, I don't think we are enemies.
Q You are not friendly at all? A Friendly part of the time, and part of the time we ain't.
Q Haven't you had considerable trouble about the lands between your farms? A No, sir; we ain't had any trouble.
Q Didn't you have his little boy arrested recently for a difficulty? A Yes, sir.
Q And you say that you are not on bad terms with him? A Why we speak, have conversation, have right right along all the time.
Q Is it not a fact now that you and he have been all the while at outs? A No, sir.
Q You don't have any unkind feeling towards him? A No, sir.
Q What were your other remarks? A I said no, sir, I didn't have any unkind feeling towards him.

(It being 5 o'clock, the Commission adjourns until 8:30 o'clock to-morrow morning.)

March 19, 1903.
Commission convened pursuant to adjournment.

Appearances:
Mr. A. S. McKennon, of Counsel for Applicants.
Mr. W. T. Hutchings, of Counsel for Cherokee Nation.

C. C. BRAUGHT, re-called, further testified:

MR. McKENNON:

Q Mr. Braught, you were a claimant under the Watts family are you not? A Yes, sir.
(witness excused.)

CHARLES D. KENNEY, being duly sworn, testified as follows on part of the Cherokee Nation:
MR. HUTCHINGS:

Q State your name? A Charles D. Kenney.
Q What is your post office? A Dawson now.
Q Are you a citizen of the Cherokee Nation? A Yes, sir; supposed to be.
Q Recognized as such are you? A Yes, sir.
Q How old are you? A There is no family record, my parents died when I was young, I just guess at my age, I am somewheres between 44 and 45 years old.
Q Were you personally acquainted with one Elbert or Buck Dawson? A I knew Buck Dawson when I saw him.
Q Did you know him in the state of Texas, if so state what time? A I knew Buck Dawson, knew him and saw him at different dates in Texas.
Q Well, in the year '81 in Clay County, Texas, did you ever see him? A It was in '81 or 82. I think I knew him in both years.
Q Did you ever have any conversation with him in the presence of Bill Smith, Miles Pilgrim and Joe Pleston about his application for citizenship in the Cherokee Nation? A Mr. Dawson and [illegible] were talking in regard to grass down there below Ardmore one time and

it was mentioned, I was going up on the strip and Buck Dawson says "he an Indian" and Jiles said "yes, he is an Indian", and "By God," I believe is the way he spoke, "if I was an Indian I would not be punching cattle, I would have stock eating my grass."
Q What did he say about making application? A He said he was going to the Chickasaw Nation and prove up and get him some grass.
Q Who was that? A Buck Dawson.
Q Well, did anybody suggest about his going to the Cherokee Nation? A Yes, sir, I told him, I says "why don't you go to the Cherokee Nation, why don't you go up home" I believe is the way I spoke it, "up amongst God's people;" and he says "are they all white like you?" and Jiles spoke up and says "majority of them."
Q Well, what did he say to Jiles then? A He says "let's go up Jiles", just in a whole crowd of cow punchers, and Mr. Flippin says "Hell, I am going; brother John is getting ready to go now."
Q Well, then what did he say to you? A He says "Who are your best lawyers up there, Kenney," and I told him "Hooley Bell was counted the brainiest man in our country."
Q Well, do you know whether he claimed to have any Indian blood or what he was claiming in that country, whether white man or Indian? A No, sir, I could not say what he was; he was generally known down there as Buck Dawson, a citizen of the State of Texas, that is all I know of him.

Mr. McKennon: The applicants object to all of the testimony of this witness because it is wholly incompetent and irrelevant.

Mr. McKennon:
Q Were you born any nearer in the Cherokee Nation? A I can't tell you where I was born; I was raised here part of the time and in Ross County, Texas. B. W. Alberty was my guardian.
Q Were you admitted to citizenship by the Council or Court? A I think both of them passed on me; I can't tell you the date.
Q About what time? A It was sometime in '80 though.
Q What tribunal first? A I don't know; I don't know either when I was admitted, I was re-instated at Council.
Q When? A I think it was in '87 or '88.
Q Haven't you been arrested for crime and charged with crime? A Well, I didn't know that I was on trial; I have been arrested a hundred times I guess from here to the Rio Grande.
Q For what offense? A For gambling, stealing; if I am on trial I have had lots of them, I have been on the road.
Mr. HASTINGS, of Counsel for Cherokee Nation;
Q Were you ever convicted? A No, sir.

Mr. McKennon: Applicant makes further objection to the testimony of this witness on account of his criminal character stated by him.

THOMAS B. HARBART, being duly sworn, testified as follows on part of the Cherokee Nation:
Mr. HUTCHINGS:

Q State your name, [illegible] A [illegible]
Q [illegible]
Q [illegible]
Q Are you a citizen by blood? A Yes, sir.

Q Did you know one James Dawson? A Well, yes; I did; I have seen him time or two.
Q Were you in Tahlequah about the time he had an application before the Spears or Snake Puppy Citizenship Court? A Yes, sir; I was there about the time the case was settled.
Q Did you know Aaron Butler? A Yes, sir.
Q Who was he? A He was a Cherokee Interpreter for the Court.
Q Do you know James Smith? A Yes, sir.
Q Who was he? A He was the Nation's attorney before the Court.
Q Well, did you about that time have a conversation with either Aaron Butler of Jim Smith in company with Mr. James Dawson? A Yes.
Q State the full particulars of it? A About that time this man Dawson and Butler come to me while they were all together, all three of them, and Butler come and called me off to one side, that was down at a colored church, it was after dark, and they called me off there and this man Dawson borrowed some money from me, he said he had to have it that night, his case was going to be submitted the next morning.
Q Well, did he say anything about whether he could get his case submitted if he had some none? A Well, from the language to me and Butler, he wanted this money; Smith had agreed to submit the case without further evidence in the matter.
Q Well, did you let him have the ten dollars? A Yes, sir.
Q Where did they go then? A They walked off up towards town.
Q Did they go together, those three? A Yes, sir.

MR. McKENNON:

Q Was that James Dawson, the leading applicant in that case?
A Yes, best of my recollection that was.
Q How old a man was he? A I don't know; I could not tell you; he looked, I don't know, he might have been—could not tell you just about how old he was.
Q Well, about how old was he, 35, 30 or 40? A Yes, he was older than that, from my judgment I guess he must have been 45 or 50 years old.
Q Is he living or dead? A I don't know.
Q Where have you been living? A I have been living down here near Tahlequah.
Q What was the man's name, Dawson's name? A Jim Dawson I think.
Q You are certain of that? A Yes, sir; I am pretty certain.
Q They came to you with Smith, the Prosecuting Attorney, and Butler, the Interpreter? A Yes, sir.
Q Dawson took you off to one side? A Butler took me to where Dawson was and introduced me to Dawson and vouched for Dawson being all right for the money.
Q When did you first make a statement of this matter to anybody?
A I guess—I don't remember when.
Q How long have you been in Muskogee this time?
A I have been here since, I was summoned here last Friday.
Q Did you ever make any statement to anybody about this before that time? A Yes, I talked to Butler about it.
Q When? A Oh, about, first I remember it was been about two years ago, and Butler was talking to me about it; it was at my house.
Q Were you born a citizen? A Yes, sir.
Q You weren't admitted to citizenship by the Courts or Council?
A No, sir.
Q You have been living in the Cherokee Nation all your life?
A Well, I was born and raised here; I haven't been here all the time; I have been out and in.

Q You have never seen that man Dawson since? A If I have I have never known it, but I seen him the next day.
Q You saw him and took a good look at him, and knew about what kind of man he was? I saw him around there about several times.
Q You think he was about 35 or 40 years old? A That would be my guess at it, my recollection.

Mr. McKennon: Applicants object to the testimony of this witness, all of it, because it is wholly incompetent and irrelevant.

DELIA A. BREWER, being duly sworn, testified as follows on part of the Cherokee Nation:
MR. HUTCHINGS:

Q State your full name? A My husband's name was O. P. Brewer, but generally I sign my name Mrs. D. A. Brewer.
Q What was your full maiden name? A Delia A. Vann; well it was really Delilah but I never was called by that name, it was De altogether in my young days.
Q What was your father's name? A His name was Joseph Vann.
Q Was he called by any nicknames and if so how many, and what? A None but the Cherokees, the full-bloods called him Joe Aney.
Q What does that name mean when you talk English? A Rich Joe.
Q Did any of them call him Big Joe Vann? A I don't know; he was a large man; larger than the other Joe Vann.
Q There was another Joe Vann? A Yes, sir.
Q Did your father have any sisters and brothers? A He had quite a number of sisters.
Q Did he have a half sister? A Had two half brothers.
Q Did he have a half sister? A Had several half sisters.
Q Who did they marry? A Different persons; I knew the names of all of them but I have a bad memory, but I know that there was one, a Mrs. Ibbie Wolfe, and Mrs. Lamer, she was first a Mrs. Nicholson and she became a Mrs. Lamer and lived in Alabama and never come to this country, but she has grandchildren in this country.
Q Well, did any of your father's sisters or half sisters ever marry a Rogers? A No, sir.
Q Never had any Rogers kin-folks? A No, sir, I certainly would have heard of them through my family, there was a great many of the kin-folks I never saw, but I heard of them.
Q The Dawson case was talked of here for many years, they claiming kin?
A I never knew until I understood they claimed to be kin to the Vanns, and I flatter myself that my family was prominent enough that they never claimed kin.
Q They never claimed kin at all? A No, sir.
Q Did your father ever had a sister or half sister by the name of Annie, Anna or Alsey? A No, sir.

Mr. McKennon: Applicants object to all the testimony of this witness because it is incompetent and irrelevant.

SAMUEL TOLLIVER DAWSON, being duly sworn, testified as follows on part of the Cherokee Nation:
MR. HUTCHINGS:

Q State your name? A Samuel Tolliver Dawson.

Q What relationare you to the Dawsons? A Well, I am not acquainted with none of these Dawsons, I guess I am cousin, that is what he told me.
Q Who was your father? A Samuel Riley Dawson.
Q What did you say your father's name was? A Riley Dawson.
Q Do you know what his full name was? A Samuel Riley Dawson.
Q What children had your father? A Why, he had got, you mean his first children or his whole family?
Q I want all of his children? A I don't know, I will have to count a while on them, there was nine or ten of them.
Q Just one or two of them I care for; is Mrs. Lewis your sister?
A Yes, sir.
Q Your full sister? A Yes, sir.
Q Was she a daughter of S. R. Dawson, Jr.? A Yes, sir.
Q Now who were the parents of your father, , Samuel Dawson?
A Why Sam Dawson was his father.
Q Sam Dawson was his father? A Yes, sir.
Q What was Sam Dawson's wife, if you know their family history, that your father said or what your grandfather said? A I have heard that she was a Pruitt, my father said; of course I don't know.
Q What was her given name? A Annie.
Q Did you ever see your grandfather, Samuel Dawson? A Yes, sir.
Q Saw him? A Yes, sir.
Q Do you know about how old he was when he died? A He was somewhere up about 90.
Q About how old were you when your grandfather died? A I don't remember exactly how old I was, I must have been somewhere near 12 years old when my grandfather died.
Q Was your father his youngest child? A Yes, sir.
Q Do you know about when your father was born? A Well, no, I don't, he died in '90 and he was 67 years old.
Q He died in about '90 and was about 67 years old when he died?
A Yes, sir.
Q And he was the youngest child? A Yes, sir.
Q Now, do you know how many children your grandfather had , that is brothers and sisters of your father? A I heard him say seven.
Q Well, did you ever hear your father or grandfather speak of whether or not your grandmother was a white woman or an Indian?
A Well, I heard my father speak about it, I don't know what I ever heard my grandmother say anything about it.
Q Well, what did he say about it? A I have heard him say his mother was not an Indian.
Q Did you fathercome here and apply nce for citizenship?
A Yes, sir.
Q Was he admitted? A I think not.
Q Did you hear him make any statements about he ground he expected to get in? A He said his brothers had proved their rights here and if his brothers had any rights he did, but I don't know.
Q Well, in that connection did he say whether his mother was an Indian or white woman? A Never heard him say that his mother was a white woman in speaking about that, I don't know whether he said anything about that or not; I have heard him say his mother wasn't no Indian.

Mr. McKennon: Applicants object to the testimony of this witness because it is wholly irrelevant and incompetent.

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(Taking of testimony continued by Stenographer M. D. Green)

---oooOOOooo---

I, J. O. Dawson, do hereby certify upon my official oath as stenographer to the Commission to the Five Civilized Tribes that I correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

(Signed) J. O. Dawson.

---oooOOooo---

(Continued the testimony taken by Steno. J. O. Dawson.)

March 16th, 1907, at Muskogee, I. T.

Appearances:
Mr. A. S. McKennon and Mr. Bellamie, attorneys for the applicants.
Mr. T. T. Hutchings, and Mr. [illegible], attorneys for the Cherokee Nation.

ELLA BRANNIES, being first duly sworn, [illegible] testified as follows:

DIRECT EXAMINATION BY MR. HUTCHINGS:

Q What is your name? A Ella Brannies.
Q What was your maiden name? A Ella Lawson.
Q What is your father's name? A Samuel Riley Lawson.
Q What was your father's name? A Samuel.
Q What was your grandfather's name? So far as you know, Mrs. Brannies, my story? A Her maiden name was Annie Priett.
Q Then your father, if I understand you, was the son of Samuel Dawson and Annie Dawson, nee Priett? A Yes, sir.
Q And your father have a brother named Robert, and a brother named [illegible]? A Yes, sir! that is as I was told.
Q And had a sister named Mrs. Petty? A Yes, sir.
Q And another one named Mrs. McGee? A Yes, sir.
Q And another brother named John? A Yes, sir.
Q What relation are you to Mrs. A. S. Lewis? A Sister.
Q Did you ever see your grandfather, Samuel Dawson? A Yes, sir.
Q You have a distinct recollection of him? A I, yes, I can remember him, but I was a small.
Q About how old were you you [illegible] your grandfather died? A About 6.
Q Was your father's birth recorded in the family Bible? A Yes, sir.
Q You know whether your grandfather's record of marriages and births were recorded in any Bible or not? A I [illegible], but we never got it.
Q What became of it? A Got burned.
Q Well, about what year do you remember that your father, Samuel [illegible] born? A I believe it was '23.
Q In 1823? A Yes, sir.
Q And how old was he when he died, if you recollect? A He was [illegible] 64 and '7.
Q Did you ever hear your father speak of his relations, his father and mother, as to whether they were white people or Indians? A Yes, sir, they were white people.

Q. You know whether in the family you grandfather was spoken of by the name of Annie, always? A Yes, sir.

BY MR. McGUIRE: Applicants object to the testimony of this witness because it is wholly irrelevant and incompetent.

ALEX S. LEWIS, being first duly sworn and being examined, testified as follows:

BY MR. HUTCHINGS:

Q State your name? A Alex S. Lewis.
Q What is your post-office? A Denson, Indian Territory.
Q How old are? A 59 years.
Q What was your wife's maiden name? A Elizabeth Female Denson.
Q Who was your wife's father and mother? A Her father was Samuel P. Denson and her mother was the wife of Samuel P. Denson, did you ever hear maiden name?
Q Well, if you know, the maiden name of your wife's mother, state how you know it? A Well she was called Margaret, her Creek name was Annie Pruett.
Q The maiden name now of your wife's father's mother? A The maiden name of my wife's father's mother?
Q Yes, sir? A Pruett was her husband's mother-in-law was Annie Pruett.
Q What was the name of your wife's father's father? A My wife's grandfather on her father's side, Samuel Denson.
Q And his wife's maiden name was Annie Pruett? A Yes, sir.
Q Did you ever talk with Samuel Denson, your wife's grandfather? A Yes, sir.
Q Personally? A Yes, sir.
Q What opportunities had you to become acquainted with him? A He lived with his youngest son, my father-in-law, and visited me, my wife and I, after we were married, a good bit; quite a while; I lived near my father-in-law and he visited very often.
Q When did he die? A '74.
Q Have you any particular method of recalling that date? A Well, I was away from the house when he was taken sick, and they sent for my wife and myself, and so when I got home my wife had gone to her father's to see her grandfather, he was sick, and I remember my first wife was a baby at that time.
Q And when was your first child born? A He was born December, '77.
Q You know how old your wife's father was when he died? A My he was up in 60, but I don't remember his age.
Q Did the old man Samuel Denson ever tell you his age? A Yes, sir, several times.
Q How old was he at the time of his death? A He was past 94.
Q Did he ever tell you whether or not his wife Annie Pruett had a sister or brother? A Told me she only had one brother named Bob Pruett.
Q Have any of the members of the family named their children after him? A Make it a little plain, it is a little long; my wife's oldest brother was a particular favorite of his grandfather, and he always took this boy with him everywhere, and named one of his,- eldest child for his brother-in-law as a particular favorite of his grandfather; as well as for him I understood.
Q So, it is his name? A Of course I don't know why he named it, but he gave him the name of Robert Pruett, and I understood it was on account of his grandfather thinking so much of Robert Pruett.
Q Did you ever hear the old Samuel Denson speak of his brother-in-law? A Yes, sir; I have heard him say that he missed he knew what had become of Bob Pruett, he never had heard of him for a long

time; didn't know where he was, or whether he was alive or not.
Q Now, I want the children of Samuel Dawson and Annie Pruett, how many of them did you know, first? A How many did I know personally?
Q Yes, sir? A John James, and Samuel R. Those were the only ones of his children that I remember personally.
Q Well, remember what you know of the family, who other children did he have? A Well he had two girls, as I understand the family history, he had two girls, first, and John Dawson was the third child, and the oldest boy was John Dawson.
Q Was John Dawson the oldest boy? A Yes, sir.
Q Which was the oldest girl? What is she known by now? A I think it was Mrs. Petty, nee Bettie Dawson.
Q And John Dawson was the oldest boy? A Yes, sir.
Q And Samuel R. Dawson was the youngest boy? A Yes, sir.
Q You know anything about the time John Dawson was born, have you any way of coming at it, the oldest boy? A Yes, sir, I know what the oldest son and his wife told me.
Q What was that? A They said he was born in 1811.
Q Who was his oldest son? A Toliver H. Dawson; told me his father was born in 1811.
Q Do you remember now whether the old man had occasion to say whether his wife, Annie Pruett was an Indian or White woman, or ever said anything about it? A I know that the old man said that she was, I don't know that I ever heard the question approached in that way, I have heard him speak as to her blood, but it was in a different way that he reached it.
Q What blood did he say she was? A Well he said that she was the daughter of Mrs. Pruett, a white woman; and that her father was Captain John Rogers, a white man who lived with the Cherokee Indians, and traded with them.
Q Did he say who Captain John Rogers afterwards married? A Said he had a wife in the Cherokee Nation.
Q But that Annie Pruett was not her child? A No, sir, she was the child of Mrs. Pruett.
Q A white woman? A Yes, sir, that was the half sister of Bob Pruett.

BY MR. McKENNON:

Applicants object to all of the testimony of this witness, because it is wholly incompetent and irrelevant.

Q Did ever you apply for citizenship here? A Yes, sir; for my wife.
Q When? A My father-in-law made the application, I don't know exactly when it was, I think probably about '86, I couldn't say as to the date.
Q Before the Cherokee authorities? A Yes, sir.
Q Did he file an application before the Dawes Commission in 1896 also? A Him.
Q Yes, sir? A I don't think he did, no sir.
Q Did you? A I did.
Q On account of your wife? A Yes, sir.
Q Did you make affidavit to that application? A No, sir.
Q Who did? A I don't know, don't remember now.
Q You applied for your wife as an Indian by blood did you not? A Yes, sir.
Q Are you still an applicant? A No, sir.
Q Is she? A No, sir.
Q She was denied was she? A Yes, sir.
Q Was there an appeal taken from that? A Application was filed if I remember, before the Dawes Commission, and they rejected the case, and then I appealed it to the District Court, and it was rejected there and then I stopped.

Q Have you ever been arrested for any crime? A Yes, sir.
Q What? A Charge of murder.
Q Anything else? A No, sir.
Q Committed on the train? A Yes, sir.
Q In a train robbery? A Yes, sir, in a train robbery.
Q How long did you remain in jail? A Appealed the case to the Supreme Court, and it was reversed and sent back, and I was acquitted on that charge.
Q That all the crime you were ever charged with? A Yes, sir.
Q Haven't you been having some trouble with the Dawson family? A Well me personally I have no trouble with any of them, there is one of my boys and one of W. A. Dawson's sons-in-law had some trouble.
Q You are not friendly with the Dawson family? A That son-in-law Mr. Wooley, and myself, don't speak, and I don't think his wife speaks to me either.
Q Well you are claiming some sort of lease on the Wooley farm, aren't you? A No, sir, I don't claim any lease on the Wooley farm.

B. W. ALBERTY, being first duly sworn, and being examined, testified as follows:
BY MR. HUTCHINGS:
Q State your name? A B. W. Alberty.
Q What is your post-office? A Tahlequah.
Q What is your present official position in the Cherokee Nation? A Assistant Executive Secretary of the Cherokee Nation.
Q As such have you charge of the citizenship records and books etc. of the Nation? A Yes, sir.
Q Have you made search recently for the original records in the various cases of the Dawson family before citizenship courts in Council? A Yes, sir.
Q Have you got what records you found with you? A I find what's supposed to be the original papers in the case, all that I could find. (Produces papers and hands to Nation's attorney.)
Q Where did you find these papers? A I found them in the desk in which papers of that character are filed away in the Executive Office at Tahlequah. (Applicant's attorneys examine papers produced by witness.)
BY MR. HUTCHINGS: The Nation here introduces in evidence an envelope marked No. 108, the names on the back of it are Robert, Elbert, Jasper, John, Frances, Marion, Josephine, Joseph, Jane, Mollie, Wilburn, James, Rial Dawson, versus the Cherokee Nation; the envelope and its contents.

BY MR. McKENNON: To the introduction of all of which the applicants object, because it is wholly incompetent and irrelevant.

The envelope above introduced by the Cherokee Nation is indorsed as follows:

"No.108, Rob. Dawson, Elbert Dawson, Jasper Dawson, John Dawson, Francis Marion, Josephine Dawson, Joseph Dawson, Jane Dawson, Molly Dawson, Wilburn Dawson, James Dawson, Real Dawson, vs Cherokee Nation, Petition for Citizenship, filed Sept. 24, 1881. Admitted Jan 11th, 1883, D. W. C. Duncan, Clerk." In pencil: "Robt Dawson."

The said envelope contains a document as follows:

"Office of Commission on Citizenship,
Cherokee Nation, Tahlequah, January 19th, 1883.

No. 108 Robert Dawson, "et al."
vs.
Cherokee Nation.

Testimony for Claimants.

Witness:

Dr. Baker sworn testified as follows. My name is Arthur Baker I reside at Berrivill, Arkansas, Carroll County, My age is 73 years, I am not a Cherokee, I lived in the Cherokee Nation about three years when I first came to Arkansas I have been acquainted with him since he became a citizen of Carroll County some thirty five years (line drawn through the last three words.) 35 years at My Mother's house near Calhoun I became acquainted with the claimants Robt Dawsons grandmother on mother's side, she was frequently at My mother's house; though she Anna Pruit lived in the Nation side. She claimed to be a half sister to Big Joe Vann, also claimed to be half Cherokee; the first time she brought the clairant's mother to My mother's house she the claimant's mother was about grown, when I was a lit le boy she called her daughter Polly Rogers said Capt. John Rogers who ran a boat up the river was the father of the child; I saw the girl frequently there at My mother's and there at Louis Rowses Store I saw her occasionally until I was 15 or 16 years old and I think then Old Capt John Rogers took her off to school. I saw her no more from the time Old Capt. John Rogers took her off till I saw her here in Arkansas the wife of Old Samuel Dawson. I stayed all night there and she and I had a talk over our old matters, and I asked her when she became acquainted with Dawson and she said at the time she was going to school. And she said after she left school that Dawson followed her home to the Nation and they were there married. I have told that precisely in the words she used.

Capt John Rogers claimed to be one fourth Cherokee, the claimant is the son of Polly Rogers and I know Polly Rogers to be the daughter of Anna Pruet, and I know the claimant to be the son of Polly Dawson Capt Rogers then resided in the Cherokee Country about twelve miles from Calhoun on the Hiawassa River.

Anna Pruet resided in the Cherokee Nation as long as I stayed there the Dawsons when I got acquainted with them Arkansas were recognized where they were as Cherokees, Robt Dawsons children is Buck, John, Marion, and two girls; the children named in the petition I recognize as being the claimants.

Question by Solicitor:

Ques. 1 How many children did Polly Rogers have?
Ans. 1 Five, I think that's all.
Ques. 2 Did you say something about someone being married twice?
Ans. 2 The claimant was married twice.
Ques. 3 Could Anna Pruet speak Cherokee?
Ans. 3 Yes she could speak it well
Ques. 4 Did Polly Rogers speak Cherokee?
Ans. 4 She could when she was young.
Ques. 5 How far did you live from Anna Pruet?
Ans. 5 Just across the river about 3/4 of a mile.
Ques. 6 Was Calhoun in the Cherokee Nation?
Ans.6 It was on both sides of the river, part in the Nation and part out in the State.

Ques. 7 Which Harnage was it went to Texas?
Ans. 7 George went first then John went they were the sons of old man Harnage that lived up here near the line.
Ques. 8 Did the claimant go to Texas?
Ans.8 No the claimant didn't go to Texas.
Ques. 9 What connection was claimant and Polly Rogers?
Ans. 9 The claimant is the son of Polly Rogers Marion here is the grandson of Polly Rogers.
Ques. 10 Where does claimant now live?
Ans. 10 He lives in Carroll County, Arkansas.
Ques. 11 Do you know what relation old Captain John Rogers was to Charlotte Rogers here in Coowescoowee?
Ans. 11 They claimed kin but what kin I dont know there were two Capt. John Rogers' in the Nation I am speaking of the time when I first came to this 1830 Country about the year 1830.
Ques. 12 Was Anna Pruet the raiden name of Claimant's grandmother
Ans. 12 Yes that was her raiden name the Indians called her Sinee.

his
(signed) Arthur. A. x Baker.
mark

Witness' hand paralyzed is the reason he signs by a mark thus "x". "

The above document is indorsed on back as follows;

"Certified copy of Affidavit, Arthur A. Baker in Dawson case, Robt," Decided by the Tehee Court in 1883. A. Riley Dawsons Step daughter a white woman married a white man, named August Bulaska."

BY MR. HUTCHINGS: We further introduce envelope N. 131, of E. Dawson for his grand-children, versus the Cherokee Nation, and its contents, to-wit: The Petition and affidavit of F. M. Dawson, and the testimony of Joseph Dawson.
(Hands papers referred to to applicant's attorneys.)

BY MR. McKENNON: To the introduction of all of which the applicants object, because it is wholly incompetent and irrelevant.

The envelope above introduced is endorsed as follows:
"No.131. E. Dawson vs the Cherokee Nation. For his grand children. Petition for citizenship. Filed Sept. 14th, 1883, D. W. C. Duncan, Clerk of Com. Decided Sept.13, to be Cherokees.

The contents of said envelope are as follows:

"Office of Commission on Citizenship,
Tahlequah, Cherokee Nation, Sept. 14, 1883.

E. Dawson,
No.131. vs for his grand children,-
Lulu Dauthett,
Dallas Dauthett,

F. M. Dawson for Claimant introduced sworn and in open Court testified as follows:
My name is F. M. Dawson. Am a Cherokee by blood reside in the Cherokee Nation am 30 (40 written over it) years old.

I saw the Claimants, Lulu Dauthet and Dallas Dauthet in Vinita, and know them to be the grandchildren of my brother E. Dawson who is a recognized Cherokee by blood. L. M. Dauthet, the father of the Claimants, Lulu and Dallas is a white man Dauthet's wife the mother of Lulu and Dallas was a Cherokee, the daughter of my brother E. Dawson, she is now dead. The oldest of these applicants is about 9 years old. I have known them about 8 years. These children is now living with their father, One is a girl, the other is a boy. I had been acquainted with her mother all her life. If she had been now living she would have been about 28 years old -- She has been dead about 4 years as well as I can recollect, She was about 17 yc rs old when she was married

his
(signed) F. M. x Dawson,
mark

Office of Commission on Citizenship,
Tahlequah, Cherokee Nation, Sept. 14, 1902.

No.181 F. Dawson
for his grand children
Lula Dauthett
Dallas Dauthett

Joseph Dawson introduced for Claimants, sworn in open Court testified as follows:

Jos. Dawson, I am a Cherokee live in the Cherokee Nation, am 31 years old.

Lula Dauthett and Dallas Dauthett, the Claimants are Ch rokees. Fannie Dawson was their mother. Fannie Dawson was a Cherokee, that is what I was always told. Her father was E. Dawson. E. Dawson was my brother. Mrs. Dauthett is not living now: the last time I saw Lula, and Dallas Dauthett, they were in Texas. But I have heard since that they are in the Cherokee Nation. E. Dawson recognizes them as his grandchildren and I have known them ever since they were born.

By Solicitor:

Lula is about 10 years old. The Dallas is about 5 or 6 years old. I heard that their father is now at Vinita Cherokee Nation, E. Dawson is Albert Dawson. Th applicants' mother has been dead about three or four years. She died at Millsboro, Texas.

I was not present when their mother and E. Dawson had eight children to the best of my recollection, or 9. Fannie, Francis, Catherine, Mattie, Mrs. Britt Worsh, Bert, Ella. All living but two, Fannie and Smith. They are all living in Texas when I left there. I am a brother to F. M. Dawson, we are full blood Cherokees. My father has been admitted to Cherokee Citizenship by this Court.

his
(signed) Joseph x Dawson,
mark

To the Commission on Citizenship,
Tahlequah, I. T. Sept. 13, 1902.

E. Dawson for grandchildren,
Lulu Dauthett,
Dallas Dauthett,
vs
Cherokee Nation.

Now comes E. Dawson petitioning for the Cherokee rights of his grandchildren, Lulu Dauthett & Dallas Dauthett, by virtue of their Cherokee blood, which was derived from the

Dawson family, who is acknowledged Cherokees by admission of your Hon. Court, at its last session in January, 1893, in view of the facts ask your Hon for a speedy and favorable consideration of our claims.

(signed) M. Dawson for grand children,
By C. H. Taylor."

This last document is indorsed on back as follows: "No. 181, Petition of Lula, Bartlett & Dallas Dawson, for Citizenship Filed Sept 14, 1893, D. W. C. Duncan, Clerk."

BY MR. HUTCHINGS: Now we desire to introduce the judgment in the case of S. R. Dawson, and others, of the Commission on Citizenship, found on page 20, of Record Book B, of the Citizenship cases in the Cherokee Nation, said book having been turned over to and now in the custody of the Commission; the judgment being dated April 26th, 1889.

BY MR. McKENNON: To the introduction of which the applicants object, because it is wholly incompetent, immaterial and irrelevant.

Record above introduced is as follows:

"Office of Commission on Citizenship,
Tahlequah, C. N. August 11th, 1887.

Docket No.		Names,	Age	Sex	Post Office,	Attorney
	1	S. R. Dawson,	66		Catoosa,	
	2	Parlee Dawson,	44	female		
307	3	America J. Dawson,	35	"		
	4	Katharine J. Dawson,	33	"		
	5	J. G. Dawson,	31	male		Bell &
	6	Elina F. Dawson,	29	"	Applicant for	Bryant.
	7	Toliver Dawson,	27	"	Cherokee Nation.	
	8	Eva Dawson,	20	female		
	9	Fanny Dawson,	18	"		
	10	John Riley Dawson,	11	Male	B.	
	11	Robert E. Dawson,	9	"		
	12	Claud Dawson,	7		Ancestor	
	13	Cleveland Dawson,	3		John Rogers	

-- filed August 11th, 1887."

In red ink written along Age column is the following: "Rejected April 26, 1889."

"Now this day comes the above case for final hearing, Samuel R. Dawson, bases his application for readmission to citizenship in the Cherokee Nation upon the ground that he is the son of Samuel Dawson a white man, Polly Rogers the alleged daughter of Captain John Rogers and Chilsey Pruitt, said to be a half sister of Joseph Vann, commonly known as Rich and who were of Cherokee blood. It is admitted that John Rogers and Chilsey Pruitt died before the roll upon which their names would appear if living at the time and specified in the 7th section of the Act of December 8th, 1866, creating the Commission on Citizenship, were made but in support of the application it is urged that certain members of the Dawson family and full brothers of the applicant were re-admitted to citizenship by the Commission on Citizenship commonly known as

"Two Tehee Court", and the "Spears Court", and are now residing as citizens in the Cherokee Nation. In the opinion of this Commission the sufficiency of the considerations which determined the decision of those Commissions of the testimony now introduced to authorize the admission of the present applicant is not relivent to the issue now pending. The 7th section of the Act of December 8th, 1886, before named provides, that "The Commission shall give a hearing to any person applying for citizenship in the Cherokee Nation upon the ground of Cherokee blood or descent, but such applicant must be a person, or the lineal descendant of a person whose name appears upon the census rolls of Cherokees taken by the United States," As are hereafter enumerated. Neither the name of the applicant nor that of the person of whom he claims to be a lineal descendant appearing upon eitherof said rolls the Commission adjudge and decree that Samuel R. Dawson and family are not entitled to re-admission to citizenship in the Cherokee Nation as Cherokees by blood. This opinion includes the cases of Andrew J. Dawson, James K. P. Dawson, Jounnah Barber nee Jounnah Dawson and Jane Queen, nee Jane Dawson, and their families, as enumerated in their respecti e applic tions.

(signed) Will P. Ross,
Chairman.

This April 26th, 1889.
(signed) D. L. Williams,
Cl'k Com'n."

(signed) R. Bunch, Commissioner,
John E. Gunter, Com'nr.

BY MR. HUTCHINGS: The Nation now introduces the envelope in the case of James K. P. Dawson, and the contents, being the original testimony in the case of E. Dawson; also the judgment in said case, found on page 116, in book C., containing the records of the Citizenship Commission of the Cherokee Nation, the date of said Judgment being April 26th, 1889; this book being also in the custody of this Commission.

BY MR. McKENNON: To the introduction of all of which the applicants object, because it is wholly incorpetent, irrateria and irrelevant.

The envelope above introduced is indorsed on back as follows:

"Name, James K. P. Dawson, APPLICANT FOR CHEROKEE CITIZENSHIP. Address, - - - Age, - - Years, - - Roll of 1835, Ancestor, Riley Dawson, filed the 5 day of Oct. 1887, Docket 980, Book C Page 116, Testimony on Journal - - Page - - - Decision of Commission Rejected 26 day of April 1888
Rejected."

The contents of said envelope are as ollows:

"A. J. Dawson, et al.,) Office Com. On Citizenship,
(vs) Tahlequah, I. T. Sept. 27th, 1887.
Cherokee Nation.)

E. Dawson, who bein duly sworn, upon his oath, deposes and says as follows, to wit:

I am a citizen of the Cherokee Nation and reside in Coowescoowee Dist. and am 55 years old. I am acquainted with the applicant, Andrew J. Dawson, he claims to be a relation of mine. I have known him personally about three (3) years. He said his father was Joe Dawson. I know the party, the applicant, from circumstances, and have no doubt but that he is a realtion of mine.

Joe Dawson, the father of the applicant was my father's brother. Joe Dawson was considered to be a Cherokee, I think he died on the Hiwassee river in Tenn. I think he had four (4) children. I never saw any of them but Andrew J. Dawson, and Jim Dawson.

-Cross Ex.-

Joe Dawson has been dead about 35 years he lived west of the Mississippi River, I understand. My father had four brothers. I don't know how long Joe Dawson had been living in Tenn. before he died. All that I know of the applicant being the son of my Uncle Joe Dawson, is from what he himself has told me, - My grandfather, Sam Dawson was a white man. The applicant could be of the Dawson name and not be related to me- My grandfather being a Dawson and a white man.

Attest:
Connell Rogers,
Clk. Com. on Citizenship."

This document is indorsed on back as follows:
"Testimony of E. Dawson in case A. J. Dawson."

The judgment above introduced, and found on page 116 of Book C of the Dockets of Cherokee Citizenship Commission, is as follows:

"James K. P. Dawson,
OFFICE COMMISSION ON CITIZENSHIP.

Tahlequah, Ind. Ter., Oct. 5, 1887.

Docket No.	Names	Age	Sex	Post Office	Attorney
1	James K. P. Dawson,-		male		
2	William A. Dawson,				
3	Richard A. Dawson,				
939					C. H. Taylor.

Applicant for
Cherokee Citizenship,
Census Rolls 1835
Ancestor,
Riley Dawson.

vs.

Cherokee Nation. "

In red ink along age column are the words: "Rejected April 26, 1889."

- - - - - - - - - - - - - -

"Adverse to Claimant.
See decision in this case in that of S. R. Dawson in Book (B) Page 20.
This April 26, 1889.
D. S. Williams,
Clk Com.
Will P. Ross,
Chairman.
J. E. Gunter, Com."

BY MR. HUTCHINGS:

The Nation desires to introduce the original envelope and its contents in the case 19c, of Rebecca Dawson, being the application and judgment in the case, also the judgment as copied into the record, Book C, on page 144, the date of said judgment being August 28th, 1889.

BY MR. HASKELL: To all of which the applicants object, because it is wholly incompetent, immaterial and irrelevant.

The envelope just introduced is indorsed on the back as follows:

"1896. -- Name Rebecca Dawson, APPLICANT FOR CHEROKEE CITIZENSHIP. Address Emmet, I. T., Age 48 years, 1835, to 1852, Roll of 18-- Ancestor Moton, Filed the 5 day of Oct 1887, Docket 1017 Book C Page 144, Testimony on Journal- Page - - Decision of Commission, Rejected 28 day of August 1889. Submitted by Mr. Ramsay, Aug. 28, 1889." R"

The contents of said envelope are as follows:

"APPLICATION FOR CITIZENSHIP.

To the Honorable Commission on Citizenship:
Gentlemen:- The undersigned, your petitioner, this day makes this her application for re-admission to citizenship in the Cherokee Nation, in accordance with the Constitution, and with an act of the National Council approved December 8th, 1886, creating your Commission, And respectfully makes the following statement of the grounds for this, her application, to-wit:

That Rebecca Dawson is the Grand Daughter of one Moton, who the undersigned firmly believes was enrolled upon the Census Rolls of Cherokees by blood, citizens of the Cherokee Nation, taken and made in the years 1835,-48 - 51 - 52.

The undersigned hereby presents the above facts as the lawful grounds for this application for Cherokee citizenship by blood, and respectfully awaits the time when Application shall be duly heard and tried in accordance with the aforesaid law.

Age, 48 years; Postoffice, Emmett, Ohio. No. family with their relationship attached is as follows:

No Name Sex Age Relationship.

In Witness Which application I hereto set my hand on this 28th day of October 1887.

(signed) Rebecca Dawson.

Boudinot & Ramsay,
Attorneys."

- - - - - - - - - - - -

"COMMISSION ON CITIZENSHIP.
Cherokee Nation, Ind. Ter.
Tahlequah, August 28th, 1889.

Rebecca Dawson)
V. S.
Cherokee Nation.) The above case was called and submitted by

Rasmus without evidence the Commission decide that Rebecca Dawson, Age 48 yrs is not a Cherokee by blood a d are not entitled to citizenship in the CherokeeNation Post Office Emmet Penne - - I. T.

(signed) WILL P. ROSS,
Chairman,
J. E. Gunter, Com."

- - - - - - -

The judgment found in Book C, Records of Commission on Citizenship, Cherokee Nation, page 144, is as follows:

"Rebecca Dawson.
OFFICE COMMISSION ON CITIZENSHIP.
Tahlequah, Ind. Ter., Oct. 5th, 1887.

Docket	No	Names	Age	Sex	Post Office
	1	Rebecca Dawson	48	female	Attorney. Emmett, I. T.

1017

Boudinot & R.
Applicant for
Cherokee Citizenship.

Census Rolls, 1835,
to 1852.
Ancestor,
Moton.

V. S.
Cherokee Nation.

- - - - - - -

Office Commission Citizenship,
Cherokee Nation, Ind. Ter.,
Tahlequah, Aug. 28th, 1889.

The above case was called and submitted by Attorney Rasmus without evidence. The Commission decide that Rebecca Dawson, aged 48 years is not a Cherokee by blodd and not entitled to Citizenship in the Cherokee Nation.

Attest:

E. C. Ross,
Clerk Commission.

Will P. Ross,
Chairman.
J.E. Gunter, Com."

BY MR. HUTCHINGS: The Nation next introduces the original envelope and contents in the case 198, of Mary Dawson, the contents being the application for citizenship, and the judgment as written up by the Court; also the judgment of the Court as copied in Book C, page 145,- said judgment being rendered August 28th, 1889.

BY MR. McKENNON: To all of which the applicants object, because the same is immaterial, irrelevant and incompetent.

The envelope just introduced is indorsed on back as follows:

"198, S, Name, Mary Dawson, APPLICANT FOR CHEROKEE CITIZENSHIP, Address, Bowie, Texas, Aged 54, years, 1835 to 1852 Roll of 18- Ancestor, Moton, Filed the -- day of S 18-- Docket 1018, Book C Page 145, Testimony on Journal-- Page--, Decision of Commission Rejected 28th day of August 1889. Submitted by Mr. Rasmus, Aug. 28, 1889."

"APPLICATION FOR CITIZENSHIP".

To the Honorable Commission on Citizenship:

Gentlemen:- The undersigned, your petitioner, this day makes his application for re-admission to citizenship in the Cherokee Nation in accordance with the Constitution, and with an Act of the National Council, approved December 8th, 1836, creating your Commission. And respectfully makes the following statement of the grounds of this her application, to-wit:

That Mary Dawson is the Great Daughter of one Moton who the undersigned firmly believes was duly enrolled upon the Cherokee Rolls of Cherokees by blood, citizens of the Cherokee Nation, taken and made in the years 1835,-48 - 51 - 52.

The undersigned hereby presents the above facts as the lawful grounds of this her application for Cherokee Citizenship by blood, and respectfully asks the time when her Application shall be truly heard and tried in accordance with the aforesaid Act.

Age, 54, years; Postoffice, Bowie, Texas, family with their relationship attached is as follows:

No.	Name	Sex	Age	Relationship.
1	Walter Dawson	M	18	Son.

In witness of which application I hereunto set my hand on this the 4 day of October 1867.

Mary Dawson,

Boudinot & Rennie,
Attorneys."

- - - - - - -

COMMISSION CITIZENSHIP,
Cherokee Nation, Ind. Ter.,
Tahlequah, August 20th, 1869.

Mary Dawson,)
vs (Application for Cherokee
The Cherokee Nation) Citizenship.

The above application having been submitted by W. F. Rennie, Attorney for claimant, without evidence, the Commission decide that Mary Dawson age 54 yrs, and her son Walter Dawson, age 18 yrs, are not of Cherokee blood, P. O. Bowie, Texas.

Will P. Ross,
Chairman,
J. B. Hunter, Com."

- - - - - - -

Said envelope also contains the following:

APPLICATION FOR CITIZENSHIP

TO THE HONORABLE COMMISSION ON CITIZENSHIP: Gentlemen:- The undersigned, your petitioner, this day makes this his application for re-admission to citizenship in the Cherokee Nation, in accordance with the Constitution and with an act of the National Council, approved December 8th, 1836, creating your Commission. And, respectfully makes the following statement of the grounds of this his application, to-wit: That James M. P. Dawson is the son of one Miley Dawson who the undersigned firmly believes was duly enrolled upon the - - - Rolls of Cherokees by blood, citizens of the Cherokee Nation, taken and made in the year 1835, the undersigned hereby presents the above facts as the lawful grounds for this his application for Cherokee Citizenship by blood, and respectfully asks the time when his application shall be truly heard and tried

in accordance with the aforesaid law.
Age - - years; Post-office - - -; family with their relationship attached is as follows:

Names,	Sex	Age	Relationship.
William A. Dawson	Male		Son.
Richard A. Dawson,	"		"

In witness of which application I hereto set my hand on this the 4th day of Oct 1887.

(signed) James K. P. Dawson,

C. H. Taylor, Attorney."

- - - - - -

The judgment as recorded in Book C, page 145, of the records of the Cherokee Commission on Citizenship, is as follows:

"Mary Dawson,

Office of Commission Citizenship.

Tahlequah, Ind. Ter., Oct. 5th, 1887.

Docket No.	Names	Age	Sex	Post Office	Attorney
1	Mary Dawson,	54	female	Bowie, Texas.	
2	Walter Dawson,	16	male		

Boudinot & P.
Applicant for
Cherokee Citizenship.

Census Rolls 1835 to 1852
Ancestor
- - - - - -

vs.
Cherokee Nation.

- - - - - -

Office Commission on Citizenship,
Cherokee Nation, Ind. Ter.,
Tahlequah, Aug 26th, 1889.

The above case having been submitted by W. F. Parris, attorney for claimant, without evidence, the Commission decide that Mary Dawson aged 54 years, and her son Walter Dawson aged 16 years are not of Cherokee blood. Post office Bowie Texas.

Attest:
E. C. Ross,
Clerk Commission.

Will P. Ross,
Chairman.
J. E. Gunter, Com."

- - - -

BY MR. HUTCHINGS: The Nation further introduces the original envelope in the case of Andrew J. Dawson, which said envelope contains his original application; also the judgment in that case recorded on page 38, of Book A, of the records of the Citizenship Commission of the Cherokee Nation, which said records are now in the custody of the Commission; the judgment is dated April 26th, 1889.

BY MR. McKENNON: To all of which the applicants object, because the same is immaterial, irrelevant and incompetent.

The envelope just introduced above, is endorsed as follows:

"Name, Andrew J. Dawson, APPLICANT FOR CHEROKEE CITIZENSHIP. Address, Nevada, Mo. Age 44 years, - - 1835, Roll of 1835, Ancestor, - - Filed the 11 day of February 1887, Docket 37 Book A, Page 38 Testimony on Journal - - Page, Decision of Commission, REjected, 26 day of April, 1889. Rejected."

The contents of said envelope are as follows:

"To the Commission on Citizenship.

Tahlequah, I. T.,
January 27, 1887.

	Age		
Andrew J. Dawson,	44	years	Male
E. E. Dawson,	16	"	"
Olive M. Dawson,	14	"	female
William H. Dawson,	11	"	Male
Jessy K. Dawson,	9	"	"
Glennie D. Dawson,	8	"	female.

V.S.
Cherokee Nation.

Know comes Andrew J. Dawson, and five children claiming his right to Cherokee Citizenship by virtue of his Cherokee blood, he being a cousin of E. Dawson ad others of the same name admitted to Citizenship by the Tom Tehee Court on Citizenship, which is a matter of record, we submit that as proof of the Justness of his claim, his ancestors will be found on the roll of 1835.

Respectfully,

Post-office, (signed) A. J. Dawson &
Nevada, Mo. five children,
by C. H. Taylor,
Attorney."

" " " "

The judgment just introduced and found on page 38 of Book A, Records of Cherokee Commission on Citizenship, is as follows:

"Andrew J. Dawson,
Office Commission Citizenship,
Tahlequah, C. N., Feby 11, 1887.

Docket No	Family	Name	Age	Sex		
	1	Andrew J. Dawson,	44	Male	Nevada, Mo.	
	2	E. E. Dawson,	16	"		
37	3	Olive M. Dawson,	14	female		
	4	William H. Dawson,	11	Male	Applicants for	
	5	Jessie K. Dawson,	9	"	Cherokee Citizenship,	
	6	Glennie D. Dawson,	8	female	C. H. Taylor.	
					Rolls 1835,	

Rejected April 26, 1889, (red ink.)

V.S.
Cherokee Nation.

Ancestors,

Filed Feby 11, 1897.

Adverse.

See decision in this case in that of L. R. Dawson, Book P.20.
rendered April 26- 1899.
D. S. Williams,
Clk Com."

BY MR. HUTCHINGS: We next desire to introduce the records in the case of Isaac Andrew J. Dawson, before the Commission to the Five Civilized Tribes, filed September 7th, 1896, and the judgment of the Commission thereon. Number of said case being 4,694. And the judgment of said case on Page 294, Book B., Dawes Commission Record, 1896. Judgment was rendered November 17th, 1896, denying the application.

BY MR. McKENNON: To all of which the applicants object, because the same is immaterial, irrelevant and incompetent.

The records just introduced, being those files before Dawes Commission, 1896, in Andrew J. Dawson, et al., are as follows:

Registry Receipt,
Post Office at Vinita, Sep. 7, 1896, Cherokee Nation, Ind Ter., Registered Letter, No. 409, Rec'd, of A. J. Dawson, addressed to S. H. Mayes, Tahlequah, I. T., (signed) D. A. Frazier, P.-P. M.

"Commission to the Five Civilized Tribes,
Vinita, Ind. Ter., Sept. 7, 1896.

See that you swear to your petition.

Evidence of service of copies of Chief or Governor may be secured as follows: If convenient get his receipt to file with your papers. If you cannot do this, register to him, and have some interested person to make affidavit in form about as follows:

I, S. M. Davidson, do solemnly swear that on the 7th day of September, 1896, I saw a package registered at the Post office at Vinita, Indian Territory, addressed to Hon. S. H. Mayes, Chief of the Cherokee Nation, Tahlequah, Ind. Ter., that registry receipt no.409, received from postmaster, hereto attached, is a receipt for said package, which contained true copies of the application of Andrew J. Dawson, and of the affidavits of E. Dawson and J. M. Dawson in support of same.

(signed) S. M. Davidson.

Subscribed and sworn to before me, on this 7th day of September, 1896.

(seal) (signed) W. H. Mornegay,

Notary Public, First Judicial Division, of the Indian Territory.

Attach receipt to this affidavit and send with papers to the Commission at Vinita, Indian Territory. This takes the place of the former instructions, as we understand that packages are not promptly receipted for by the Chiefs and Governors.

xxx _____
For the Commission."

APPLICATION FOR ENROLLMENT.

To the Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss and Alexander B. Montgomery, United States Commissioners, authorized by an Act of Congress of June 4th, 1896, to hear and determine claims for citizenship in the Cherokee Nation:

Gentlemen:-

The undersigned, your petitioner, Andrew J. Dawson, ~~William H. T. Dawson Jesse K. D.~~ (Line in ink drawn through these names) for and on behalf of Lonnie E. [illegible] Dawson, Olive Maud Dawson, William H. T. Dawson, Jesse K. Dawson, Glen Dale Dawson, James K. P. Dawson, William A. Dawson, Maggie E. Dawson, Richard A. Dawson and Mary E. Dawson, his heirs, this day make their application to you for the purpose being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of the funds and allotments of lands in the Cherokee Nation by virtue of their Cherokee blood, and petitioners state that they are Cherokee Indians by blood, deriving the same from Captain John Rogers, Polly Rogers, daughter of Captain John Rogers, married Samuel Dawson, whose name will be found on the authenticated rolls of the Cherokees by blood, taken in the years 1817, 1818, 1819 and 1835 & 1836 the same to be submitted to your Honorable Commission for a full and complete investigation, and if found correct as stated, to be granted all the rights, privileges and immunities of other Cherokee citizens, and petitioner herewith files his proof in support of said claim, and respectfully awaits the time when his application shall be heard and tried.

Respectfully submitted,
Andrew J. Dawson,

Enrollment of family, with relationship attached, as follows:

Names.	Ages.	Relationship.
Minnie E. T. Dawson,	25	Daughter,
Olive Maud Dawson,	21	Daughter
William H. T. Dawson,	20	son,
Jesse K. Dawson,	18	son.
Glen Dale Dawson,	16	daughter.
James K. P. Dawson,	7	brother.
William A. Dawson,	14	[illegible]
Maggie E. Dawson,	3	[illegible]
Richard A. Dawson,	12	[illegible]
Mary E. Dawson,	7	[illegible]

IN WITNESS WHEREOF, I have hereto set my hand this 21st day September 1896.

(signed) Andrew J. Dawson."

Jurat on back of following:

United States of America,
Indian Territory,
Northern District.

Andrew J. Dawson, of lawful age, being duly sworn states that he knows the facts set forth in the above and foregoing application and that the same are true as he verily believes.

(signed) Andrew J. Dawson,

Subscribed and sworn to before me on this the 3rd day of September 1896.

(signed) J. A. Tillotson,
Notary Public.

(Seal)
My Commission expires June 8th 1899.

- - - - - - -

Indian Territory,)
Northern Judicial Dis- (SS.
trict

Andrew J. Dawson, of lawful age, being by me first duly sworn on oath says that he is 52 years old that his post office address is Afton, I. T. Affidavit further says that he is a citizen of the Cherokee Nation and a Cherokee Indian by blood deriving his Indian blood from Polly Rogers daughter of Captain John Rogers, that Polly Rogers, a daughter of Captain John Rogers married Samuel Dawson near Calhoun, Tenn. on the Hiawassee river while emigrating to the west.

Affidavit further says that Samuel Dawson and Polly Rogers are his Grandfather and Grandmother and that Captain John Rogers was recognized by the National Council of the Cherokee Nation as a Cherokee citizen in the laws of the Cherokee Nation of 1850 as follows: An act of the Council of 1842 page 60, an act of Nov. 17th 1843, page 96. also an act of Nov. 16 1849 page 10.

Affidavit further says that he is a blood relation of E. Dawson, F. M. Dawson, Joseph Dawson, and John Dawson who were admitted to citizenship by the Cherokee Nation and whose names appear upon the authenticated rolls of 1893.

(signed) Andrew J. Dawson.

Subscribed and sworn to before me this 3rd day of September A. D. 1896.

(signed) J. A. Tillotson,
Notary Public.

(Seal)
My Commission expires June 8th 1899."

"Indian Territory,)
Judicial Dist.) S.S.
)

F. M. Dawson, of lawful age, being by me first duly sworn on oath says that he is 54 years old; that his post office address is Afton, Indian Territory, Affidavit further says I have known Andrew J. Dawson for the past 10 years and have known him and recognized him as a Cherokee Indian and a cousin of mine, he claims to have originated from the family of Joe Dawson and he was a brother of Robert Dawson my father, and he being an offspring of Sam Dawson, who married Polly Rogers, a daughter of Captain John Rogers, who was a recognized Cherokee Indian.

his
(signed) F. M. x Dawson
mark

Subscribed and sworn to before me this the 4th day of Sept 1896."

(signed) Frank L. Sharp
Notary Public. (Seal)"

- - - - - - -

"Ind Ter
Northern Dist
This affidavit made this 4th day of Sept 1896 by E. Dawson of this Dist in the Cherokee Nation I have known A. J. Dawson 10 years and have known him and recognized him as a Cherokee Ind and a cousin of mine, he claims to originate from the family of Joe Dawson and he was a brother of Robert Dawson and being an ofspring of Sam Dawson who was (line in ink drawn through word was)married Pollie Rogers a daughter of Captain John Rogers who was a recognized Cherokee Indian.

(signed) E. Dawson.

Subscribed and sworn to before me this 4th day of Sept 1896.

(signed) J. Barricklaw,
Notary Public,

My commission expires June 8, 1899.

(Seal)"

Indorsed on back: "No. 1509, A. J. Dawson vs Cherokee Nation Filed Sept 7-1896 A. S. McKennon, Com'r."

- - - - - - -

Before the Honorable Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, A. B. Montgomery, Commissioners.

In the matter of the application of
Andrew J. Dawson, Nation's No.....
Commission's No.....
for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy.

2nd. That the application does not state facts sufficient if true, to show that the applicant . . . entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that John Rogers through whom the petitioner claims to derive right to citizenship in the Cherokee Nation, is not now, - . . and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory, as at present located and defined; that his name does not appear on any of the authenticated rolls of said nation; that neither nor any of his ancestors now reside, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Sre case Nation's No. 1573.

Having fully answered, your respondent asks to be hence dismissed.

S. M. Mayes, Principal Chief Cherokee Nation.

B. Hutchings, Hastings & Boudinot, Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answers are true, to the best of his knowledge and belief.

(signed) John L. Adair,

Subscribed and sworn to before me this the 5 day of Oct 1896.

(signed) D. J. Ball,
Notary Public.

(Seal)"

Indorsed as follows: "Nation's No. 4679.
Commission's No. 4694, In re application of Andrew J. Dawson, DEMURRER AND ANSWER. Filed Oct 21 H. M. Jacoway, Sec."

The foregoing documents, comprising the 1896 papers as above set forth, are inclosed in envelope indorsed:

"No. 4694, Petition of Andrew J. Dawson, and heirs, Cherokee, 9-7-96. Rejected."

Which envelope is inclosed in jacket, marked "No.4694."

- - - - - - -

BY MR. HUTCHINGS: Now we desire to introduce the records in the case of Joanna Barber, et als., No. 1564, the United States Court number being 90, and the Nation desires to call especial attention to the testimony of T. C. Rogers and Sarah Carter as set forth in this case.

BY MR. McKENNON: To all of which applicants object, because it is wholly irrelevant, immaterial and incompetent.

Records in said case are as follows:

blood is shown by proof herewith filed.

APPLICATION FOR ENROLLMENT.

To the Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss and Alexander B. Montgomery, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine claims for Citizenship in the Cherokee Nation:

Gentlemen:- The undersigned, your petitioner, Joanah Barber, for and on behalf of himself and heirs, this day makes this their application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to

share in the distribution of funds and allotments of land in Cherokee Nation, by virtue of their Cherokee blood, and I herewith submit the affidavits of E. Dawson, S. P. Dawson, T. A. Dawson & F. M. Dawson in support of said claim, and respectfully await the time when our application shall be heard and tried.

Respectfully submitted,
(signed) Joanah Barber.

Enrollment of family, with relationship attached, as follows:

Names		Age	Relationship.
Joanah Barber,		60	Daughter of Elisabeth or Betsy
Isaac J. "	Husbd	65	Petty, nee Dawson, who was a
Otis E. "		26	daughter of Polly Dawson, nee
W. R. "		24	Rogers who was a daughter of
James E. "		18	Capt Jno Rogers and Ailey Rogers
Johny "		6	nee Vann a Cherokee Indian by
Joel A. Barber		39	blood as is shown by proof here-with filed.

In witness of which I hereto set my hand on this 5 day of August 1896.

(Signed) Joanah Barber."

Indorsed as follows: "Pd 2.50 No.... Petition of Joanah Barber for self on behalf of herself and heirs."

TO THE HONORABLE HENRY L. DAWES AND OTHERS COMPOSING THE COMMISSION TO THE FIVE CIVILIZED TRIBES:

Your petitioner, Joanah Barber, would state and show from the proof submitted to the Commission that she is a Cherokee by descent and by blood having been born in Carroll County, State of Ark. on the 5 day of Dec 1835. My fathers name was John Petty. My mothers name was Elizabeth Petty, nee Dawson. That I now reside in the Cherokee Nation, and have resided there for 10 years. And she avers these facts can be established by proof to the satisfaction of the Commission under such rules and regulations as it may prescribe. And she further avers that these facts being proved she is entitled to be adjudged under the laws of such Nation and the laws of the Congress of the United States and the treaties of such Nation with the United States, a citizen of such Nation, with all the rights, privileges and protection of citizenship in such Nation. Wherefore she herewith respectfully submit to the consideration of the Honorable Commission such proof and on the hearing she be adjudged entitled to such citizenship and her name be placed upon the proper roll as a citizen of such Nation.

(signature Joanah Barber.

INDIAN TERRITORY,)
) ss
FIRST JUDICIAL DIVIS)

Now on this 5 day of Aug personally appeared before me T. J. Tatum a Notary Public in and for said Territory, Joanah Barber, who being duly sworn upon her oath states that the facts set forth in the foregoing petition are correct and true.

Subscribed and sworn to before me this 6 day of August 1896.

(signed) W. J. Watts,
Notary Public.
(Seal)"

- - -

"(COPY)
In the matter of the claim of Joanah Barber nee Joanah Petty to Cherokee Indian Citizenship in the Cherokee Nation, Indian Territory.

Affidavit of S. R. Dawson,

Delaware District,
Cherokee Nation,
First Judicial Division,
U.S. Court, Indian Territory. } ss

S. R. Dawson, to me well known to be a reliable and respectable, after being duly sworn according to law states on oath, that he is a bona-fide citizen of the Cherokee Nation by blood- that he is a resident of said Nation- that his post-office address is Afton, I. T.; that he is fifty-one years of age- that he is well acquainted with the claimant Joanah Barber and has as long as he has known her person- that she is of Cherokee Indian descent- that her maiden name was Joanah Petty- that she was the daughter of one Elizabeth Petty, a person of Cherokee Indian descent- that Elizabeth Petty's maiden name was Elizabeth Dawson- that said Elizabeth Dawson was the daughter of Polly Rogers, a person of Cherokee Indian descent, who intermarried with Samuel Dawson, a white man- that he said Polly Rogers was the daughter of Captain John Rogers and Ailsey Vann both well known Cherokee Indians.

Affiant is not directly nor indirectly interested in the result of this application.

(Impress of National Seal) (signed) S. R. Dawson.

Subscribed & Sworn to before Jany 6 1892
(signed) T. P. Hubbard,
Notary Public."

"United States of America,
Indian Territory, } ss
First Judicial Division.

I, William F. Rasmus, a Notary Public within and for the Judicial Division aforesaid, do hereby certify that the next above in the within one page of an affidavit is a true and literal copy of the original as presented to me at Tahlequah, Ind. Terry, this the Third day of July A.D. 1897.

(signed) William F. Rasmus,
Notary Public, First Judicial Division, Indian Territory.
(Seal) My Commission expires Feby 3, 1897."

(A copy)

In the matter of the claim of Joanah Barber (nee Joanah Petty)

to Cherokee Indian Citizenship in the Cherokee Nation, Ind Ter.

Affidavit of E. Dawson,

Cooweescoowee District,)
Cherokee Nation,)
First Judicial Division,) ss
U. S. Court, Ind. Ter.)

E. Dawson, to me well known to be reliable and responsible after being duly sworn according to law states on oath that he is a Bonified citizen of the Cherokee Nation by blood- that he is a resident in said Nation that his post office address is Tahlequah, Ind Ter.-that he is 52 years of age- that he is well acquainted with the claimant Joanah Barber and has been as long as he has known any person- that she is a person of Cherokee Indian descent the her maiden name was Joanah Petty- that she was the daughter of one Elizabeth Petty, a person of Cherokee Indian descent- that Elizabeth Petty's maiden name was Elizabeth Dawson- that said Elizabeth Dawson was the daughter of one Polly Rogers a person of Cherokee descent, who intermarried with Samuel Dawson, a white man, that the said Polly Rogers was the daughter of Captain John Rogers a well known Cherokee Indian.

Affiant is not directly nor indirectly interested in the result of this application.

(signed) E. Dawson.

Subscribed and sworn to before me this the 24th day of Febry 1893

(signed) A. E. Williams,
Notary Public.

(Impress of
National Seal
here.)
Com. Expr. Sept. 26/96.

United States of America,
Indian Territory, ss.
First Judicial Division.

I, William F. Rasmus, a Notary Public within and for the First Judicial Division, Indian Territory, do hereby certify that the next above and the within one page of an affidavit is a true and literal copy of the original presented to me at Tahlequah, Ind Ter. this the third day of July A.D.1897.

(signed) Wm. F. Rasmus.

(Seal) Notary Public, First Judicial Division, Indian Territory, My Commission expires Febry 7, 1897.)

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United States of America,
Western District of Arkansas. ss.

In the case of one Joanah Barber claimant for citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before Cherokee Indian authority at Tahlequah, Cherokee Nation, Indian Territory.

Personally came this day before me William F. Rasmus, a Commissioner U. S. Court within and for the District aforesaid duly authorized to administer oaths W. A. Dawson, to me personally well known to be reputable and entitled to credit, and who being by me first duly sworn according to law, deposes and

and says: My name is T. A. Dawson, my age is 52; my post-office address Tulsa, Ind. Terry. I am a farmer by occupation, I am a citizen of the Cherokee Nation, I. T. by virtue of Cherokee Indian blood.

And affiant declares in relation to the above named case as follows, to-wit: That he is personally well acquainted with the claimant, Joanah Barber- whose mother's name was Elizabeth (commonly called Betty) Petty, Dec'd nee Elizabeth Dawson, - a Cherokee Indian by blood, and who was the sister of his father; James Dawson, Dec'd, a recognized and acknowledged Cherokee Indian by blood- and who was also a sister of Robert Dawson Dec'd a recognized and acknowledged Cherokee Indian by blood- said Robert Dawson having been a full brother to said James Dawson- that therefore the said claimant, Joanah Barber is his (affiant's) first cousin by Cherokee Indian blood and that he so recognizes and acknowledges her.

(signed) T. A. Dawson.

Subscribed and sworn to before me at Tahlequah, Ind. Terry this third day of December A.D.1894.

(signed) W. J. Rogers,
(seal) United States Commissioner."

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"UNITED STATES OF AMERICA.)
Eastern District of Arkansas.)ss

In the case of Joanah Barber claimant for citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before Cherokee Indian Commission at Tahlequah, Cherokee Nation, Indian Territory.

Personally came this day before me William J. Rogers, a Commissioner of the U. S. Dist. Court within and for the District aforesaid duly authorized to administer oaths Francis T. Dawson, to me made personally well known to be reputable and entitled to - - and who - - duly sworn according to law deposes and says: My name is Francis T. Dawson my age is about 57 years, my post-office address is Afton, Ind. Ter'y, I am a farmer by occupation, I am a citizen of the Cherokee Nation, by virtue of Cherokee Indian blood.

And affiant declares in relation to the above named case as follows, to-wit: I am personally well acquainted with the claimant Joanah Barber, whose mother's name was Elizabeth (commonly called "Betty") Petty, nee Elizabeth Dawson, a Cherokee Indian by blood, said Elizabeth Petty was a full sister of my father Robert Dawson Dec'd, a Cherokee Indian by blood- and I acknowledge the relationship by Cherokee Indian blood of Joanah Barber to me as first cousin- and I know that the said Joanah Barber therefore is of Cherokee Indian blood.

(signed) F. T. Dawson.

Subscribed and sworn to before me at Tahlequah, Ind. Terry- this 17th day of November A.D.1893.

(seal) (signed) W. J. Rogers,
United States Commissioner.

Indorsed on back as follows: "No. 1 Filed Feb 24 1897, Jas. A. Winston, Clerk."

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"Page 21, Docket "H"
Joannah Barber,
Office Commission on Citizenship,
Tahlequah, C. N. August, 1837.

Docket. No.	Names	Age.	Sex.	Post Office.	Atty.
1	Joannah Barber	51	female	Vinita, I. T.	
2	Ailcy J. Barber	34	female		
3	Irena Barber	24	female		
4	Emma Barber	22	female		
5	Atta Barber	20	female		
6	Mary Barber	13	female	applicant for	
7	Onice Barber	17	female	Cherokee Citizenship	
8	Joel Barber	31	male	Polls 1835	
9	Calaway Barber	27	male		
10	Toliver Barber	30	male	Ancestor	
11	Riley Barber	15	male		
12	Edgar Barber	9	male		
	V.S.			John Rogers &	
	Filed Aug. 12, 1837.			Alcy Pruett	

See decision this case in that of L. R. Dawson, adverse to claimant in this Book page 20.
This April 26th, 1839.

D. S. Williams, Clerk com. — Wm. P. Ross, Chairman, J. E. Gunter, Com."

"S. R. Dawson.
Office Commission on Citizenship,
Tahlequah, C. N. Aug. 11th, 1837.

Docket. No.	Names.	Age.	Sex.	Post Office	Atty.
1	S. R. Dawson,	00		Catoosa, I. T.	
2	Parlee Dawson,	44	female		
3	America J. Dawson,	55	female		
4	Katherine J. "	35	female		
5	J. C. Dawson,	31	male		
6	Elias F. Dawson,	29	male		
7	Toliver Dawson,	37	male	Applicant for	
8	Emma Dawson,	20	female	Cherokee	
9	Fanny Dawson,	10	female	Nation	
10	John Riley Dawson	all	male		
11	Robt. E. Dawson,	9	male	R	
12	Clara Dawson,	7	female		
13	Cleveland Dawson	3		Ancestor	
	Filed Aug. 11, 1837.			John Rogers	
	Rejected April 26, 1839.				

Now this day comes the above case for final hearing, Samuel R. Dawson bases his application for re-admission to Citizenship in the Cherokee Nation upon the ground that he is the son of Samuel Dawson, a White man, Polly Rogers, the alleged daughter of Captain John Rogers, and Chilsey Pruett said to be half sister of Joseph Vann commonly known as Rich and who were of Cherokee blood. It is admitted that John Rogers ...

Chilsey Proctor and before the roll upon which their names would appear at living at the time, and specified in the 7th Section of the Act of December 10th, 1906, creating the Commission on Citizenship were made, but in support of the application it is urged that certain members of the Dawson family the full brothers of the applicant are admitted to citizenship by the Commission on Citizenship commonly known as the "Tehee Court" and "Spears Court" and are now residing as citizens in the Cherokee Nation. In the opinion of this Commission the sufficiency of the consideration which determined the decisions of those Commissions or the testimony now introduced to authorize the admission of the present applicant is not relevant in the issue now pending. The 7th Section of the Act of December 10th, 1906, does not provide that the Commission is authorized to any person applying for citizenship in the Cherokee Nation upon the grounds of Cherokee blood or descent, but such applicant must be a person, or the lineal descendant of a person whose name appears upon the census roll of Cherokees taken by the United States, hereinafter mentioned, neither the name of the applicant nor that of the person of whom he claims to be a lineal descendant appearing upon either of said rolls, the Commission adjudge and decree that Samuel R. Dawson and family are not entitled to re-admission of citizenship in the Cherokee Nation as Cherokees by blood. This opinion includes the case of Andrew J. Dawson, James M. P. Dawson, Jonathan Barber, nee Joanna Dawson, and Jane Queen, nee Jane Dawson and their families as enumerated in their respective applications.

Will. P. Rose, Chairman,
T. Rumch, Commissioner,
This April 26th, 1909, John B. Hester, Commissioner.
D. S. Williams, Clerk Com."

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United States of America,)
Indian Territory,) ss.
Northern District.)

W. C. Rogers being duly sworn on oath deposes and says: that he is a citizen and resident of the Cherokee Nation, Indian Territory. That his post-office address is Skiatook, Ind. Ter. that he was born and raised in the above said Nation and Territory; that he is 46 years of age:

Affiant further states that he is slightly acquainted with Irene J. House, an applicant for admission to citizenship in the Cherokee Nation as shown by copy of her application.

Affiant further states that his father's name was Charlie Rogers- who was a son of Captain John Rogers and the said Capt. John Rogers was the only man of that name that ever lived in the Cherokee Nation that this affiant ever heard of; that the said Capt. John Rogers this affiants grandfather lived at Grand Saline, I. T. and died in Washington, D. C.

This affiant states that his father Charlie Rogers had one sister and five brothers viz. Synthia Rogers, Lewis Rogers, George Rogers, Nelson Rogers, Granvil Rogers and Randolph Rogers; that he (this affiant) was well and personally acquainted with the above said parties- except Granvil and Randolph Rogers, who were killed when this affiant was quite young.

This affiant states that he was 74 years of age, at the time his father, Charlie Rogers died, that his father never had any other ~~family~~ (line in ink drawn through here) brothers or sisters than the ones above mentioned; that the said Polly Rogers named in the application for citizenship of Irene J. Hoare, was not a sister of his fathers; that his father never had but one sister viz. Cynthia Rogers tha this affiant ever heard of; that this affiant was well acquainted with his aunt Cynthia Crump-"

Just here the following is inserted on separate paper:

"EXECUTIVE DEPARTMENT OF
CHEROKEE NATION. I, John L. Adair, Executive Secretary of the Cherokee Nation, do hereby certify that I have compared the foregoing with the original record in this Department, and that the same is correct copies and transcripts therefrom.

In witness whereof I have hereunto set my hand and affixed the Great Seal of said Cherokee Nation, at Tahlequah, this, the 5th day of Feb. 1896.

(signed) John L. Adair,
(Seal) Executive Secretary."

Then the above affidavit continues:

"(nec) Rogers that she lived with this affiant's father for a number of years prior to here death.

Affiant states that he has often talked with his father, Charlie Rogers and his aunt Cynthia Crump (nee Rogers) about his relatives; that they never spoke of any other sister in their family; that this affiant was about 20 years of age when his aunt, Cynthia Crump died; that they told him there never was (words "never was" marked over with ink) father never had any other daughter or daughter other than Cynthia Rogers.

Affiant states that his father told him a number of times, that this affiants grandfather Capt John Rogers never had any other family other than the one above mentioned; that this affiant never heard his father Charlie Rogers or any of his relatives speak of his grandfather Capt John Rogers owning or running a boat up any river.

Affiant states his father Charlie Rogers was born on Big Mulberry, South-east of Van Buren, Arkansas, in the year of 1817.

Further affiant saith not.

C. C. Rogers.

Subscribed and sworn to before me on this the first day of October, 1896.

(signed) William T. Hall,
Notary Public,
(seal) My Commission expires January 16th, 1900."

United States of America,)
Indian Territory,) ss
Northern District.)

Mrs. Sarah Chuter being first duly sworn states; that she is a citizen and resident of the Cherokee Nation, Ind. Ter. and has been in Fort Gibson, I. T., that she is 65 years of age.

Affiant states that she is the daughter of Cornelia [illegible] that her grandfather on her father's side was Cornelius Harper. Affiant further states that T. C. Rogers is her brother, and that she has read the foregoing Affidavit of T. C. Rogers, and knows its contents thereof; that the facts therein set forth are true as she verily believes.

(Signed) Sarah Cornelius.

Subscribed and sworn to before me this the first day of October, 1896.

William B. Hall,
Notary Public.

My Commission expires January 10th 1900."
(Seal)

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"Before the Honorable Henry L. Dawes, Frank C. Armstrong, A. S. Hokonson, T. B. [illegible] A. P. Montgomery, Commissioners.

In the matter of the application of Nation's No. 1873
Joshua Barber Commissioner's No...
et al-
for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now [illegible] said application, and for grounds of demurrer says:

1st. That the Commissioners have no jurisdiction to hear the matters or subject matter of this controversy, and not legal right, power, or duty to hear or determine the same.

2nd. That the application does not state facts sufficient, in law, to show that the applicants are entitled to citizenship.

Respondent now asking the aforesaid demurrer, but insisting upon the same for grounds to said application, says that the John Rogers [illegible] the petitioners claims to derive their right to citizenship in the Cherokee Nation, is not now, and never has been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory and at present located and domiciled; that his name does not appear upon any of the authenticated rolls of said Nation; that neither the said [illegible] or their ancestors now reside or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

Further fully answered, your respondent asks to be hence dismissed.

S. H. Mayes, Principal Chief Cherokee Nation.

By Hutchings, Hastings & Bradford, Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the facts contained in the foregoing answer are true, to the best of his knowledge and belief.

(Signed) John L. Adair,

Subscribed and sworn to before me this the 5th day of Oct. 1896.

(Signed) W. J. [illegible],
Notary Public.

(Seal)

POOR ORIGINAL
BEST AVAILABLE

Indorsed on back as follows: " 1574 Dec 1st Citizen's No. 1572, Certificate No..... In the application of No 2 Joanna Barber Demurrer and Answer Filed Mar 13 1897 Jas. A. Pinston, Clerk/ Filed Oct 7 1898 T. M. Jacoway, Secr."

BRIEF.

BEFORE THE HONORABLE COMMISSION OF THE UNITED STATES OF AMERICA,

duly appointed and empowered to Act, under and by virtue of the Act of Congress of June 4th 1898, to hear and determine all claims for citizenship of the Five Civilized Tribes of Indians, to-wit:
Cherokee, Creek, Choctaw, Chickasaw and Seminole Indians.

In the matter of the application for citizenship in the Cherokee Nation, of Joanna Barber and her children, to-wit:

Otis F. Barber, William P. Barber, James L. Barber, Johnnie Barber and Joel A. Barber.

In the matter of the application for citizenship in the Cherokee Nation of Joel A. Barber and his children, to-wit: Lattie Barber, Oliver Barber, George A. Barber, Francis O. Barber, Jesse Barber and Ethel Barber.

In the matter of the application for Citizenship in the Cherokee Nation of Mary A. Baker and her child, to-wit: Inez Baker.

In the matter of the application for citizenship in the Cherokee Nation of Ezra L. Murphy and his child, to-wit: Claude M. Murphy.

In the matter of the application for Citizenship in the Cherokee Nation of Ezra E. Moore and her children, to-wit: Anna J. Moore, Jackson D. Moore, Rhoby Moore and Gladys Moore.

In the matter of the application for Citizenship in the Cherokee Nation of Lizzie L. Hunt and her child, to-wit: Dorman Hunt.

In the matter of the application for Citizenship in the Cherokee Nation of Alsey J. Smart and her children, to-wit: Georgia A. Smart and Amy L. Smart.

In the matter of the application for Citizenship in the Cherokee Nation of Jeannah J. Garlinghouse and her children, to-wit: Myrtle O. Garlinghouse, Cora L. Garlinghouse and Birtha M. Garlinghouse.

In order that the Honorable Commission may clearly and fully understand the proof and merits of the Claim of the aforesaid Claimants, we deem it necessary to present to the Honorable Commission, the genealogy of each of said Claimants, to-wit:

Joanna Barber, whose maiden name was Joanna Polly, is a daughter of Elizabeth Polly, nee Duncan and a granddaughter of Polly Duncan, nee Rogers and a great granddaughter of Sally Rogers, who was a Cherokee Indian by blood as shown by the proof herein submitted.

Joel A. Barber is a son of Joanna Barber, nee Petty and grand son of Elizabeth Petty, nee Dawson and a great grand son of Polly Dawson nee Rogers and a great great grand son of Captain John Rogers, who was a Cherokee Indian by blood as shown by the proof herein submitted. Mary A. Boner, whose maiden name was Mary A. Barber, is a daughter of Joanna Barber and granddaughter of Elizabeth Petty, nee Dawson and great grand daughter of Polly Dawson, nee Rogers and a great great grand daughter of Captain John Rogers, who was a Cherokee Indian by blood as shown by the proof herein submitted.

Ella Murphy, whose maiden name was Ella Barber, is a daughter of Joanna Barber, nee Petty and a great grand daughter of Elizabethe Petty, nee Dawson and a great great grand daughter of Polly Dawson nee Rogers and a great great grand daughter of Captain John Rogers, who was a Cherokee Indian by blood, as shown by the submitted proof.

Erma Moore, whose maiden name was Erma Barber, is a daughter of Joanna Barber, nee Petty and a grand daughter of Elizabeth Petty nee Dawson and a great grand daughter of Polly Dawson, nee Rogers and a great great grand daughter of Captain John Rogers, who was a Cherokee Indian by blood as shown by the submitted proof.

Attie L. Hunt, whose maiden name was Attie L. Barber, isa daughter of Joanna Barber, nee Petty and a grand daughter of Elizabeth Petty, nee Dawson and a great grand daughter of Polly Dawson, ne Rogers and a great great grand daughter of Captain John Rogers, who was a Cherokee Indian by blood, as shown by the submitted proof.

Alcey J. Smart, whose maiden name was Alcey J. Barber, is a daughter of Joanna Barber, nee Petty and a grand daughter of Elizabeth Petty, nee Dawson, and a great grand daughter of Polly Dawson, ne Rogers, and a great great grand daughter of Captain John Rogers, who was a Cherokee Indian by blood as shown by the proof herein submitted.

Joanna J. Garlinghouse, whose maiden name was Joanna J. Smart, is a daughter of Alcey J. Smart, ne Barber, and a grand daughter of Joanna Barber, nee Petty and a great grand daughter of Elizabeth Petty, nee Dawson and a great great grand daughter of Polly Dawson, ne Rogers, and a great great great grand daughter of Captain John Rogers, who was a Cherokee Indian by blood as shown by the proof herein submitted.

Therefore, the Claimants pray the Honorable Commission, that after a careful examination of their application and an impartial investigation of the proof herein submitted, you will adjudge each of said Claimants, together with their aforementioned Children, entitled to citizenship in the Cherokee Nation, and that you place the name of each Claimant, together with the names of their aforementioned Children, upon the Cherokee roll, and that you grant to them all the rights, privileges and immunities of citizens of the said Cherokee Nation.

(signed) Hubbard, Carlton & Watts,
Council for Petitioners.

Indorsed on back as follows: "No 3 Filed Feb 24 1897, Jas. A. Finston, Clerk."

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Commissioners,
Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss, Alexander B. Montgomery--H. M. Jacoway, Secretary.

DEPARTMENT OF THE INTERIOR,

Commission to the Five Civilized Tribes,
Vinita, Indian Territory, Oct 2., 1896.
Filed Sept. 8, Answer Filed.
Application denied.

Joanna Barber,
vs.
Cherokee Nation.

I, H. M. Jacoway, Jr., Secretary, do hereby certify that the above and foregoing is a true and correct copy of Cherokee Record A. page 397 of the Commission to the Five Civilized Tribes.

Given under my hand and official signature this the 13 day of Feb. 1897.

H. M. Jacoway, Jr.,
Secretary."

Indorsed as follows: "1864 No. 4 Filed Feb 24 1897 Jas. A. Finston, Clerk."

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"BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Joanna Barber et al,
vs.
Cherokee Nation.

No.1864.

AFFIDAVIT FOR APPEAL.

Now come the said Joanna Barber et al applicants for citizenship in this case by W. B. Pettis, one of their attorneys, and pray an appeal from the decision of the Honorable Commission to the United States District Court as provided by the Act of Congress approved June the 10th, 1896.

And the said W. B. Pettis, being duly sworn and acting on behalf of said applicants says that the appeal prayed for in this case is not asked for the purpose of delay but that justice may be done the appellants.

(signed) W. B. Pettis,

Sworn and subscribed to before me this 22nd day of December 1896.

(SEAL)

(signed) J. C. Lindsey,
Notary Public.

My Commission expires March 28th 1897."

Indorsed: "Court No."

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"Received of W. L. Maconey, Jr., Secretary of the Commission to the Five Civilized Tribes, the original papers, in the case of - - - - vs - - - - Nation, as follows:

/ / / / / / /

Witness my hand and official seal at Muskogee this the 5th day of Feby 1897.
(SEAL) (signed) J. Q. Tinsley, Clk."

Indorsed: "Court of Dc No.1864. receipt for original papers in the case of Joanna Barber et al vs. Cherokee Nation. Received and filed this . . . day of . . . 189. . . Secretary."

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"IN THE UNITED STATES COURT FOR THE INDIAN TERRITORY,
NORTH ERN JUDICIAL DIVISION, AT MUSKOGEE, IND. TER.

Joanna Barber Onis E. Barber, William P. Barber, James E. Barber, Jennie Barber, Joel A. Barber, Mary A. Barber, Ella Moore, Attie L. Hunt, Alcey J. Grant, APPELLANTS,

vs

CHEROKEE NATION, APPELLEE.

PETITION FOR APPEAL FROM THE DECISION OF THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Come now the appellants in the above entitled cause and petition the Court to grant an appeal in said cause from a decision of the Commission, known as the Dawes Commission, created and empowered to treat with the Five Civilized Tribes of Indians, to-wit: the Cherokee, Creek, Choctaw, Chickasaw, and Seminole Indians, and to pass upon and decide applications for citizenship in the said Five Civilized Tribes, which decision by said Commission was rendered by authority of, but not in accordance with, an Act of Congress passed and approved June 10th, 1896, and by which decision on the 29 day of October, 1896 the aforesaid appellants were denied their rights to citizenship in the Cherokee Nation, Indian Territory.

The facts relied upon by the appellants to establish their rights to citizenship in the Cherokee Nation, as aforesaid are as follows: to-wit: The affidavits of B. Dawson, S. E. Dawson T. A. Dawson, F. M. Dawson.

Said affidavits fully and conclusively establishing the fact that said applicants are Cherokee Indians, by blood and descent, and entitled to rights of citizenship in the Cherokee Nation.

Said affidavits, together with the application, of said appellants, were, prior to September the 10th, 1896, filed with and submitted to said Commission for its investigation, consideration and decision.

That a certified copy of said application, together with the accompanying affidavits, were served upon the Chief, or Attorney General, of said Cherokee Nation, prior to September the 10th, 1896.

The errors of the Commission in rejecting the claims for citizenship of said appellants are the grounds for appeal to this Court, to-wit:

FIRST. The Commission erred in rendering its decision on said claims adversely to the appellants and against the proof submitted by said appellants.

SECOND. The Commission erred in investigating the claims of appellants and denying same upon the absence of a majority of the members of the Commission.

THIRD. The Commission erred in refusing the appellants the right and privilege of examining the proof submitted by appellee in support of the answers filed by the appellee and denying the appellants the right of filing application to appellee's answer or producing proof in rebuttal of the same.

FOURTH. The Commission erred in denying the appellants the right of a trial of their claims by a competent jury, as granted to them by the laws and constitution of the United States.

FIFTH. The Commission erred in refusing appellants the right to be present in person, or by attorney, during the trial and determination of their claims before the said Commission.

SIXTH. The Commission erred in refusing to issue process for witnesses and to send for persons and papers upon requests to do so by the appellants.

SEVENTH. The Commission erred in deciding against the right of these appellants to be enrolled as citizens of the Cherokee Nation.

EIGHTH. The Commission erred in deciding against blood, holding that blood was not a test of a right of citizenship in said Cherokee Nation.

NINTH. The Commission erred in deciding against the question of residence, holding that residence in the Cherokee Nation was not a test of the right of citizenship in the said Cherokee Nation.

TENTH. The Commission erred in not entering upon their docket or record the grounds upon which the claims of appellants were denied and refusing to notify appellants the grounds of denial or rejection.

ELEVENTH. The Commission erred in examining the claims and proof of appellants and denying the same while the Commission was not clothed with any legal authority, nor had jurisdiction, to render decision on said claims and deny the same.

TWELVTH. That the Act of Congress approved June the 10th, 1896, was unconstitutional and had no power or legal effect to confer jurisdiction on said Commission to try and determine the rights to citizenship of said appellants, and said Commission erred in determining the rights and denying the same to said appellants.

THIRTEENTH. That Congress had no power by enactment to create, appoint and empower a judiciary, and said Commission erred in denying the claims of said appellants without any legal authority to do so.

Therefore, the appellants of this cause pray that an appeal be granted to this Court and that a trial, de novo, be granted the appellants, and that said appellants be permitted to introduce new testimony, and that an order be made requiring said Commission to send all pleadings, papers and records filed before it in this cause to this Court, and that the Cherokee Nation, the appellee in this case, be cited to appear

at this Court and plead and defend against the appeal and show why the appellants should not by the rules, orders and decisions of this Court be adjudged entitled to citizenship in the said Cherokee Nation, and the appellants will ever pray.

(Signed)
W. B. Watts,
A. H. Garland,
W. J. Watts,
Attorneys for Appellants."

Indorsed on back: "Cherokee Citizenship Case, No. 90 New Docket. Joanna Barber et al vs Cherokee Nation Filed Dec 23 1896 Jas A Winston clerk Watts, Garland & Watts, Attorneys for Appellants."

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"SUMMONS.

SC WJW
United States of America,)
Indian Territory, (ss.
Northern District.)

THE PRESIDENT OF THE UNITED STATES OF AMERICA,

To the Marshal for the Northern District, Indian Territory:

You are commanded to summon the Principal Chief of the Cherokee Nation, or the Attorney General of said Nation, to answer on the first day of next May term of the United States Court for the Northern District, Indian Territory, at Muskogee, Indian Territory, being the 4th day of May, 1897, A.D. 189— a petition praying an appeal from the decision of the Commission to the Five Civilized Tribes duly filed in said Court by Joanna Barber, Onis E. Barber, Wm R Barber, Jas E Barber, Jennie Barber, Joel A. Barber, Mary A. Barber, Ora Moore, Attie L. Hunt, Alcey J. Smart, who claim to be entitled to be enrolled as citizens of said Nation, to the United States Court for the Northern District, Indian Territory, which petition is now pending in said Court, and warn him upon a failure to answer petition within thirty days from the time of the service of this writ, the same will be taken for confessed, and you will make due return of this summons within ten days after the actual service of this writ.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the 23th day of Dec. 1896 A.D.189—

(signed) J. A. Winston, Clerk.

(SEAL)"

"MARSHAL'S RETURN.

I received this summons the 23" day of December A.D. 1896 and served the same as follows: W. T. Hutchins, Attorney for the Cherokee Nation Later Accepted Service on the within at Muskogee, Ind Ter on this 13" day of January 1897

(signed) W. B. Watts

By Deputy Marshal

By .....Deputy."

Indorsed on back as follows: "Citizenship Case No. 90 No. 6.. Nation... Summons....Atty's for Claimants."

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"Joanna Barber et al.
vs. No.90.
Cherokee Nation.

Mr. H. A. Gibson, Special Master, to whom this case was referred, submits the following report:

'IN THE UNITED STATES COURT IN THE INDIAN TERRITORY,
NORTHERN DISTRICT, AT MUSKOGEE.

JOANNA BARBER ET AL)
)
-VS.)- : REPORT OF SPECIAL MASTER.
)
CHEROKEE NATION.)
----------oOo----------

I, H. A. Gibson, Special Master herein, show to the Court that under the general order herein, I have examined the proof and pleadings herein, which is hereto attached and make a true proof, and that I find as follows:

I

That this cause was instituted on September 8th, 1896, before the Dawes Commission to the Five Civilized Tribes, by Joanna Barber, and Isaac J. Barber, her husband, and their children, Onis E., William H., James E., Johnnie and Joel A. Barber. That Joel A. Barber has the following children, Mattie Toliver, George A., Frankie O., Jesse and Ethel Barber. That the application includes also Mary A. Bolt and her child Inez Bolt, Emma L. Murphy and her child Claud Murphy, Emma Moore and her children Anna J., Jackson D., Mary and Gladys, Attie L. Hunt and her child Dorina Hunt, Albey J. Smart and her children Georgia A. and Brizey E. Smart, Josepho J. Garlinghouse and her children Myrtle C., Corn L. and Bertha M. Garlinghouse. That this application was by the Commission tried and rejected on October 20th, 1896, with no reasons given for the decision, and that subsequently on December 22, 1896, the claimants appealed to this Court. That the parties all live in the Cherokee Nation, Indian Territory.

II

That the parties claim the right to be admitted to citizenship in the Cherokee Nation by reason of their descent from Polly Rogers, who is claimed to be a Cherokee Indian by blood. That there filed in support of their application the affidavits of S. E. Dawson, F. Dawson, Francis M. Dawson, and T. A. Dawson, who testify that Joanna Barber is the daughter of Elizabeth Foley, nee Dawson, who was the daughter of Polly Rogers, who married a white man by the name of Samuel Dawson, and that Polly Rogers was the daughter of Captain John Rogers and Ailsey Vann. That these witnesses are all Cherokee citizens by blood, and related with the

claimants, and according to their testimony, relating to them by blood.

The appellee introduces to contravert this testimony the decision of the Cherokee Commission on Citizenship, rendered in the year 1.37, in which these claimants were rejected by this Commission and also the affidavits of E. C. Rogers a grandson of Captain John Rogers, and Mrs. Sarah Carter, a granddaughter of Captain John Rogers, both of whom state that they never heard of any daughter of said Captain John Rogers by the name of Polly Rogers, and that Cynthia Rogers was his only daughter.

III

The claimants contend that they are residents of the Cherokee Nation, and are relatives of the Dawson family, who are recognized citizens of the Cherokee Nation by blood, are entitled to be admitted to the Cherokee Nation as citizens by blood, while the appellee contends that John Rogers, through whom the petitioners claim, is not now and has not been a citizen of the Cherokee Nation since the removal west: that his name does not appear on the rolls of the Cherokee Nation, and that he nor his ancestors ever resided in the Cherokee Nation as citizens thereof.

The premises considered, in view of the unsettled condition of affairs in the Cherokee Nation at the time when Captain John Rogers, the ancestors through whom these claimants trace their Cherokee blood, lived, and especially in view of the absence of a marriage law and of records pertaining to marriage, I am of the opinion that these claimants have proved that they are descended from Capt. John Rogers, who resided in the Cherokee Nation, and was a recognized citizen, though they do not show that he was ever enrolled as such, and I therefore find that the claimants are all residents of the Cherokee Nation, Indian Territory, and that they are all Cherokee Indians by blood. That they have resided in the Cherokee Nation since 1.67, and probably longer, but the proof does not go to definitely how long they have so resided.

I ask that the Court allow me a reasonable fee for my services herein as Special Master.

Respectfully submitted this 1[illegible] day of August, 1.07.

(signed) N. A. Gibson,
SPECIAL MASTER.

[illegible] said.
"No Exceptions Filed."

BY THE COURT.

From this report it appears that the claimants base their right to be enrolled as citizens of the Cherokee Nation upon the ground that they are the descendants of a Cherokee Indian by blood, but their ancestors through whom they claim have never resided in the Cherokee Nation as now constituted. It appears that they have resided in the Cherokee Nation since 1.67, and probably longer, though the proof does not state definitely how long they have so resided. It does not appear that the claimants or any of their ancestors have ever been recognized as citizens of the Cherokee Nation.

The judgment of the United States Commission rejecting this case is affirmed, and the application of the claimants

to be enrolled as citizens of the Cherokee Nation is denied."

Indorsed on back: "SC No.7 Joanna Barber et al vs Cherokee Nation, Final Report of Special Master, Filed August 17, 1897, Jos A. Winston, Clerk."

Foregoing papers in Joanna Barber case enclosed in jacket indorsed: "SC Joanna Barber et Vs Cherokee Nation."

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"NOTICE.

SC

UNITED STATES OF AMERICA)
INDIAN TERRITORY (SS
NORTHERN DISTRICT.)

In the United States Court for said District.
In the matter of the application of Joanna Barber et al to be enrolled as citizens of the Cherokee Nation.

To the Commission to the Five Civilized Tribes.

You are hereby notified that an appeal has been taken in the matter of the application of Joanna Barber et al to be enrolled as citizens of the Cherokee Nation, from the said Commission, to the United States Court for the Northern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest time practicable to said Court, at Muskogee, Indian Territory, a transcript of all the entries made in the docket of your tribunal relating to the case, together with the depositions and testimony taken before said tribunal; the decision thereof on the application, and all original papers relating thereto.

Witness the Honorable William M. Springer, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, the 27 day of Dec. 1896. A.D. 189--.

(SEAL) (signed) J. A. Winston, Clerk."

Indorsed: "No. 1864 Joanna Barber et al vs Cherokee Nation, APPEAL ORDER OF U. S. COURT."

Foregoing paper enclosed in jacket marked: "No. 1864."

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BY MR. HUTCHINGS:

We now introduce the original record in the citizenship case of Irene J. House, et al., before the Commission in 1896, the court number of same being 238, said case being denied by the Commission; appealed to the United States Court, and the decision of the Commission affirmed.

In this case we desire to call especial attention to the certified copy filed therein of the testimony of Arthur Baker, the certified copy having been made in 1894, being the testimony of Dr. Baker in the case of Robert Dawson against the Nation, number 108, before the Citizenship Commission, and which was made January 19, 1898.

BY MR. McKENNON: To all of which the applicants object, because the same is immaterial, irrelevant and incompetent.

The papers in Court No. 238, just introduced above, are as follows:

"Office of Commission on Citizenship,
Cherokee Nation, Tahlequah, January 19, 1883.

No. 108.
Robert Dawson et al) Exhibit C.
vs (
Cherokee Nation.)

Testimony for Claimants

Witness, Dr. Arthur Baker sworn testified as follows:

My name is Arthur A. Baker I reside at Berryvill Arkansas Carroll County my age is 73 years I am not a Cherokee, I lived in the Cherokee Nation about three years when I first came to Arkansas I have been acquainted with him since he became a citizen of Carrolls County more 35 years - At my Mothers house near Calhoun I became acquainted with the claimants Robt Dawson grandmother on Mother's side she was frequently at my mothers house though she Anna Pruet lived in the Nation side: She claimed to be a half sister to Big Joe Vann, also claimed to be half Cherokee, the first time she brought the claimants mother to my mothers house she the mothers mother was about grown when I was a little boy. She called her daughter Polly Rogers, Said Captain John Rogers who ran a boat up the River was the father of the child; I saw the girl frequently there at my mothers and there at Louis Ragses Store;

I saw her occasionally until I was 15 or 16 years of old and I think then Old Capt. John Rogers took her off to school, I saw her no more from the time Old Capt. John Rogers took her off till I saw her here in Arkansas the wife of old Samuel Dawson, I stayed all night there and she and I had a talk over our old matters and I asked her where she became acquainted with Dawson and she said at the time she was going to school and she said after she left school that Dawson followed her home, to the Nation and they were there married. I have told that precisely in the words that she used, Capt John Rogers claimed to be one fourth Cherokee. The claimant is the son of Polly Rogers, and I know Polly Rogers to be the daughter of Anna Pruett and I know the claimant to be the son of Polly Dawson.

Capt. Rogers then resided in the Cherokee Country about ~~twenty~~ (Word "twenty" marked through) twelve miles below Calhoun on the Hiwassee River Anna Pruett resided in the Cherokee Nation as long as I stayed there to Dawson when I got acquainted with them Arkansas were recognized where they were as Cherokees. Robert Dawson children is Buck, John, Marian and two girls, The children named in the petition I recognized as being the claimants.

Question by Solicitor:

Qo. 1 How many children did Polly Rogers have?
Ans. 1 Five I think that's all.
No. 2 Did you say so anything about her being married twice?
Ans. 2 The claimant was married twice.
No. 3 Could Anna Pruet speak Cherokee?
Ans. 3 Yes, she could speak it well.

Ques 4 Did Polly Rogers speak Cherokee?
Ans. 4 She did when she was young.
Ques 5 How far did you live from Anna Pruet?
Ans 5 Just across the rive about 3/4 of a mile.
Ques 6 Was Calhoun in the Cherokee Nation?
Ans. 6 It was on both sides of the river part in the Nation and part out in the state.
Ques 7 Which Harnage was it went to Texas?
7 George went first, then John went, they were the sons of old man Harnage, that lived up near the line.
Ques 8 Did the Claimant go to Texas?
Ans. 8 No the Claimant did not go to Texas.
9 What connection was claimant and Polly Rogers?
9 The Claimant is the son of Polly Rogers Marion here is the grandson of Polly Rogers.
10 Where does claimant now live?
10 He lives in Carroll Co Arkansas.
11 Do you know what relation old Capt John Rogers was to Charles Rogers here in Cooweescoowee?
11 They claimed him but what kin I dont know there were two Capt John Rogers in the Nation I am speaking of the time when I first come to this country about the year 1830.
12 Was Anna Pruet the maiden name of claimants grandmother
13 Yes that was her maden name the Indian called her
Since his
(signed) Arthur X Baker
mark

Witness hand paralyzed is the reason why he signed by a mark this x

I R T Hanks Assistant Executive Secretary do hereby certify that the foregoing document is a true and correct of the original as appears of record in the Executive Department of the Cherokee Nation.

Given under my hand and the seal of the Cherokee Nation on this the 5th day of December 1894.

(signed) R. T. Hanks,
Asst Exec Sec.

(seal)

"To the Honorable the Dawes Commission on Citizenship in the Five Civilized Tribes in the Indian Territory:

Your petitioner, Irene J. House, undersigned, respectfully states that she is a Cherokee Indian by blood, as asks to be enrolled as a member of the Cherokee Nation of Indians in the Indian Territory. That she derives her said Indian blood from Joannah Barber her mother, who is a Cherokee Indian by blood The said Joanna Barber being a daughter of Elizabeth Petty who was the daughter of Polly Rogers and Samuel Dawson, the said Polly Rogers being the daughter of Captain John Rogers and Anna (alias Vann) Pruet, Cherokee Indians, as shown by a certified copy of the affidavit of Dr. Arthur A. Baker, which is hereto attached as Exhibit A also affidavits marked exhibits B- C- D- and E.

Your petitioner states the above facts as the lawful grounds for her application for citizenship in the Cherokee

Nation, and prays that her claim may be fully investigated by your Honorable Commission and that she be adjudged to be a citizen of said Cherokee Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is 34 years. My Post Office address is Talala, Ind. Ter. My family consists of the following named persons: My husband and children as follows:
W. [illegible] aged 34 years; Chas. C. House, aged 9 years; Minnie F. House, aged 8 years, Anny F. House, aged 5 years.

Witness my hand this 19 day of August 1896.
(signed) Irene J. House.

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Northern Judicial
District, Ind. Ter. SS.

Personally appeared before me, the undersigned authority, Irene J. House, to me known to be the petitioner in the above petition, who being by me first duly sworn upon her oath says that she is the petitioner in the above petition, that she has read (or heard read) the said petition and that the facts stated therein are true, as she verily believes.
(signed) Irene J. House.
Subscribed and sworn to before me at Talala, Ind. Ter. this 19 day of August A.D.1896.
(signed) J. Barricklaw,
Notary Public, My Commission expires
(seal) June 8 1899."

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"Exhibit A.
Northern Judicial Division,
Indian Territory.
Joanah Barber being duly sworn according to law. on oath states my name is Joanah Barber I am 61 sixty one years old my Post Office address is Watova Ind Ter- My husband occupation is farmer I am a Cherokee in Coowescoowee Dist I am a Cherokee Indian by blood my mother being Elizabeth Petty (nee Dawson) Daughter of Polly Dawson and Polly Dawson (nee Rogers) and Polly Rogers is a daughter of Capt Rogers and Anna Vann (nee Anna Lucy Vann) the following Irene J. House is my daughter she was born in Williamson County, Texas May 12th 1874 moved with her husband children to the Indian Terry and settled near Talala I Terry
(signed) Joanah Barber
Subscribed and sworn to before me this 19th day of Aug.1896.
(signed) J. Barricklaw,
Notary Public, My commission expires
(seal) June 8 1899

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"EXHIBIT B.

Indian Territory,
Northern Judicial District ss.
F. M. Dawson being duly sworn according to law deposes and says:

My name is F. M. Dawson: I am 64 years of age; My post office address is Afton Indian Territory I am a farmer by occupation a d reside in the Cherokee Nation.

I am a recognized Cherokee citizen by blood. I was born in Carroll County Arkansas near Berryville. I derived my Cherokee Indian blood from my grandmother whose maiden name was Polly Rogers through my father Robert Dawson, My grandmother Polly Rogers was a Cherokee Indian and was married to Samuel Dawson my grand father in the old Cherokee Nation in Tennessee, My grand parents Samuel Dawson and his wife Polly came west from the Old Cherokee Country in about 1832 and settled in western Arkansas and later came on to the Indian Territory and the father of this affiant Robert Dawson and family settled in the Cherokee Nation, Indian Territory, Robert Dawson, the father of the affiant was also a recognized citizen of the present Cherokee Nation by reason of his Cherokee Indian blood.

The said Robert Dawson father of this affiant and Elizabeth Dawson who married John Petty were full brother and sister by blood, both being children of said Samuel Dawson and his wife Polly Dawson whose maiden name was Polly Rogers The said Elizabeth Petty was the mother of Joanna Barber who is a full cousin by blood of this affiant in the Indian side. The said Joanna Barber is the mother of Irena J. House nee Barber who is a second cousin of this affiant in the Indian side.

This affiant further states that he has seventy five to a hundred blood relatives who reside in the Cherokee Nation and are recognized Cherokee Indians by blood and drew their per capita money all the last payment said citizens and relatives derived their Indian blood from the same source that the above named Irene J. House, derives her Indian blood and right.

This statement I have made to John H. Koogler, a Notary Public at Muskogee Indian Territory and it has been written down by him at my dictation. Such part of this testimony which refers to matters occurring previous to my recollection I know by means of family history and traditions which facts I have always been taught and told of by my parents and grand parents from childhood up, the facts stated as occuring since my childhood I know of my personal knowledge. Affiant further states that he is not personally interested in the prosecution of the application of said Irena J. House for citizenship in the Cherokee Nation.

(Signed) F. M. Dawson."

"Indian Territory,
Northern District

I John H. Koogler, hereby certify that the annexed and foregoing statement and affidavit was dictated to me by F. M. Dawson and was subscribed and sworn to by him and was written by me from his oral statement at my office in Muskogee Indian Territory this 14 day of August 1896, and I further certify that the said F. M. Dawson is personally known to me and that he is a creditable person and entitled to belief.

(Signed) John H. Koogler,
(seal) Notary Public."

Northern Judicial District,
Indian Territory. EXHIBIT D.

E. Dawson, being duly sworn according to law on oath states: My name is E. Dawson; I am 61 years old; My post office address is Talala, Ind. Ter. I am a farmer by Occupation, and reside in Coowescoowee District- Cherokee Nation. I am a recognized Cherokee Indian by blood, and exercise all the rights and immunities of a Cherokee Citizen now living in the present Cherokee Nation. I was born in Carroll County Arkansas near Berryville. I derived my Cherokee Indian blood from my Grandmother Polly Rogers through my Father, Robert Dawson. My Grandmother Polly Rogers was a Cherokee Indian and was married to my Grandfather Samuel Dawson in the old Cherokee Nation in Tennessee. My Grand Parents, Samuel Dawson and his wife Polly Dawson whose Maiden name was Polley Rogers came West over the Old Cherokee Country in about the year 1832, and settled in Western Arkansas, and later came on to the Cherokee Nation. My Father Robert Dawson was a recognized member of the Cherokee Nation when he died, by reason of his Cherokee Indian blood.

The said Robert Dawson, the father of this affiant, and Elizabeth Dawson who married John Petty were full brother and sister by blood, both being children of the said Samuel Dawson and Polly Dawson is wife she being the same Polly Rogers as aforesaid. The said Elizabeth Petty was the mother of Joanah Barber who is a full cousin by blood of this affiant on the Indian side, the said Joanah Barber is the mother of Irena J. House, whose Maiden name was Irena J. Barber and a second cousin of this affiant on the Cherokee Indian side. This affiant further states that he has seventy five to a hundred blood relatives who reside in the Cherokee Nation and are recognized Cherokee Indians of the present Cherokee Nation and exercise all the rights and privileges of such Cherokee citizens, they having drawn their shares of the strip money at the last per capita payment made by the Cherokee Nation.

Said citizens and relatives derived their Cherokee Indian blood from the same source, as did the above named Irena J. House.

Subscribed and sworn to before me this the 10 day of August 1896

(signed) J. Barricklan,
Notary Public, My commission expires June 2, 1900.
Notary Public.

(seal).

"Cherokee Nation,
Coowescoowee District. EXHIBIT E.

Before me the undersigned authority this day, personally appeared W. A. Dawson who is to me well and personally acquainted, and after being duly Sworen; deposeth and says, that he is well acquainted with Irena J. House and knows she is a Cherokee Indian, and that he knows she is the daughter of Joana Barber, who is a neice of Robt. & James Dawson, who are both Cherokee Indians and recognized citizens of the Cherokee Nation.

Affiant further states that Irena House is the grand daughter of Mrs. Petty, who was a full sister of Robt & James Dawson.

Affiant further says that he knows that Irena House is a lineal descendant of Annie Dawson whose children (line drawn through word "children") sons, Robt & James before spoken are recognized citizens.

Affiant further says he has no interest in this suit.

(signed) W. A. Dawson.

Sworn and subscribed to before me this 17 day of August 1896.

(signed) William Lynch
Notary Public.

(Seal) My term expires Feb 6 1900."

Foregoing indorsed on cover as follows:
"No: 3099 5464 Before the Dawes Commission on Citizenship in the Five Tribes. Irene J. House V.S. The Cherokee Nation. Petition and Proof, Will E. Linton, for Petitioner. Filed Sept 8 1896 A. S. McKennon, Com'r. Denied. Filed Feb 26 1897 Jas A. Winston clerk."

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"Received of M. M. Jacoway, jr., Secretary to the Commission to the Five Civilized Tribes the original papers in the cause of .... vs..... Nation, as follows..... Witness my hand and of icial seal at Muskogee this the 26 day of Feb' 1897 J. A. Winston, Clerk."
(Seal)"

Indorsed: "Court No.238 No. 5464 Receipt for original papers in the case of Irena J House vs. Cherokee Nation, Received and filed this ..... day of..... 189..."

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"Irene J. House et al,
vs. No. 238
Cherokee Nation.

Mr. N. A. Gibson, Special Master to whom this case was referred, submits the following report: (Insert report)

IN THE UNITED STATES COURT IN THE INDIAN TERRITORY.

NORTHERN DISTRICT AT MUSCOGEE.

IRENE J. HOUSE ET AL

VS # 238 REPORT OF SPECIAL MASTER.

THE CHEROKEE NATION.

----------oOo----------

I, N. A. Gibson, Special Master herein, show to the Court that under the general order herein, I have examined the proof and pleadings on file in this case which are made a part of this report, and that I find as follows:-

I

That this case is in reality a branch of Case No. 80, Joanna Barber vs Cherokee Nation, the principal claimant herein being Irene J. House a daughter of Joanna Barber.

That this cause was instituted on September 8, 1896 at which time application was made to the Commission to the Five Civilized Tribes for citizenship by blood in the Cherokee Nation.

That this case was tried by the said Commission on November 24, 1896 and the applicants denied, no reasons being given for the decision, and that on January 20, 1897, the parties appealed from said decision to this Court.

That this application was made by Irene J. House, her husband, W. J. House, and their children Thos. C. Winston T., and Henry W. House. That they file in support of their application the affidavits of Joe A. Barber, T. L. Dawson, Arthur A. Baker, E. Dawson, and W. A. Dawson. That these Dawson witnesses are citizens by blood of the Cherokee Nation, and state that they are related by blood to the claimants herein on the Cherokee side. The claimants base their contention of a right to Cherokee citizenship upon the fact that the claimant Irene J. House is the daughter of Joanna Barber, who is the daughter of Elizabeth Foster, who was the daughter of

Polly Rogers, and that Polly Rogers was the daughter of Captain John Rogers and Ailsey Vann, who were recognized Cherokee citizens by blood. That the testimony shows that the Dawson family are recognized citizens of the Cherokee Nation, and that the claimants herein are cousins by blood upon the Indian side, and that they all claim through a common ancestor, Polly Rogers and Captain John Rogers and Ailsey Vann, who were all recognized Cherokee Indians.

II

The appellee introduces in defense the record of the application of these claimants to the Cherokee Commission on Citizenship in the year 1896, and the record of the rejection of the claimants, and further the affidavits of W. C. Rogers, and Mrs. Sarah Carter, a grand daughter both of whom state that they never heard of any daughter of Captain John Rogers by the name of Polly Rogers, and that he had only one daughter, whose name was Cynthia.

III

The Claimants contend that they are residents of the Cherokee Nation and are relatives of the Dawsons, who are

recognized citizens of the Cherokee Nation by blood, are entitled to be admitted to the Cherokee Nation as citizens by blood, while the appellee contends that John Rogers, through whom the petitioners claim, is not now and has not been a citizen of the Cherokee Nation since the removal west. That his name does not appear on the rolls of the Nation, and that neither he nor his ancestors ever resided in the Cherokee Nation as citizens thereof.

IV

The premises considered, I find that the claimants are the descendants of Captain John Rogers, and that it was entirely possible that in the condition of arrairs at that early date in the Cherokee Nation, especially owing to the absence of a marriage law and of records pertaining to marriage, that those claimants should be the descendants of Captain John Rogers by a daughter, Polly Rogers, of whom the affiants for the appellee may never have heard.

I find that the claimants are residents of the Cherokee Nation, Indian Territory, where they have resided since 1837, and that they are Cherokee Indians by blood.

I ask that the Court allow me a reasonable fee for my services herein as Special Master.

Respectfully submitted, this 9 day of Nov 1897.

(signed) W. A. Gibson,
Special Master.

My fee paid,
No Exceptions filed."

Foregoing papers indorsed on cover as follows: "238, Irene J. House et al V Cherokee Nation Final Report of Special Master. Filed Nov 10 1897 Jas A. Pinaton, Clerk."

Foregoing papers enclosed in jacket indorsed as follows: "238, Irene J. House, et al vs. Cherokee Nation."

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BY MR. HITCHINGS:

Well we close for the present.

TESTIMONY INTRODUCED ON BEHALF OF THE APPLICANTS:

D. W. C. DUNCAN, being first duly sworn, and being examined, testified as follows:

BY MR. McKENNON:

Q Please state your name, age and residence? A My name is D. W. C. Duncan, my age is 78 years, my residence, Vinita, Indian Territory.
Q Are you a duly recognized citizen of the Cherokee Nation by blood? A I am.
Q You gave testimony in this case once before did you not, before the Dawes Commission? A I did.
Q Before this Commission I will say, this Commission? A The Dawes Commission? A Why I don't recollect who the Commissioner was, that was taken at Vinita, ex parte.
Q Were you in any way connected with the Cherokee Citizenship Commission, also known as the "Dawes Commission"? A I was Clerk of that Commission.

Q For what length of time? A I can't recollect the exact length of time, I think it was about thirty days, during the continuance of that Commission, Examiner of this Commission.
Q You were the only clerk of said during its existance were you?
A I think I was.
Q You were Clerk of that Commission when it rendered a decision in favor of Robert Lowery et al, as found on page 114, of its record, numbered 108 (Chronn examines record referred to.) now in the possession of this Commission? A I was.
Q The members of that Commission were the same as shown by the signatures to this judgment were they? A The same, yes, sir.
Q Thomas Fisher, Attorney of the Commission Alex Wolfe and T. F. Thompson Commissioners is that is correct, is it? A That's correct.
Q Were you present when this cause was under consideration by that Commission and when it rendered this judgment in the case? A I was.
Q Were you at that time acquainted with F. M. Dawson, one only [illegible] Dawson, Marshal Taylor and Samuel H. Berge, who were attorneys, who were Cherokee attorneys at that time? A I might say that I merely knew Mr. Dawson; and I knew of him when I saw him [illegible] Mr. Taylor and Mr. Berge [illegible] I have known them a number of years.
Q [illegible] Cherokee citizens were they? A They were.
[illegible] (merely as a citizen) Attorney?
A [illegible]
Q [illegible] seeing him and being present at the time this [illegible] Mr. Berge? A Why I do not recollect seeing Mr. Berge, I cannot recollect now, but I can recollect of seeing Mr. Taylor [illegible] them.
Q [illegible] to the Court for the [illegible] the hearing of that; who brought the case?
Q [illegible] The record? A No, I don't recollect.
Q Do you know whether that Commission rendered any other decision than the [illegible] in this case? A I never had any [illegible]
Q [illegible] applicants? A It was in favor [illegible] If there was another decision other [illegible] before you, I have no [illegible]
Q The [illegible] any knowledge of was recorded by you in [illegible] was it not? A That is the only one that I have any [illegible]
Q [illegible] you any money in connection with that case?
A [illegible]
Q [illegible] to pay you any money for your influence [illegible] A Never.
[illegible] Q [illegible] through any other person [illegible] influence in that case?
A [illegible]
Q [illegible] any knowledge of his having paid to the Court [illegible] of the Court any money for the purpose of influencing [illegible] in that case? A No, whatever.
Q [illegible] opportunity to observe the conduct during that Court [illegible] A The only opportunity that I had was during [illegible] I was [illegible] of him [illegible] and saw him [illegible] I would see him in Court.
Q [illegible] (WITNESS) I was present [illegible] Court which [illegible] and heard [illegible] argument [illegible] that judg-

mony? A I never observed anything of the kind; nothing that attracted a suspicion in my mind that he was guilty in that kind of practice.

Q Did Campbell Taylor at any time after the rendition of that judgment say to you why you were again employed by him and Dawson for any services you had rendered him in that case?

A Yes, he said he knew.

Q What amount? A My recollection is that I think it was a twenty dollar bill. I don't know but I had better go and state the transaction, all about it.

Q Yes, sir. A Mr. Duncan, Tom Dawson, during the trial of the case occasionally applied to me at my desk for writing paper, a piece of subpoena or transcript, something of that kind I always treated him with courtesy and proper official consideration. He seemed to appreciate it, and whenever I did services of that kind to him, says he, I have no money, Mr. Duncan, but I feel as I ought to pay you. I told him I made no charges for work of that kind. And in passing I might state that I never received a cent for any kind of that work which I had been in the habit of doing for various parties before the court.

After his trial was concluded, in the afternoon a little while before supper I went to my hotel, the National Hotel in Tahlequah; went to my room, felt a little tired, laid down upon the bed to rest. I recollect Mr. Duncan entered into the room, drew a chair up to the bedside and sat down and commenced talking in expression to his gratification at the success of his case, dwelling mostly upon the testimony in the case both, so satisfactorily, establishing his Cherokee blood, and that he thought that he was entitled and that he had received justice by the Court. I listened to him, and we talked there I guess some ten or fifteen minutes; after a little he says, I must go now, I think he says to-morrow, I must go home, Mr. Duncan lived down in Arkansas somewhere. Says he, Mr. Duncan, I believe I owe you something, I ought to pay you something. Alluding, as I understood, to these little courtesies that I extended to him at my desk. Says I, I make no charges, Mr. Dawson, for services; if I have done you any good you are welcome. Well, says he, I feel indebted to you, I ought to pay you. I says, that makes no difference; I will leave that to you. Says he, I have hardly enough money to get back home. He shook my hand, and the last word he says to me, you won't lose anything for your kindness to me; I thought he had reference to my services at the bar. That was the last I saw of Mr. Dawson, or it must have been a year afterwards; I was located a little claim on the Walla Walla up there in Delaware District, looked after what I claimed to be a farm, merely squatter, I didn't make any other improvements, over there on Horse Creek. Went over in that part of the country to look after my claim, and I met Tom Dawson in. Dawson, he had come into the Country and become quite a trader, a fixed pretty well and living; in fact I seldom met him, he was very glad to see me. I asked him what he was doing there; he said he had moved into the country, and I told him, says I, you are encroaching upon me here; he had entered his claim over part of mine, mine had been made so long it was outlawed under Cherokee law. Well, says Mr. Dawson, I don't feel like doing you any harm, I will pay you for your claim, we will settle the matter in that way, that he as soon as he got his little business together that we would attend to it, until we parted at that point. It ran on then for a long time, I can't know how long,- I think I met him in Alvita, and says he, did Campbell Taylor pay you any money that I sent to you? Says I, No. I have not seen Campbell Taylor.

Well, says he, I gave him some money and told him to send it to you for me, and, says he, you ask him and he will hand it over to you I guess. Well we parted then. Well, went on for some time, some months; I happened to meet Mr. Taylor in Tahlequah; I met him on the street I think, jocularly I slapped my hand on his shoulder, says I, look here, did Mr. Dawson any money to me by you? He says, yes, and he pulled out what I recollect to be a twenty dollar bill, and handed it to me; I received it, and I received it with the idea that he was compensating me for taking my claim, or possibly for doing him those little services in the Court. Now that is the sum and substance of the whole thing.

Q Was not that twenty-five dollars, Mr. Duncan? A It might possibly have been, my recollection does not serve me exactly, it might have been 25 dollars.

Q Did Campbell Taylor pay you any other money as coming from Bud Dawson? A Never a cent.

Q Did he at one time pay you fifty dollars out of a hundred dollars which he had received from Mr. Dawson? A Never.

Q Did he on a second occasion pay you fifty dollars out of one hundred dollars which he claimed to have received from Mr. Dawson? A None at all.

Q He paid you no other money than that you have already stated, from Mr. Dawson? A Not a cent.

BY MR. McKENNON: We offer in evidence the judgment of the Cherokee Citizenship Commission before referred to, and ask that it be filed in evidence in the case of every application made by members of the Robert Dawson family who claim under it, or through Robert Dawson, as citizens of the Cherokee Nation, said judgment being found on page 114, Records of the Tehee Court, 1880 to 1884, cause number 106, judgment dated January 11th, 1883, signed by Thomas Tehee, President, Alex Wolfe, T. F. Thompson, Commissioners. D. W. C. Duncan, Clerk Commission.

The said judgment just introduced is as follows:

"Office Commission on Citizenship,
Tahlequah, C. N., September 24th, 1881.
No. 106
Robt Dawson,
Elbert Dawson,
Jasper Dawson,
John Dawson,
Josephine Dawson,
Joseph Dawson,
Jane Dawson,
Molly Dawson,
Wilbron Dawson,
James Dawson,
Rial Dawson,
vs.
Cherokee Nation,

Petition for Citizenship

Continued by the Plaintiff, Oct. 5; 1881.

January 11th, 1883.

The above case continued by the Cherokee Nation till Sept,

term. Agreed by the parties that the above shall not be taken up for final disposition before the [illegible] day of Oct. 1902, October [illegible] 1902.

It is agreed by the parties that this shall be finally disposed of at the next January term of the Commission. Present defendants the same, if not, the case shall be transferred to the September term, 1903.

On this agreement Commission continues the cause till the next January term to-wit, January 1903.

And now this the 11th day of January A.D. 1903 this case coming on for final hearing, and all the evidence produced in the case being carefully read and fully considered by the Commission it was adjudged and determined by the Commission on Citizenship that the claimants, Robert Dawson, F. W. Dawson, Albert Dawson, Jesper Dawson, John Dawson, Jo [illegible] Dawson, Joseph Dawson, Jane Dawson, Molly Dawson, Filbron Dawson, James Dawson, nee Pial Dawson, are Cherokees by blood; and that they are entitled to all the rights and privileges of Cherokee Citizenship within the Cherokee Nation, and that they should be, and they are, hereby admitted to the full and complete enjoyment of the same in all respects as native born Cherokees.

(signed) Thos. Tehee,
President of Com.

D. W. C. Duncan,
Clerk of Commission.

Alex Wolfe, } Commission,
T. F. Thompson. } ers.

Transcript issued to Claimants, January 11th, 1903,
(signed) D. W. C. Duncan, Clerk."

Marginal Note: "Case submitted by Claimant January 11th 1903. Case submitted by Solicitor January 11th, 1903."

Q Do you remember how many members of the Court were present when this judgment was rendered, or were all of them? A My recollection upon that point is not positive, but resting my statement upon what I know to be the practice of the Court at the time, seeing the names of all these Commissioners there, I can say with a great deal of positiveness that they were all present, because I never signed the name of one of the Commissioners unless he was present, assenting to it or directing it.

Q The rendition of that judgment then was concurred in by all of the three judges? A It was.

Q Mr. Duncan, if there had been a decision rendered the day before in this case while the Court was in session, adverse to these Claimants, would you have known it? A I certainly should have known it.

Q Was there any such decision of the Court? A None to my knowledge. I can say positively there was not.

Q How many of those judges are now living? A Only one.

Q What? A Mr. Thompson.

Q Tehee and Wolfe are dead? A Tehee and Wolfe are dead.

Q How long have they been dead, do you know? A I do not know quite a number of years. I haven't lived there, never have, but from what their death occurred, and [illegible] some time before I got knowledge of it. It is generally understood that they are dead.

Q Do you recollect to have seen any other member of the Dawson family about the Court at that time I am speaking of? A I have been thinking, and I can't recall to mind that I ever saw any other Dawson except Ned, until after they came into the Territory subsequent to the rendition of the judgment.

(At this point a party who has been sitting in the room in which the examination is being held, is called forward, sworn on behalf of Applicants, and asked to retire until called.)

BY MR. HUTCHINGS:

Q Mr. Duncan, when did you become clerk of the Yukon Colonization Court? A It must have been somewhere in December, 1884, at the time the Commission was organized immediately at the close of the Council in which they were appointed.

Q December 1884? A I think so.

Q What are you doing rendering judgments here in your handwriting in 1883? A The Commission held its Court after they were elected sometime.

Q The Court was elected in 1884 wasn't it? A Well, I'm not the time, I don't pretend to say when the Court was elected, I did not have said at the time I was chosen clerk. I was chosen clerk just at the close of the session of the National Council of that year.

Q '84? A I think it was '84.

Q You entered up this judgment rendered January, 1883? A Yes, that was the session of the commission.

Q That was before you were clerk of it? A Well I held my clerkship for some time you know continuously.

Q Well but when you go back to see if you were their clerk when the law on case was passed on? A No, I don't mean to say that.

Q How could you be clerk when the Dawson claim was passed on in 1883 when you were not elected until 1884? A I am mistaken in that, '84 comes after '83,- it was the year preceding 1883, it must have been '82.

Q Your first entry in the Dawson case is January 17, 1884, isn't it? Q I don't recollect what my first entry was. (Attorneys show the record to witness) Yes, that is the entry there on that day,

Q And that was shortly after you became clerk wasn't it? A Yes, shortly after I became clerk.

Q The case had been entered upon the docket before you became clerk? A I think so, yes; It was entered at the previous term of the session of the Commission.

Q In whose handwriting was the names of the three Commissioners signed to that judgment? A Dawson Jud ment?

(Attorney shows record to with a again) A That is my handwriting.

Q All three names? A All three names.

Q The record there shows that you immediately gave them that day a transcript of the judgment, do you know who signed it? A Signed the transcript?

Q Yes, sir. A I do not recollect now, this is, did the writing?

Q Signed the names to it? A Yes, that's it.

Q You always signed the names of Yukon and Yukon didn't you?

A I think I did pretty generally; I don't know of their attempting to write their own names.

Q When Mr. Thompson was there didn't he sign his own name? A Sometimes he did, sometimes he simply authorized me to do it.

Q Have you any recollection of his authorizing you to do it except from the fact that you have done it on that score frequently?

A I can't recall the particular instance or set of circumstances, but I can say positively that, consulting the record, that he authorized me to put his name there.

Q Will you look at the original transcript hereby shown you and referred to in the judgment and say who signed the names of the Commissioners there? A (Papers shown to witness) A I signed them there.

Q You recognize that as your handwriting? A I do.

Q What made you when you were testifying at Vinita before Mr. Martin, on looking at the same signatures, and being cross-examined by me, say that it was not your signature and that the signature thereto attached was the signature of Mr. Thompson? A Occurred in this way: I had not been any of the persons in the case for about nineteen years. The exact transaction in the court had vanished about entirely from my memory: I recollected at that time, however, when I gave in my testimony before the Commissioner, Martin, that that was a practice of the Court at the time I served by which I signed the names of the full-blood members of the Commission, and Mr. Thompson either uniformly or occasionally signed his own name. I based my statement in that deposition upon my knowledge of the rule or practice in the Court, without comparing the docket and refreshing my memory. I made an incorrect statement when I said that that was not my handwriting; I am convinced now that it is my handwriting. That is the way it occurred, the way it happened.

Q Then you consider your recollection of the fact that Thompson when he was present and rendering a judgment signed it himself, better than your own knowledge of your own handwriting?

A No, I didn't so regard it. I simply spoke without advisement when I gave in that testimony; I subsequently became better informed and concluded that that was my handwriting and not entered by Mr. Thompson under the rule, but was one of those cases in which he authorized me to do it myself, and I did it.

Q Then you have changed your testimony, because you think you have a better knowledge of the surrounding facts now than you had then, and not from the fact of your judgment on your handwriting at present? A I simply corrected my testimony in reference to my statement in regard to this handwriting, this case.

Q And you wouldn't know this as I understand you whether or not that is your handwriting if it was not refreshed by what you consider to be exterior factor A I should know it by examining it and thinking over the circumstances, I think I should recognize my own handwriting, but if question should be propounded instantaneously without any advisement or preconsideration I might make a mistake.

Q You did recognize the names of Thomas Tehee and Alexander Wolfe as being in your handwriting at that time? A I was very clear and positive, and so stated, that the names of those Commissioners were in my handwriting, and I was made certain by reflecting on the rule that they never signed their names with their own hand, but always authorized me to do it. Hence there is no question in my mind in regard to my handwriting in their signatures.

Q And then the third name, right under it, as compared with your admitted handwriting, you had to wait and learn the facts afterwards to determine whether that was your signature or not? A No; I don't think that if I had considered the circumstances, I knew that there was a resemblance; that made it of the opinion that that might have been Mr. Thompson's signature was like this: I knew that he had been in the habit of at least sometimes signing his own name, and I was under the impression-and I do not now think I am much deceived- that his chirography bore at least some resemblance to my own, hence I doubted whether I had signed that name or not on that account.

Q You were asked somewhat at that time in your testimony as to the fact that Mr. Thompson's name was not written and not known, didn't not A Mr. Thompson's signing that book was my suggestion; not by him but to you; to ascertain whether I was not right or not, and after so long a time I found that I was.

Q And he stated, as you too didn't you, that he always did sign the original bill when he was present? A I do not recollect that I stated, that I used the word "always", at that time, but at the time I was examined when the deposition was taken by me I recollect that he did, but then I come to reflect and examine the docket I was convinced that I was wrong, that occasionally I signed for him.

Q Then you never knew until this your testimony given something like a year and a half ago was wrong until you examined the docket day before yesterday, and discovered you're not Thompson's signature? A I don't know that I have thought of it since that time until yesterday or day before the examining the docket.

Q Is the only recollection that you have got and the only aid to your recollection that Thompson was present when this judgment was rendered was the fact that you see his name signed to it, in your handwriting, is it? A As a fact.-

Q You can answer that yes or no? A That seeing the admitting aided my recollection and I recollect now that the commissioners were all present at the time that I signed it. I didn't

their names out of court at all.

Q Was it in the forenoon now or in the afternoon? A I don't recollect whether it was in the forenoon or afternoon.

Q In recollecting that they were all present when the record was signed, do you mean to say that they were all present when the judgment was rendered? A Yes, that is, you mean when the question of admission or rejection was voted upon?

A Yes. A They were present.

Q Did you make up the record at the time that they rendered the judgment, or make a memorandum of it, and then write up the judgment some days afterward? A The record was not written up immediately upon the decision of any case, but I wrote up the record after adjournment, generally in the evening, and presented it next day or when the next session was had, for signature; that was the practice.

Q But in this Dawson case you wrote it up the very day that it was rendered didn't you? A I didn't recollect as to that.

Q And gave them a transcript the very day it was rendered?

A I don't recollect as to that.

Q Was instructed the giving of the transcript on the bottom of the judgment the day it was rendered? A I should say it was given at the date of the transcript.

Q That was a very unusual thing, for you to do in entering up judgments? A We do that?

Q To notice the bottom that you had given a transcript the same day the judgment was rendered? A No, I don't know that there is anything unusual about that.

Q Only three cases in that record or more than one in any event that you have ever done that? A I don't recollect, but as I don't recollect of giving anybody else a transcript.

Q That is what I am getting at: you gave them a transcript and wrote up your judgment and everything right away? A Pretty promptly after the decision; whether it was the same day or the evening, and signed next day, I don't recollect.

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AT NOW BEING THE HOUR OF NOON, I.E.M., THE COMMISSION ADJOURNS UNTIL HALF PAST ONE P. M.

AFTERNOON, 1:30 P.M., APPEARANCES, same as in forenoon: D. F. C. DUNCAN again on the stand.
BY MR. CUMMINGS:

Q Do you remember what witnesses were before the Court? A I couldn't recollect now distinctly except Dr. Baker, I remember him mainly because of the length of his testimony at the time it took to take it.
Q The Doctor was about the only distinct witness there was? A He is the only one now that I can call to mind.
Q There was probably another old donkey that testified was not there? A I have no recollection to that effect.
Q The case was just decided really on Doctor Baker's testimony, he is about the only man that knew anything about the case? A I am not certain that Dr. Baker was the only witness; might have been others that are now escaped my recollection.
Q Doctor Baker's testimony was to be given in writing? A Yes.
Q There was not anybody else taken down in writing, was there? A All the testimony that was accepted in the case was taken down in writing.
Q Did you ever see anybody's else testimony in writing except Dr. Baker in that case? A Yes, I presume so, I can't recollect any other but Dr. Baker's.
Q You know whether that was taken absolutely before the trial or at the trial or how was it? A It was taken in the presence of the three commissioners during the session of the Court.
Q You mean the day that the case was decided or how? A I do not recollect whether the case was on trial more than one day, but my impression is that it was.
Q Do you know whether it was the same term of the court or not? A I think it was the same term of the Court.
Q How many terms a year did that court have, do you know how did they last? A I don't recollect of late serving but one term myself, it seems to me so.
Q You didn't go in until January of 1888 did you? A First record is a record of about the 15th of January 1888, as shown on the book, isn't it? A I don't recollect in that regard.
Q How would they take testimony in the case, then sentence it, or how could they generally do about that? A I think they decided on the case at the term in which they took testimony.
Q Can you say whether or not this testimony was taken in this case at the time it was decided or at the term it was decided, or within a week or two of the time it was decided? A My best recollection is that it was taken at the term in which it was decided; some was taken on my testimony heard that the decision was made at the conclusion of the testimony.
Q Well now, I see on October 4th, 1888, on your docket, the following entry reads: "It is agreed by the parties that this shall finally be disposed of at the next January Term." That would be January, 1889, "if the plaintiff to prosecute with due diligence, if not, the case shall be dismissed by the Court on the 1st day of October, 1888; or this agreement to be void and of no effect from and after the 1st day of January to, 1889." Now I don't see as you had a

January and September term; and this decision was rendered at the January, 1933 term. The Baker's testimony taken during the January, 1933, term, at the time this decision was rendered? A I find it impossible for me to recollect those facts that are recorded there; although I can say about that, that the record shows the correct statement of the facts; but I can't recall those facts.
Q Well there is a record here that this case was continued on the 13th day of January, 1933, upon agreement that it should be taken upon the 4th day of October, 1933; your record shows that there was nothing done in the case from January 13th, 1933 until October 4th, 1933; would you say that was correct? A I would say it was correct if it so stands on the book; it is designed to be a correct entry of the facts.
Q I will let you see the book for yourself; I don't want to misrepresent your end of it at all. (Shows entry in book to witness.)
A I can't recall those facts in regard to the agreement.
Q Who took down the testimony of the witnesses in court? A I took it down.
Q You took down the testimony of Dr. Baker? A Yes.
Q He was cross examined by counsel for the Nation? A As to what I don't recollect. He was present, he was always present; I think likely he was cross examined.
Q And that testimony was taken at or near the time when the judgment was rendered in January, 1933? A I think it was, my impression is to that effect.
Q Well the court seems to have had no session as to this case from January 13, 1933 up to October 4th, 1933, according to the record? A (No response.)
Q You don't recall taking down Attorney's Wise testimony in the case? A No sir, I don't.
Q And the probability is that he was the only witness examined isn't he? A It might have been so. My recollection is that he was regarded as the main witness of the case.
Q He was quite an old man, about 75 at that time? A Yes, he was quite old.

BY MR. McKENNON:

Q The testimony of Dr. Arthur Baker, from this record, appears to have been taken January 13th, 1933; is that correct, as far as you may know, or are able to state? A Is that Dr. Baker's testimony? (Attorney here shows witness papers) A It appears to be, yes; I don't think that was the testimony that the case was decided upon, because his testimony was taken orally before the Commission, and I wrote it down; please let me see it. (Attorney hands said papers to witness.)
A Well, all I know about this is as I stated before, I can't recall those facts, but whatever the record says why I say that the record was made correct, according to the fact. (Witness takes copy of the testimony referred to to refresh his memory.) I don't succeed in reading that very clearly to my own understanding, but I gather from the subject matter in that testimony that it is in accord with Doctor Baker's statement; in exactly word for word I am not able to say, but that is the tenor of the testimony.

BY MR. HUTCHINGS:

Q In taking the testimony you endeavored to get down all the material facts that you could in taking it in long hand? A Yes, very nearly word for word, as I could put it, sometimes there was a little variation made necessary by the length of the witness' statement.

BY MR. McKENNON: Applicants object to all of the witness' testimony relating to the method of taking the testimony of witnesses at the trial, the character and effect of that testimony, and the number of witnesses, except so far as the same may be used for the purpose of testing the memory of the witness, because the same is incompetent, irrelevant and immaterial.

B. F. FORTNER, being first duly sworn, and being examined testified as follows:

BY MR. McKENNON:

Q What is your name? A B. F. Fortner.
Q What is your age? A 54.
Q You are a physician are you not? A I am.
Q Where do you reside? A Vinita, Indian Territory.
Q Do you hold any official position in your profession? A Yes, I am President of the National Board of Health, Cherokee National Board of Health, and member of the Legislative Committee of the Indian Territory and of the American Medical Association,-those are some, and the most important positions I hold at this time.
Q Are you a Cherokee citizen? A I am.
Q By blood or intermarriage? A Intermarriage.
Q Your wife is a citizen? A Yes, sir.
Q Do you know D. W. C. Duncan? A I do.
Q How long have you known him? A About twelve or fifteen years, about twelve years I should say.
Q Do you know his general reputation in the community where he resides for honesty and uprightness of character? A I do, I think.
Q Is that good or bad? A It is good.
Q Do you know Campbell Taylor? A I do.
Q How long have you known him? A About six or eight years, don't know exactly how long: Known of him for ten years and personally I have known him about any six or eight years.
Q Do you know his general reputation for truth and veracity? A I do.
Q Is that good or bad? A It is bad.

BY MR. HASTINGS:

Q Mr. Du can belongs to the same church you belong to? A Yes, sir.
Q And has for a number of years? A Well now I say I think he does; I have always so understood.
Q Don't keep up with all your members? A No, but he has attended church there and my impression has been that he is a member of the church.
Q You didn't have any business before the Citizenship Court of which he was clerk, did you? A No, sir, not that I know of.
Q You was not at Tahlequah while he was clerk of a Court from 1832 to '3? A I don't believe I was.
Q Never had any business before that Court? A Had no business before them, not while he was Clerk to my knowledge.

BY MR. McKENNON:

Q You spoke of his membership in the church: he is in good standing as a member of the church is he? A Yes, sir.
Q I will ask you if Campbell Taylor's reputation isn't notoriously bad? A Yes, I have so understood it.

BY MR. HASTINGS:

Q I will ask you if it was notoriously bad in 1832, when these people employed him to represent them before the Court? A That was before my knowledge of him.

Q But so far as you know his bad reputation dates back so far as you know him? A So far as I know him.

G. W. MILLER, being duly sworn and being examined, testified as follows:
BY MR. McKENNON:
Q What is your name? A G. W. Miller.
Q What is your age, Mr. Miller? A 61.
Q Where do you reside? A Vinita.
Q How long have you lived there? A Well I have lived there altogether about 13 years I guess, or 14.
Q Are you a citizen of the Cherokee Nation? A No, sir.
Q What is your business? A Real estate and insurance agent.
Q Do you know D. W. C. Duncan? A Yes, sir.
Q How long have you known him? A I have known him twenty years.
Q Do you know his general reputation for honesty and uprightness of character where he lives? A Why yes sir.
Q Is that good or bad? A It is good, so far as I know.
Q Do you know Campbell Taylor? A Yes, sir.
Q How long have you known him? A Well I have known him 18 or 20 years, I guess.
Q Do you know his general reputation for truth and honesty? A Well yes.
Q Is that good or bad? A Well, it is bad, I think.

ATTORNEYS FOR CHEROKEE NATION waive cross examination.

T. H. CURTIS, being first duly sworn and being examined testified as follows:
BY MR. McKENNON:
Q What is your name? A T. H. Curtis.
Q How old are you, Mr. Curtis? A 56.
Q Where do you reside? A Afton, Indian Territory.
Q How long have you lived in the Indian Territory? A 20 years.
Q What is your business? A Barber business.
Q Do you know D. W. C. Duncan? A I do.
Q How long have you known him? A About 20 years.
Q You know his general reputation for honesty and uprightness of character in the community where he lives? A I do.
Q Is that good or bad? A As good as any man's.
Q Do you know Campbell Taylor? A I do.
Q How long have you known him? A Some 20 years, I suppose.
Q Do you know his general reputation for truth and integrity and honesty? A Yes sir.
Q Is that good or bad? A Bad.
Q Is it notoriously bad? A Yes.
Q Did you ever know Mr. Baker, Mr. A. W. Baker, of Berryville, Arkansas? A Yes sir, I knew him a good deal.
Q Where? A Over at Berryville; I had a saw mill in that country at Berryville.
Q Did you know his general reputation so far as honesty and uprightness of character and truthfulness? A Yes sir.
Q Is that good or bad? A Good sir. Good as any man's; he is a good citizen gentleman.
Q Did you know him well enough to know his habits of life? A Yes sir.
Q Was he in the habit of using liquor, drinking liquor? A Not that I know, I [illegible] saw him take a drink in my life.

Q Was his character such as to preclude any such charge against him? A It was, yes sir.

BY MR. FOSTER:

Q How long did you know Dr. Baker? A Two years.

Q What does he do here? A He was an old veteran then, he lived right on the edge of Jeffersville, Dr. Baker.

Q How old do you think he was then? A I think he must have been 65 or 70 years old; an old gentleman.

Q That was in 18 what, 80? A No sir, it was in '82 and '83, the two years that I lived over there.

Q He had retired from business? A Yes, sir.

Q Did he have any family? A Yes, sir.

Q What family did he have? A I don't know how much family he had, I was not acquainted with the old gentleman.

Q He wasn't doing any business with anybody? A No sir.

Q And his character was never called in question one way or the other was it? A No sir, no sir.

Q Campbell Taylor was a notorious rascal pretty much even since you ever knew his name, he? A Yes sir, I never knew much good of him.

Q And whenever a man got a bad citizenship case he got Campbell to work it, because he was notoriously a rascal, that's it sir, it? A Well a great many of them got him.

Q It was a notorious thing that they had a bad case they would get him, it would sort of give a case a hallmark to have Campbell around it? A Yes, that would be right.

Q You never knew anything about Mr. Watson's connection with citizenship matters? A No sir, never did.

Q You never heard about "kiting" some of the records of citizenship cases? A No sir, never did.

Q You have heard lots of talk about this Watson case? A Yes sir.

Q Rumor has it all around that somebody was doing something wrong? A Yes sir.

Q You never accused him of it you think? A I never heard him accused of it, no sir.

Q That never got out from the first day they were admitted right up to the present? A Well I don't know not from the first day, I have heard it for a good while though.

Q But you never knew who they fixed it on? A No sir.

Q They have been a pretty strong family up there in that country haven't they, pretty large family? A Yes sir.

Q Cast a good many votes up there? A Yes sir.

Q Did you ever know of the Doctor's testifying any in court, Dr. Baker? A No sir, I never did.

Q What would you think of a man who would testify that he knew a girl that was single in 1825 when the youngest of her seven children was born in 1827; what would you think, would you think that was a statement to be made by a man who was truthful? A -

BY MR. WATKINS: Applicants object to the question because it is wholly incompetent, and not based upon any proof or admitted facts in the case, and it is wholly immaterial and incompetent.

Do you think that was a statement that would be made by a truthful man? A (No response.)

Q You knew him in '82? A Yes sir.

Q He was quite an old, decrepit man? A Yes sir, quite old, '82 and '83.

Q 14 years from that time he was liable to be in his dotage?
A I don't know, he was an old man when I knew him.
Q He was too old to work, and retired from business then? A Well he did work a good deal, but wasn't doing any business particular that I know of.
Q He would have been pretty old 14 years from that time? A Yes, he would be getting old.

D. M. HARRS, being first duly sworn and being examined, testified as follows:

BY MR. McKENNON:

Q What is your name? A D. M. Harris.
Q What is your age, Mr. Harris? A I am 44.
Q What is your business? A I am publishing a newspaper.
Q What paper? A "The Indian Chieftan."
Q Are you Editor of that paper? A Yes sir.
Q You live at Vinita, then? A Yes sir.
Q Are you a citizen of the Cherokee Nation? A Yes sir.
Q By blood or intermarriage? A Intermarriage.
Q Do you know D. W. C. Duncan? A I do.
Q How long have you known him? A 15 or 18 years.
Q Do you know his general reputation in the community where he lives for honesty and uprightness of character? A Yes sir.
Q Is that good or bad? A Good.
Q Do you know Campbell Taylor? A Yes sir.
Q How long have you known him? A Why 15 years or longer.
Q Do you know his general reputation for truth and honesty in the community? A His general reputation, yes sir.
Q Is it good or bad? A Well it is not good.
Q Is it bad? A Well I suppose it must be bad then.

BY MR. HUTCHINGS:

Q How long has Campbell's reputation been bad, Mr. Harris, quite a good while, hasn't it? A Why I think so, yes sir.
Q And it kind of began mostly with this citizenship business? A Yes, so far as I know it did, yes sir.
Q Campbell got so many bad citizenship cases and through the mails, and they finally had him up about it, had a good deal of stir about it? A Yes sir.
Q And some of that stir was sort of occasioned by his helping the Dawsons in, wasn't it? A I don't know, I don't know whether he helped the Dawsons.
Q Was not that one of the principal cases that brought him into notoriety? A I don't know whether he had that case or not. I know he had a great many cases.
Q That was the principal thing that convicted the Civil Campbell out, was citizenship cases here? A I think that is what got him into the most trouble.
Q I say before that time nobody had talked much about Campbell one way or another, and it became pretty general that Campbell was handling shoddy citizenship cases, and he got a bad reputation from that? A Yes sir, I think that was the reputation generally.
Q Now Mr. Harris, Campbell's connection with the Dawson case sort of been kept back; people never talked much about it? A I never heard anything about it, as I know of.
Q You have heard that there has been something, well, about the Dawson case, that has been a notorious thing? A O. it has been a notorious case, yes sir.
Q Well the fact of Mr. Dawson's reputation for truth and veracity has been so much given by himself, his confession, is terrible? A What is that?

Q His reputation for truthfulness is good if given by himself; no [illegible] to confess a bad one, [illegible] doesn't he?
A I don't know whether I am qualified to answer that.
Q [illegible] his own honesty, he knows that very well, don't he?
A No sir, not that I make of.
Q Doesn't he write a good deal about that sort of thing? A About his reputation?
Q Why is speaking of his own integrity? A I don't remember that he does.
Q You read not about the citizenship courts along in 1911 '2 and '3 here, you do? A No sir.
Q Don't remember about the talk that was going on around the Capitol over there about the citizenship cases? A Why no, don't remember anything special as I know of. I read of the citizenship court going on at different times.
Q How far were you living from Tahlequah in '87? A Well, I lived close to Vinita, I guess it is sixty miles probably.
Q Have you lived any nearer Tahlequah since that time? A No sir, never have.

H. L. BUTLER, being first duly sworn and being examined testified as follows:

BY I.R. PETERSON:

Q What is your name? A H. L. Butler.
Q You are a minister of the Gospel? A Yes sir.
Q H. L. Butler, Senior? A Yes sir.
Q How long have you been in the ministry? A I have been in the ministry 24 years, sir.
Q Did you ever live at Vinita? A Yes sir.
Q How long? A I was there four years, sir.
Q Do you know D. W. E. Bacon? A I do.
Q How long have you known him? A I have known him about 22 years.
Q Do you have his general reputation for honesty and truthfulness of character? A I do.
Q Is that good or bad? A Good, so far as I know.
Q You have had opportunity of knowing? A Yes sir.

BY MR. McCUTCHEON:

Q Mr. Bacon was a member of your church? A Yes sir.
Q What is the principal way you had of coming in contact with him? A Yes sir, he was a member of my official board.
Q His connection with citizenship cases that were decided by the court of which he was clerk was never brought up in your presence anywhere? A No sir.
Q Or never discussed? A No sir, I know nothing about his connection with it.
Q You didn't live about at Tahlequah in '87? A Yes sir, I was Pastor of the M.E. Church in '87 at Tahlequah.
Q Do you know about the Indian cases, and other cases appealed there by the Citizenship Court? A No sir, I know nothing about the cases; I read the decision when in session, and I never [illegible] in the clerk of the Court's room, but know nothing about the cases that were decided at all.
Q Never heard anybody discuss the cases that were decided? A No sir.

THOMAS A. CHANDLER, being first duly sworn by me, being examined, testified as follows:

BY MR. ROBINSON:

Q What is your name? A Thomas A. Chandler.
Q What is your age, Mr. Chandler? A I am 70.
Q What is your business? A Deputy Clerk of the United States Court at Vinita.
Q How long have you lived in the Cherokee Nation? A All my life.
Q Do you know D. W. C. Lipsey? A Yes sir.
Q How long have you known him? A Let me see, I have known him about nine or ten years.
Q You know his general reputation for honesty or uprightness of character in the community where he lives? A Yes sir.
Q Is it good or bad? A Good so far as I know.
Q Do you know Campbell Taylor? A Yes sir.
Q How long have you known him? A I think about 15 years.
Q Do you know his general reputation for truth and honesty? A Yes sir.
Q Is it good or bad? A Bad so far as I know.

BY MR. HUTCHINES:

Q How did Campbell Taylor get a bad reputation? A Well sir, I don't know how he did.
Q You never knew him until 1885? A Well I never knew him personally, I heard of him before that.
Q He had a bad reputation before '85? A Yes sir.
Q Bad reputation any back yonder? A First I remember I ever heard of him I heard people speaking bad of him, when I was a kid.
Q And everybody that came around the Nation and knew anything at all knew Campbell had a bad reputation? A Yes sir, ever so far back as '79 or '80, that is as far back as I can remember; I think I heard it broken off in '80, I think that's about the time.
Q And Campbell got a very bad reputation in '80 and '81 when we began to have these citizenship cases? A Yes sir.
Q You heard him spoken of in reference and using the mails for these business? A Yes sir, I heard of him being in the Fort Smith Jail on that account.
Q Citizens of the Nation talked a good deal about Campbell's being in these bad citizenship cases? A Yes sir.
And I also heard he had a bad reputation for evading his debts, along about the same time.
Q You don't know whether or not he had the money, he might not have had the money to pay his debts? A No sir.
Q He could have kept out of bad citizenship cases? A Yes sir, I suppose he could.
Q You never heard Mr. Duncan's name mentioned before in connection with the Dawson case, citizenship cases? A No sir, I don't think I have, I may have, but I don't recollect hearing it.
Q General impression that somebody had done something wrong with that matter, citizenship cases? A I heard there was something wrong in connection with the Dawson citizenship case.
Q What has always been in relation since they were settled? A Yes sir, I have heard it rumored around over the country that such was the case.

Q Was it a pretty large voting community up there and it never was investigated? A I don't know about that, I don't know if it was ever investigated, I never heard of it.

Q So they never had any endeavor to find out who the man was?
A No sir.
Q Where did you live in '87? A In '87 I lived out on Duck Creek about 12 miles south-east of Vinita.
Q How far from Tahlequah was that? A About 65 or 70 miles, I suppose.
Q You never were around before the citizenship courts any time that time? A No sir.
Q You don't know then whether or not Campbell had lost all the Dawson cases or not down there? A No sir, I do not, at that time.

BY MR. McKENNON: Applicants object to all of the testimony of this witness as to what he heard by way of rumor, about the character of the Dawson case, because the same is hearsay, immaterial, irrelevant and incompetent.

A. S. McKENNON, of Counsel for Applicants, being first duly sworn, makes the following statement:

I became a resident of Carroll County, Arkansas, early in 1856. I was intimately acquainted with Doctor Arthur Baker, for many years. Knew him as well as I did anyone else. He was a gentleman of the highest Christian character, so recognized by everybody who knew him. He was a sober man, and never drank liquor. I make this statement more in vindication of that good man's memory than for any other reason, because any imputation against his character is false.

BY MR. HASTINGS:
Q How long did you know him? A I resided in Carroll County until 1867 when I removed to Johnson County, Arkansas; during the war I was away from home, but I knew him intimately every year that I resided in Carroll County.
Q Did you know him since '67? A Yes sir, I have seen him several times. I have relatives living in the town in which he lived; my relations to him were such as to cause me always to inquire about Doctor Baker; I knew his reputation I think as well after I left there as I did when I lived there.
Q Did you know those facts in 1896 when you was a member of this Commission? A Yes sir, I have known them all my life as I know them now.
Q Did you know them when you as a member of this Commission passed on the Irene J. House case? A I knew it every day of my life, in 1896 as well as now.
Q Suppose that Doctor Arthur Baker's statement would show that he was born in the year 1808, and suppose he said when he was 15 or 16 years of age that Anna Pruett the wife of Samuel Dawson, was a grown up girl going to school, then the other undisputed evidence shows that she had married Sam Dawson prior to that time and had seven children, the youngest of whom was born in '45, how would you harmonize that with a man who was an honest man and knew the facts in the case? A Whatever Dr. Baker stated he honestly believed, whether it was right or wrong; whether it was error or truth, he honestly believed it, and stated it as he believed it.
Q He was capable of being in error? A Every man is.
Q I say he was? A Yes sir, just as you and I and every man, he was: I merely stated as to his high character, which could be proven, by every man who knows me I think, I know it.
Q The Commission rejected Irene J. House in 1896, of which you were a member? A I don't remember anything about that personally.

TESTIMONY IN BEHALF OF APPLICANTS.

DAVID [illegible], being first duly sworn, and being examined, testified as follows,
By MR. [illegible]:
Q State your name? A David [illegible].
Q Where do you reside? A Vinita.
Q How old are you? A 49 years old.
Q Did you ever know James Dawson, A Yes sir.
Q How long have you known him? A I have [illegible] years.
Q Did you ever have any talk with him about his citizenship here.
A Very little.
Q You were at one time an applicant before the Dawes Commission for citizenship were you not? A Yes sir.
Q Well what did Mr. Dawson tell you in reference to his citizenship, as to the cost of his getting it, if anything? A Well he told me it cost him eleven or twelve hundred dollars to get his case through.
Q Where did that conversation take place? A At Afton.
Q At what time? A It was in '98, spring of '98.
By MR. McKENNON:
Q Where were you when he told you that? A I was working on a house in Afton, building a house.
Q Whose house? A S. S. Haines.
Q Who else was present? A Nobody was present.
Q Where is he? A At Afton.
Q What age man was Mr. Dawson at that time? A I don't know, he was very old, probably 75 years old.
Q Was he not a very feeble man? A Yes sir.
Q Hardly able to get around? A No sir.
Q Was he not then regarded as feeble minded old man? A I don't know whether he was so regarded or not.
Q You don't know what he had to do with the case, in fact, himself, do you? A No, I judged it was himself and family that cost that much to get through; attorney's fees, etc. That is the way I took it anyway.
Q You were an applicant yourself? were you not? A Yes sir.
Q When? A At that time.
Q Before the Cherokee authorities? A Yes sir.
Q They rejected you? A Yes sir.
Q You were an applicant then before the Dawes Commission were you?
A Yes sir, been rejected ever since.
Q Are you still an applicant? A Yes sir.
Q Still trying to get in? A Yes sir.
Q Claiming by blood? A Yes sir.
Q How long have you been living in the Cherokee Nation? A 15 years.
Q Where did you come from? A Indiana.
Q Claiming to be a Cherokee citizen? A Yes sir.
Q Indian? A Yes sir.
Q James Dawson is dead is he? A Yes sir.
Q How long has he been dead? A I think he died probably within two years after that.

TESTIMONY TAKEN ON BEHALF OF THE APPLICANTS.

F. M. DAWSON, being recalled and further examined, testified as follows:
By MR. McKENNON:
Q F. M. Dawson? A Yes sir.

Q Mr. Dawson, what member of your family came to the Cherokee Nation to file and prosecute the claim of your father, Robert Dawson, and the children of his family, to Cherokee citizenship?
A My brother from Texas that resided at Tahlequah.
Q Tell his name? A Elbert Dawson, they all know him by that.
Q When was that? A In '81 as well as I remember, or '82, I don't know which it was in '81 or '82.
Q Did you file your claim at that time? A My brother was, yes, the application,--my brother had Joel Mayes to make it out and file it. That is my understanding.
Q Joel Mayes, who afterwards was Chief of the Cherokee Nation?
A Yes sir.
Q Before what court was that filed? A My understanding was he was clerk of the court; Hastings can tell us what court he was clerk of.
Q He was clerk of the Court at that time? A Yes sir, of the citizenship court; that's my understanding.
Q What was done about the case at that time, if you remember? A I went back home and left my brother down there at that time, that trip.
Q Where did you then live? A I lived at Berryville, Arkansas.
Q When did you next come to the Cherokee Nation? A I believe I came back the next January, that was in September.
Q Was your brother back here then? A I don't think he was, I don't remember.
Q Well had he at any term of the Court or session of the Commission at any time after you first came here and filed the application until after it was decided? A No sir, I never met him any more until that case was decided.
Q You conducted the business then after that did you not? A Yes sir.
Q The case was finally determined in January 1883? A '83, yes sir, the 11th day as I remember.
Q Were you present at that session? A Yes sir.
Q Was there any decision of that case other than the one of record here? A I never heard of it if there was.
Q Was the judgment rendered in that case as recorded in the record Book of that Commission now in the custody of the Dawes Commission the only judgment that was rendered in that case so far as you know?
A Yes sir, so far as I know, if there was any I never heard of it in that case.
Q You then know of no decision against you in the case? A No sir.
Q Who was your attorney employed at the beginning? A I employed A. H. Norwood.
Q Was he a Cherokee Citizen? A Yes sir, I think so.
Q Where did he live? A At Claremore, my understanding.
Q Was he present at any time before the Commission? A I never saw him, he never met me there before the Commission.
Q Did you pay him any money? A Yes sir.
Q How much? A Fifty dollars.
Q Did he ever render any services? A If he ever did I never knew it.
Q Well then who did you employ? A My brother employed Joel Bryant.
Q Was he a Cherokee citizen?
A That is my understanding.
Q Was he not a prominent Cherokee citizen? A Yes sir.
Q What service did he render? A Well sir, I don't know whether he rendered any or not, only he met me a time or two at Tahlequah, and he was before the Commission; whether he rendered any services

or not I don't know; he was generally always at Washington City during the Term down there.
Q Well what did he do about it? A I don't know, I couldn't say whether he done anything about it. That is Mr. Bryant, he was always gone.
Q What next was done about the employment of an attorney? A Why I got a letter from Joel Bryant that he was going to Washington City and for me to come down in January Term and Campbell Taylor would see to my claim before the court.
Q Did he say that he had engaged the services of Campbell Taylor the attorney, to attend to it in his absence? A Yes sir, in his absence.
Q Have you got that letter? A I don't think I got the letter.
Q Well what did you do then? A Why when the time came I come down on the Katy to Muskogee here and I goes over from here to Fort Gibson and I goes down to see Uncle Houston Benge and stays all night with him; it was very cold weather, and I got him to go over and submit my case to the court; I went over one day and the next day Uncle Houston Benge come over and the next morning after he come over the case was submitted.
Q Did he submit the case? A Yes sir, he told me so.
Q For you? A Yes sir.
Q Were you present? A I was present until they went to take the vote on the case and then we was drove out of their room and they had a secret session, acting on the case.
Q Was Houston Benge present with you? A Yes sir.
Q Were you in the court when he submitted it to them? A Yes sir, when he made his argument.
Q He made an argument before the Corrission? A Yes sir.
Q Was the decision rendered on that day? A Yes sir.
Q How long after he made his argument and submitted the case? A Was not but a little bit; when we were drove out of the house the first time before they went into secret session they wanted me to set up the cigars to the court and the crowd in the house; after the decision was rendered then I was to set up the cigars, and everybody come to me and told me to go and get the cigars and I done so.
Q And you took the cigars there and all? A Yes sir, everybody, the attorneys and all that was in the house, all had a cigar a piece.
Q Did they then announce their finding in the case? A Yes sir, they told me that I was granted my citizenship right and by the Corrission.
Q What did you do about it then? A Why the Clerk wrote me out my certificate.
Q That same day? A That same day.
Q What arrangements did you make with Mr. Benge about his fee, and what was the amount of his fee? A There was no arrangement made until we got up there and he submitted our case; then he wanted me to pay him fifty dollars, that was his fee.
Q What was the agreement about the matter, the manner in which that fee should be paid? A My brother in Texas was to pay it.
Q Were you to write or was he to write? A He was to write for it.
Q Did your brother in Texas ever pay his fee of fifty dollars A Yes sir.
Q Was that all that was to be paid? A All as I was to have; all he charged me.
Q You heard his state out when he gave his deposition at Fort Gibson the other day did you not? A Yes sir.

Q He there stated that you paid him fifty dollars before you went over to Tahlequah, did you do that? A No sir.
Q He said that you paid him fifty dollars after he got over to Tahlequah, did you do that? A I never paid him a cent in my life.
Q After the judgment was rendred where did you go to? A I went back home to Arkansas.
Q By what route? A I went by Siloam Springs and on by Spring Dale and then on to Rogers, took the railroad there and went on by Saliqua and by Eureka Springs home.
Q You then did not return to Fort Gibson with Houston Benge, as he stated? A No sir, I did not.
Q Why did you not return by way of Fort Gibson? A Well I thought anyhow the others was the cheap st road and struck a hack going out by Sam Shables when I was boarding at, I could go to Siloam Springs and I went by that route and then there was a hack going by Spring Dale, that was the most direct route.
Q That was the most direct route from your home was it not? A Yes sir.
Q And the cheapest? A And the cheapest route.
Q Had you been coming back to Fort Gibson you would have been going directly away from home would you not? A Yes sir.
Q Your home was nearly east, due east of Tahlequah was it not? A Yes sir, little north of east, pretty near due east.
Q While Fort Gibson is almost due west is it not? A South west.
Q You heard his statement that you went to Fort Gibson with him, and he was only stated to him that the way to reach that court was through Duncan and you reached there through Duncan with five hundred dollars, did you make that statement? A I never did, I didn't have the five hundred dollars to reach him.
Q Did he while at Tahlequah inthe court room on the evening before this judgment was rendered in your favor, tell you that the court had rendered a judgment against you? A No sir.
Q And did you then say to him, you can't fix that? A I had no such conversation with him.
Q Did you pay to D. W. C. Duncan, Who was the Clerk of the Court any sum of money, or agree to pay him any sum of money, directly or through any other person for any services he might render you by way of influencing the court to decide in your favor? A No sir.
Q Or for any other purpose? A No sir.
Q Did you pay him any money after that through Campbell Taylor? A Yes sir.
Q What amount? A 20 or 25 Dollars, I don't know which it was.
Q State what that money was paid for? A For a claim.
Q What do you mean by a claim? A Claim on the public domain: he had a claim up there close to me; paid him 20 or 25 dollars for his claim. He had no claim by me, on the Cherokee Public Domain.
Q What did Campbell Taylor have to do with your case?
A He had nothing to do with it.
Q Did you agree to pay him any money for his services as an attorney? A No sir.
Q Did he perform any services in that case foryou as a representative of Mr. Bryant? A No sir.
Q Did you pay him any money? A Yes sir.
Q On what account? A He came to me and said he had the claim against Mr for Joel Bryant and wanted me to pay him the money and I came on.
Q What amount? A Fourteen hundred dollars.

Q For a while, you [illegible] it, I mean it,
[illegible] Joel Bryant, he was entitled to that or not.
Q Did he pay it's money to Joel Bryant, do you know of? A Joel
Bryant claimed he didn't, and I came to find out, paid Joel
Bryant two hundred dollars on account of my fee; I, Dyson, paid
Joel Bryant another One; we have a bill got to my from Campbell
Taylor, and I owe twenty dollars or twenty-five dollars; that is
all we ever got out of him.
Q How did you get that 20 dollars out of it for Duncan? A I
kept after him and telling him to pay that money back to me, he
rendered no services to me, all and the money was to go to Joel
Bryant, and I finally worked out the twenty or twenty-five dollars,
that is all I ever did get back.
Q The amount that he paid to Duncan? A Yes sir.
Q Was this money paid to him, this one hundred dollars, while you
were there at the time the judgment was rendered, or was it sent to
him afterwards? A I think it was paid then, as well as I remember
about it.
Q You think it was paid then? A Yes sir, that's my recollection
now.
Q Did you send him one hundred dollars after you went away from
there, subsequent to the rendering of that judgment, after it was
rendered I mean, direct him to pay fifty dollars of that on
any account due to D. W. C. Duncan? A No sir.
Q Did you send him a second one hundred dollars with a direction?
A No sir.
Q Mr. Dyson, do you know about how much it cost your family in all
to obtain their allowance in the Cherokee Nation under this
judgment? A Pretty near, I do.
Q Well about what sum? A About five hundred dollars, pretty
near 500 dollars. That is what I considered, I was bent out of some
of my money, what I was bent out of and expenses.
Q Now take a statement of what that money was paid for and how,
so far as you remember, itemize that now? Well the first
fifty dollars Norwood got; the next fifty dollars Ross got;
that was the attorneys fees; I speak of the attorneys fees now; the
next money was the hundred that Campbell Taylor got; the next
attorney fees was Bryant's one hundred dollars.
Q Was that all the attorney's fees? A I think it was, no, wait,
I paid Ross 15 dollars for taking Baker's deposition.

Q Which Ross was that? A The old Chief, Will Ross I think was
his name, William P. Ross.
Q He then, this Chief William P. Ross for taking the deposition
of Dr. Baker charged you fifteen dollars? A Yes sir.
Q Do you remember that that he acted as your attorney and examined
him? A Yes sir.
He examined him before the Commission, I at his statement.
Q What other attorneys were there present? A None of them was
present.
Q Well now, go on? A The expenses of taking Dr. Baker
and he was a doctor, as well as I remember he charged me 5 dollars
a day and I were nine and his expenses down there; we came through
in a hack from Perryville, Arkansas, to Tahlequah, and our
board and expenses amounted I think was about 75 dollars
that way; something near it. Maybe a little over that.
Q Did you pay him a per diem? A I paid him five dollars a
day for his time and then his expenses.

Q Well? A Well I made several trips out here at different times, to Tahlequah before the Commission, and back, three or four trips as well as I remember now, cost me 20 or 25 dollars each trip, as I remember about it.
Q Do you remember how many trips aside from the one in which you brought Dr. Baker? A No, I think there was probably three trips I think it was, maybe more, and then I made one trip to Clarendore to see A. H. Norwood.
Q What did that trip cost you? A I don't remember what it cost; I went in a wagon down there.
Q You went through and employed Benge, went by railroad; what did that trip cost you? A I don't remember what it was, whether it was 21 dollars or 31 dollars, one or the other, I don't remember which it was; Joe Dawson, my brother, give me the money, it was either 31 or 31 dollars.
Q Now then is there any other expense that you know of that was paid by you or your family, any members of your family, other than that you have mentioned? A I don't remember any other now; I can't call to my memory right now.
Q What was the condition of the members of your family generally now, financially, at that time? A Well we were considered poor people; I don't know, we didn't have much money, scarcely any.
Q Was there any one of them that was better off than the others, and if so, which one? A I suppose Elbert Dawson was better off than the others, Buck Dawson.
Q Do you know how much Buck Dawson paid of these expenses? A I don't think he paid, he paid the Benge debt and the Bryant debt, I think it was.
Q That is one hundred and fifty dollars? A Yes sir, then he came up on one trip and taken more evidence with Joel Bryant when Joel Bryant was Clerk of the Court before this Tehee Court, I don't know what that cost him.
Q Came up here and took some testimony? A Yes, came up and went back to Texas. Filed his claim and took some testimony and went back to Texas and I didn't see him.
Q Did that testimony include Dr. Baker's testimony? A No sir.
Q You know how many witnesses were examined then? A I only know what he told me.
Q How many? A Four witnesses.
Q You know whether they were residence of the Cherokee Nation or not? A He told me they was.
Q Were you present on that trip in which he came there and took that testimony? A No, I met him there and then I went back home and left him at Tahlequah.
Q He had taken the testimony before you left him or afterwards? A He taken it afterwards; that was my understanding.
Q Did Buck furnish only the one hundred fifty dollars that you now remember? A I think it was.
Q And the expense of taking these witness up there? A Yes sir.
Q You also furnished money now of the members of your family? A My brothers and myself lived down in Berryville, me and my brother-in-law, Bateman Lee, we all chipped in together a few dollars from each family.
Q You heard the statement of C. C. Brought that in June 1902 you told him that it had cost you 700 dollars, did you have any such statement to him? A I never did.
Q And that you paid one witness 300 dollars? A I never made any such statement.

Q Did you pay any witness any such sum? A No sir, I paid Mr. Baker for his time; he said his time was worth 5 dollars a day, for his, and I paid it.
Q Did you pay any other witness any more than that? A No sir, he was the only witness I had down there in my case.
Q Well the Robert Dawson case? A Yes sir.
Q He says that you told him this in your house there on your place, did you have any house there in June 1883? A I was not living on my farm at that time.
Q Did you have any farm? A Didn't have any.
Q When did you build a house there? A I built a house on the farm I live in now by Mr. Brought, I moved on the farm the last of July, 1883, and I carried in my wagon.
Q What did you do? A I went to the timber and cut poles and hauled them out and made me a log cabin on the place by a spring near Mr. Brought.
Q About what time did you finish that house? A It was in September.
Q How long after you finished that house until you brought your family out? A I finished it up and got it covered and the floor in it and I went back to Eureka Springs after my wife.
Q What family did you have then? A I had my wife and she had one child; but my oldest children, by my first wife were with me in the Territory, camping with me; three little boys and one girl were with me, and one girl back in Arkansas.
Q Are you and C. G. Brought on good terms? A No sir.
Q What has been the character of the trouble between you? A Trouble over our places first started it.
Q When did it begin? A As soon as I got back from Arkansas he commenced kinder crowding me out to get my farm and my fruit, and we have been in a racket ever since.
Q Then his statement that you were on friendly terms, is it correct or not? A No sir, it aint correct.
Q He and you have never been friendly as neighbors then since you first came back from Arkansas and settled in the Territory? A I don't remember ever being in his house; I never was in his house.
Q Have you had law suits with each other? A Yes sir.
Q How many? A I don't know that we had any particular law suits, but I have had law suits and he has been a witness against me.
Q What was your last trouble with him, when I mean? A Along last fall.
Q That was when your boys had a little racket and he had your boy arrested? A Yes sir.
Q What was the age of those boys? A Eleven years old.
Q He had him arrested down at Vinita? A Yes sir, had him arrested and carried before the Commissioner at Vinita.
Q He was discharged on account of his age? A Yes sir.
Q Enoch Dawson is dead is he? A Yes sir.
Q How long has he been dead? A Three years, little over three years.
Q And Jarea Dawson is dead? A Yes sir.
Q Is your father, Robert Dawson living? A No sir.
Q When did Jarea Dawson die? A I don't remember, been dead several years, I don't remember how long, 6 or 7 years, I couldn't state.
Q When did your father, Robert Dawson die? A I believe it was in 87 as I remember now, I won't be positive.
Q Had all those moved to the Cherokee Nation before their death?
A No sir, Father died in Arkansas.

Q Those that lived here in the Nation they lived here in the Nation but went back to Arkansas and died there? A Fell the rest of my folks all lived here. That was James Dawson and Buck Dawson.
Q Robert Dawson, your father, never did move to the Territory, did he? A No.
Q Did you hear the statement of the witness Beavert this morning, that about the time of hearing of the James Dawson case, at a negro church at night James Dawson came down there with someone else was introduced to him, and he loaned him ten dollars; did you hear that statement this morning? A I heard the statement, yes sir, I heard it.
Q He says that then James Dawson was 35 or 40 years old; was there any James Dawson living belonging to your family at that time of any such age? A No sir.
Q How many James Dawson's were there belonging to your family? A There was my Uncle James Dawson and a brother James Dawson, the Doctor here.
Q How old was your brother James Dawson then? A He was a tolerable old man, I don't know his age.
Q About what age? A Must have been 60.
Q Between 60 and 70? A Yes sir.
Q That was the age of your brother James? A At that time?
Q Yes sir, in '84? A In '84 I suppose he was about 18, something like that.
Q Had he anything to do with the James Dawson case? A No sir.
Q Was he present at the time that the James Dawson case was under consideration? A No sir.
Q Was James Dawson, your uncle, James Dawson, present at any time during the consideration of his case? A No sir.
Q He never was present? A No sir, if Uncle Jim Dawson was ever in Tahlequah I never knew it.
Q Who conducted the prosecution of the James Dawson case before the Cherokee Citizenship Commission, who conducted it? A The James Dawson case?
Q Yes sir? A I think James Low and Bill Jackson and Campbell Taylor.
Q Were you acting with them? A Yes sir.
Q They employed Campbell Taylor? A Yes sir.
Q Then there was no James Dawson present during that session of the Commission? A No sir.
Q What was the condition of James Dawson's health at that time?
A It was pretty poorly; was not good.
Q Was he at that time able to get about and attend to business?
A I don't think he was.
Q Was he not a very feeble minded old man at that time? A Yes sir.
Q Regarded as rather a silly man was he not? A Yes sir.
Q Did he attend to any kind of business of the family at that time?
A No sir, didn't.
Q What was his financial condition? A Pretty bad.
Q Did he have any money? A No sir.
Q Did he have any property? A None hardly at all; horse probably, or a cow or two, something that way.
Q Was that about all the property he had? A Yes sir.
Q How about the other members of his family that were admitted at that time; what was their financial condition? A They were in poor circumstances.
Q Now then after these judgments were rendered what members of your family removed to the Territory, Cherokee Nation, I will say?
A Robert Dawson and family and James Dawson and family, that is, them and their children.

Q Robert Dawson didn't remove here? A No, I said except Robert Dawson.
Q Did all the members of Robert Dawson family move here? A Yes sir.
Q Except himself? A Yes sir.
Q And all the members of James Dawson family? A No, not all the members, Melvina Low I don't think ever lived here.
Q She has never moved here? A No sir.
Q Well all the members of your family, your father's family included in that judgment of the Committee, rendered January 11th, 1883? A All but one.
Q What was the name of that one? A Edna.
Q A daughter? A Daughter of Robert Dawson.
Q Your sister? A Yes sir.
Q Was she then of age or was she a minor? A I think she was a minor, as well as I can remember.
Q Was she afterwards admitted to citizenship in the Cherokee Nation? A She was.
Q By a Commission or by the Cherokee Council? A She was first admitted by the Spears Court, her and two of my neices.
Q What are their names? A Katie Vernon and Verna Fishback.
Q What became of that? A The certificate papers they got was lost, and they went before the Council in 1894 andthey was readmitted back by the act of Council.
Q That was in 1894, the Cherokee Council admitted, re-admitted as they called it, the three above named? A Yes sir. Mary and Verna Fishback and Katie Vernor, they have now the same names now except Vernor, it is not, Tob Robinson married the widow, a neice of mine.
Q Now then was there any other consideration of the Dawson case by the Cherokee authorities at any time aside from these two judgments in '83 and '84 admitting the two families of Robert and James Dawson, and the act of Council of '94 admitting these three whom you have just named? A Yes sir.
Q When? A My two of my sons was placed on the roll by the act of Council in 1892 I think it was; left off of the rolls in per capita payment and they was placed on the rolls I think, and Sam Hitchugh member of Council, got their draft or checks for the money.
Q Have you got that copy of the act of Council admitting them? A Yes sir.
Q Where is it? A (Produces papers.)

BY MR. McDERMON: We offer in evidence an act of the Cherokee National Council making an appropriation of 20,000 dollars belonging to the general fund for the payment of certain persons therein named a per capita payment, as per amount set opposite their respective names, provided that the Principal Chief shall draw warrants for such amounts, and further provided "That the names of the persons appearing on the per capita rolls in this act shall be placed (on) the authenticated roll of 1880 by the Principal Chief."
This act was approved December 31, 1891.
Approval signed by Stephen Foreman, Assistant Acting Principal-
In this list appears the names of William R. Dawson for payment of $13.70, and of Marion Dawson, for a like sum. Are these not the names of two of your sons? A Yes sir.

(This paper above introduced, is filed and made a part of the records in this case.
Q Was there any other action of the Cherokee authorities relating to members of your family? A Yes sir.

Q When? A In 1894.
Q What was that? A Allowing them their Strip Money.
Q Have you a copy of that? A I think I have. (Produces papers.)
BY MR. McKENNON: We offer in evidence a duly certified copy of an act of the Cherokee National Council approved November 24, 1894, signed C. J. Harris, Principal Chief. Senate Bill No. 19, appropriating a sufficient amount of money to make payment per capita of what is known as the strip money to certain persons named therein. Among them are members of the Blessingame family, as follows: Jane, Elbert, Henry, James Ross, Lerrie, Pearl, Amos, Myrtle, Winnie and Clifford; this act mentions these persons as Cherokees by blood, and whose names had been left off the pay roll approved May 3, 1894, providing a payment to each one of these a sum of $865.70.
Q Were these members of the Robert Dawson family? A Yes sir.
Q Which one of the members of the family? A Jane.
Q This is Jane who was admitted by the judgment admitting the Robert Dawson family? A Yes sir.
Q And her children? A Her children, was not admitted, she was admitted.
Q I mean this mentions her children here? A Yes, that mentions her children.
(The paper last above introduced is filed and made a part of the record in this case.)
Q Do you know whether the payment of the Cherokee Strip money was to Cherokee citizens by blood only or not? A Yes sir.
Q Was there any other act of the Cherokee authorities passing upon the citizenship of members of your family? A Why the Douthett children, my brother's grand-children. Two grand-children of E. Dawson.
Q When was that? A That, I think it was in '84.
Q Have you got a copy of that act? A No, the record is here.
Q Was that by the Spears Court? A Yes sir, by the Spears Court.
BY MR. McKENNON: We now offere in evidence a judgment of the Cherokee Commission on Citizenship, 1880 and 1884, found on page 190, case No. 181, dated September 9th, 1884, signed by Eli Spears, President, John Lee and Andrew Young, Commissioners, admitting to citizenship Lula Douthett and Dallas Douthett as Cherokees by blood.
Q These now are the Douthetts to which you refer, are they? Yes sir.
BY MR. McKENNON: Attention is called to the fact that the names of the Commissioners are all signed in the same handwriting as the record of the judgment.

The said judgment record above introduced, and found on page 190, No. 181, record of 1880 to 1884, is as follows:

"Office of Commission on Citizenship,
Tahlequah, Cherokee Nation, September 14th, 1883.

E. Dawson, for his grand-children, No. 181.
Lula Douthitt,
Dallas Douthitt,
vs
The Cherokee Nation.

C. H. Taylor, Atty. for Claim.

Petition filed September 14th, 1883.

Case submitted by claimants Sept 14th, 1883.
Case submitted by Solicitor, Sept. 19th, 1883.
Continued by Petitioner Jan 22 1884 to September Court 1884.
Re-submitted September 2nd 1884, by Attys Taylor and Benvert

Submitted by defence Sept 9 1884.

And now on this the 13th day of September 1884 comes this case for final hearing and all the evidence in the case having been carefully read, and considered by the Commission on Citizenship it has been decided by the Commission that the above named Lula Dautheit and Dallas Dautheit are Cherokee by blood, and that they are entitled to all the rights and privileges of Cherokee citizenship in the Cherokee Nation and that they should be, and are hereby admitted to the full and complete enjoyment of the same in all respects, as native born Cherokees.

Wilson Spears, Pres.
John Lee,
John L. Adair, Andrew Young.
Clk Com'n. Commission on Citizenship."

Q Now were there any other actions of the Cherokee authorities of like character relating to the members of your family?
A I don't remember of any others.
Q I will ask you if when the Cherokee authorities were making the roll of 1896, in compliance with the request of the Dawes Commission for a roll to be prepared by them for the use of the said Commission, the question of the citizenship of the members of your family was not then raised and an investigation had in regard to it? A Before the Dawes Commission?
Q No, before the Cherokee Commission making the roll of 1896, of which John T. Gunter was a member? A Yes sir, yes. I had forgot it, but since you have named it there was some investigation of that at that time; this is what I understood.
Q That roll shows that the members of your family were duly enrolled by the Commission? A Yes.

Q Have you and the other members of your family since your removal to the Territory in 1883 and immediately following been recognized as Cherokee citizens by blood? A Yes sir.

Q Have you been exercising and enjoying all the rights of Cherokee citizens by blood since that time? A Yes sir.
Q You and all the members of your family are living in the Cherokee Nation? A Yes sir.
Q You have all drawn Cherokee moneys whenever payments were made? A Yes sir.
Q And have you all male members been voting at the Cherokee elections or in the Cherokee elections? A Yes sir, I was one of the judges of the elections that was held voting on the treaty.
Q What treaty? A The treaty bill that was sent back here for the Cherokees to vote on; I was one of the judges at Afton.
Q In what year was that? A I believe it was last spring some time, last April.

Q Have any of you held any offices in the Cherokee Nation? A Yes sir.
Q What offices have the members of your family held? A I was Deputy Clerk, under Pete Hastings, when he was clerk of Delaware District, I was a candidate once for Council in the Downing party.

Q Can any office of deputy clerk be held by any one else except a recognized citizen? A Only by a citizen, yes sir.
Q Is that all? A (No reply).
Q Have the children of members of your family attended the Cherokee schools, and been educated in those schools? A Yes, sir.
Q Have the members of your family been all the while subject to the jurisdiction of the courts of the Cherokee Nation? A Yes sir.
Q Have they been tried for any offenses against the laws? Yes sir.
Q And have they instituted their civil suits in the courts of the Cherokee Nation? A Yes sir.
Q And had suits instituted against them in such courts? A Yes sir.
Q Some of these cases have gone to the Supreme Court of the Cherokee Nation? A Yes sir.
Q And were passed upon by that tribunal? A Yes sir.
Q Is there anything else? A Nothing now; I am sick this evening; I have got the head-ache so bad I can't hardly see.

BY MR. HUTCHINGS:

Q How old was your father Robert Dawson when he died? A I don't know, I couldn't answer that.
Q He was a very old man? A Yes sir, he was getting tolerably old.
Q Could you tell how much older he was than you? A No I don't know.
Q Mr. James Dawson in 1834 must have been a very old man, wasn't he? A Well he was old and he was feeble.
Q Well you stated that he had lived recklessly: was he naturally that way? A He used to live in Texas; I didn't know him until after he came to the Territory.
Q I say he had gotten so old, what was the occasion of that? A I suppose so, the oldest one of these children was Mrs. Betty Petty, that's my understanding.
Q And the oldest boy was John Dawson? A We always called him Jack.
Q Jack Dawson he was the oldest? A Yes sir.
Q But was the youngest? A Sar Riley.
Q He was the youngest one of the crowd? A Yes sir.
Q Your father lived four or five years after he and you were admitted to citizenship? Yes sir, something about that, it was in 1883, I think he died in 1887, I wont be positive; that is as near as I remember now. I have got a headache so bad that I can't remember anything.
Q He nor none of the older members of the family were ever present at any of these trials of citizenship? A No sir, not a one of them was.
Q Not a one of them was ever called upon to testify as to the blood of their father, who he was or anything about it? A I don't think they was.
Q Your claim of kinship was through Captain John Rogers and that your grandmother was the half sister of Sir Joe Vann, wasn't it? A I don't know, I couldn't answer the question.
Q You were there when they took the testimony? A I was there when Dr. Baker's testimony was taken, that was about 18 years ago.
Q And nobody kin to the Rogers nor Vanns was ever called to testify in the case? A Not as I know of.
Q They were very well known Cherokee families in the country? A I suppose so, I don't know.
Q And yet nobody on any side of the family connected with it was ever called to testify A Not that I know of, I don't know what my brother done, he taken some of the evidence in Washington when I was not there; he first filed his claim.

Q You he[illegible] to [illegible] testifying before you
brought your [illegible] sir.
Q What have been [illegible]? A It was a short time
afterwards. I went [illegible] too late and I
fetched him the next time.
Q You had talked to [illegible] you would prove by Dr.
Baker? A I told him I [illegible] I thought he knew about
our folks.
Q You had told him [illegible] to use Mr. Baker
as a witness? A Yes sir.
Q You went off, [illegible] after you told him that [illegible] sir.
Q You didn't see your [illegible] admitted? A No sir.
Q You and he [illegible] here at different times [illegible] A No. I never [illegible] there until after [illegible]
Q But you were [illegible] more admitted? A I [illegible] sir.
Q How the way [illegible] mendation of old [illegible]
Q The way he [illegible]
Q He did more [illegible] anything.
Q What did Bryant do? [illegible] brother employed him.
Q How did you [illegible]
A I never sent him [illegible]
Q Then when he, Mr. Duncan, [illegible] ney as Campbell said he did, [illegible] wrong? A Oh no, you are listed en, Mr. Duncan got [illegible] dollars, which he stated, [illegible] Campbell Taylor, [illegible]
Q How did you [illegible] Campbell? A I give the money to Campbell to give to [illegible] wouldn't do it, and I tried to get the money back from him. So I finally owned the 20 or 25 dollars he gave [illegible]
Q Then you didn't tell [illegible] testified that you sent 20 or 25 dollars by Campbell [illegible] Campbell Taylor agreed to pay Duncan 20 or 25 dollars [illegible] money I give him to give to Joel Bryant.
Q The family kept Campbell [illegible] though as their attorney after that? A In the [illegible] I think so.
Q E. Dawson, you remember, [illegible] grand-children? A That is my understanding.
Q And your uncle James [illegible] in the case of his children? A Uncle James had nothing to do with it; James Low and Will Jackson got him; that was my understanding of who employed him.
Q The record here shows that the case was originally instituted by C. K. Taylor and was [illegible] written by him September 2nd, 1924, in the James E wson case? A I won't deny his being in that case.
Q You say he was employed [illegible] Dawson case? A I don't know who was in the Bennett children's case.
Q The record shows that Campbell Taylor instituted the case, and it was finally submitted by him, and Mr. Bernert, who testified a while ago? A That was in the James Dawson case, wasn't it?
Q That was in the E. Dawson grand-children? A Ehrert?
Q No, in the Bennett children's case? A Oh yes.

Q He was likewise attorney in the Mary Dawson case was he, and before the Adair court, the 4th of October, 1907, in the case of James K. P. Dawson? A I don't know anything about that.
Q And the case litigated of Riley Dawson? A I don't know anything about those.
Q They are relations of yours? A Well I wouldn't say.
Q James K. P. Dawson proves to be a son of Riley D's wife? A Well if he is he is by connection then. There are so many Dawsons I don't know them all.
Q You know Andrew J. Dawson? A Yes sir.
Q The Dawsons have so many children their brothers didn't hardly know them did they? A That's it, I don't know them.
Q Well then you don't know who Andrew J. Dawson is? A No sir, I don't know.
Q He refers in his application as being a cousin of R. D. Dawson, and yourself, who were admitted to citizenship by the Tenn. Court? A He may be, I don't know nothing about it.
Q He resided I believe, at that time at Nevada, Missouri? A I don't know anything about the people.
Q Old Dan Baker was an old and paralyzed man at the time he testified wasn't he? A Getting old, he was not paralyzed.
Q Then the statement made that the reason he couldn't write his name and had to make his mark, because he was paralyzed, in the testimony isn't that true? A He didn't have good use of his fingers.
Q Then he was not paralyzed? A No, I brought him over there in a hack from Berryville, Arkansas.
Q Well I say he was a very old man? A Yes, getting old.
Q How didn't you come to this place with them joining brought it's and work on it some time before you brought your family? A No, I brought my family with me, except my wife.
Q And you subsequently built a log house on it? A Yes sir.
Q And went back and got your wife and moved them to the log house? A Yes sir, went to Eureka and got my wife.
Q You never saw your grandfather at all? A Saw Dawson, yes sir, I saw him.
Q You remember do you of being with him much of any at all? A I was in Texas in time of the war, with my uncle Riley Dawson, and he was there.
Q In '60 sometime? A '60, I reckon, or '6-. Somewhere along there, it was in time of the war.
Q How old a man was he at that time? A Pretty old man.
Q You never saw your grandmother, she died before she came?
A Yes sir, I never saw her at all.
Q Who first started the citizenship matter, your brother in Texas or you? A Why it was me, and my brother together.
Q I mean who first conceived the idea? A I first commenced talking about it.
Q And went down for him? A I was in Texas with him and then in Arkansas; I went backwards and forwards a time or two after the war.
Q About that time nearly everybody in Arkansas were trying to get some claim of kinship to Cherokees? A No sir, not at that time.
Q They were getting pretty thick in there in 1907 I mean 08 and '4 and '5 I think.
Q Been very excitement over there to get yourselves on the rolls? A Just got to be everybody; but it wasn't at the time we admitted there was not much stir about the rights here.
Q Well the Watts had been admitted before that? A I suppose they had; there was not much excitement over the Watts claim at that time.

BY MR. MASTERS:

Q You did locate Mr. Henry Smith Shadlow when you first came to Tahlequah in '94? A I think I did.

Q Your brother Buck Dawson stayed there also? A Yes sir.

Q Sam Shadlow lived in the north end of town, old German? A Yes sir, old German, lived in the lower part of town.

Q Did you ever hear the names of any other witnesses which you stated perhaps testified in your case? A I have heard what it I have forgot them.

Q You don't recollect any name now? A I dont remember them now sir.

Q In the Irene House case and Joanna Barber case, in which you testified before the Commission, when you were making search for this testimony you couldn't find any other testimony from that of record except the Dr. Baker testimony, could you? A That's all we could find; no we didn't find the testimony, we got a copy.

Q Well it must have been a copy of the original, the certificate shows that? A I don't know; House got a copy of what claimed to be the affidavit of Baker and he told me to give it to him: that is all I know about it.

Q Well the certificate there does not bear my certificate does it? A I don't know about that, I am no scholar.

Q Well you didn't get the testimony of any other witness except that of Dr. Baker; you couldn't find any other over there of record? A I didn't hunt for any: House hunted for them.

Q None of you have ever been able to dfind any other? A No. Not even find our petition.

Q Samuel R. Dawson applied to what is known as the Adair Court, didn't he? A I don't remember now.

Q He was an uncle of yours wasn't he? A Yes sir, claimed to be.

Q The father of these two parties who testified here this morning? A Well I don't know, they claimed to be, I never met them to know them.

Q He was rejected by the Adair Court, or Mayes Court? A I don't know whether he filed his petition.

Q Did you testify in his case? A I don't remember: I might have dont it.

Q Didn't you testify in the Andrew J. Dawson case before what is known as the Mayes Court? A I don't recollect, if I did I don't remember.

Q Did you testify in the Riley Dawson case? A No sir, not that I remember.

Q Didn't you know of his being rejected by that court? A I don't remember, sir.

Q You know that the Cherokee Council never authenticated that roll of 1896, don't you? A No sir, I don't know it; I didn't know this was done until I went to Tahlequah after some papers and came back and they told me about it.

Q You never found out that C. H. Taylor was a big rascal up until the present time have you? A (No response)

Q The records here show that he has been in the constant employment of your family from that date up to this time? A Why it shows here from the record: I could neither be excused for my part of it.

Q You were the man that had most to do with it? A I never employed him, I can say that.

Q You are the man that had most to do with the records? A In my case and in my father's case.

Q Didn't you testify for your uncle Jim Dawson? A Yes sir.

Q Wasn't he attorney for him? A Yes sir.

Q Wasn't he employed by Jim Dawson after you got your citizenship?
A Why not but the grandchildren.
Q Jim Dawson's petition was filed in September 1883, after yours?
A Yes sir.
Q C. H. Taylor, attorney of record, filed his petition? A He might have filed it for all I know.
Q Well you hadn't at that time fallen out with C. H. Taylor had you? A Why no, we never did have any trouble, only over this money, he never would give it back to me or give it to Bryant.
Q You never discovered that he was such a bad man until after your judgment was rendered? A I know he was not of good character.
Q Are you and Brought, this man who testified for the Cherokee Nation, on speaking terms? A Hardly speak.
Q Does he refuse to speak to you? A So often as he does.
Q Do you refuse to speak to him? A Yes sir.
Q Have you been speaking to him for the last two or three months? A I have not spoke to him until I met him here at the hotel the other day.
Q First time you spoke to him since he had the boy arrested? A Yes sir.
Q When did he have the boy arrested? A Along in September or October, September I think.
Q When did Dr. Baker die? A I don't remember.
Q You don't remember how much older your father was than you?
A No, I don't know.
Q What is your age? A I will be 66 in May.
Q Then you were born in '42? A Yes sir, '42 according to the record.
Q Was your father as much as 20 years old when you were born?
A I couldn't say.
Q What was your best judgment? A I suppose he was 20 or 25 years old. My understanding he married young.
Q Can't you give any better idea than 4 or 5 years of your father's age? A I say 25.
Q Your father was born say, 25 from 42 would have made him be born in 1817; now had your father any older brothers or sisters? A I think Jack Dawson was the oldest of the family, No, Betty, the girl, was the oldest and Jack next, and then my father as well as I remember about it.
Q There were two girls older? A No, one of the girls I never saw.
Q Then you think there are only 2 older than your father? A Yes, that's my understanding of the family.
Q Dr. Baker gives his age 77 in '82, which would make him be born in '89, now he states that when he was 15 or 17 years old, which added to 1809, will make 1824, that your grandmother Anna Proett, was a school girl, whereas from your testimony and that of the family history introduced here shows that your grandmother Anna Proti was the mother of seven children, the youngest being born in 1823, how do you reconcile that? A I don't remember about the statement of Dr. Baker; I don't know that he made such statement as that, I don't remember about it.
Q And if he did you don't know how to reconcile it ? A (No response.)

Q Did you talk to any of the members of the Court that admitted you? A No sir, I was not acquainted with them.
Q You know whether they were old or young men? A They were old men-like; Steve Tehee, I got acquainted with him afterwards, and Tom Thompson, at the Council you know I was there a good deal.

Q That was the fellow that was on the Court? A Yes sir.
Q He was afterwards Assistant Chief of the Cherokee Nation?
A I think so.
Q Steven Tehee, that's the man you had reference to? A Yes sir, I think it was, I just knew the man; I had no acquaintance with him at all.
Q D. W. C. Duncan boarded when you were down there at the National Hotel? A I think he did, as well as I remember now when we were admitted.
Q Don't you know he did? A I think he did, as well as I remember.
Q Were not you over there to his room? A I think I was.
Q You remember when it was that you brought Dr. Baker down there to make a statement before the Court? A It was in January, Term, was in January Term of 1887 I believe, it was, as well as I remember about it.
Q Well you didn't take any more testimony after Dr. Baker testified?
A No sir, I didn't.
Q But your case was not submitted or passed upon for a year?
A I think it was, yes sir, as well as I remember.
Q I would like to ask you when the Blassingame family came to the Cherokee Nation? A Alex Balsaingame came with us when we moved here, and went back and got his family and moved that fall.
Q Did he move his family here that same fall? A Yes sir.
Q What year was that? A In the fall of 1883 I believe it was, as well as I remember now.
Q When did the Bulaska family come? A I think the girl and the old lady come in the next spring.
Q How long did they remain that time? A The old lady stayed here, but the girl went back and in a short time her and her husband come back.
Q Did she come back until after her marriage? A No, she was married when she come first.
Q The last time? A She was married I think, she was married when she come out.
Q How long has August Bulaska been a permanent and continuous resident of the Cherokee Nation? A I think he come there in the fall of 1884 or 1885, I wont say which.
Q How long has Robert Pierce been a continuous resident of the Cherokee Nation? A Ever since he was admitted.
Q When was that? A '83.
Q How long has Martin L. Patterson? A Ever since he married his wife, and he was living here before he married his wife.
Q Who is Arizona Alrey? A That is my daughter.
Q Did you bring her with you? A No not when I moved.
Q When did she come? A She come out in a year or two after I moved here.
Q Was she married when you moved here? A No sir, she was not married.
Q She was not married when you were admitted? A No sir, she was a child.
Q When did Jim Lowe come to this country? A With his grandfather, James Dawson.
Q What was his mother's name? A Melvina Dawson.
Q You know Jim Lowe's age? A No sir.
Q Don't know how old he was in '83? A No sir.
Q Was he grown? A I think he was.
Q Married? A No no.
Q Married in this country? A Yes sir
Q Who is James M. Harmon? A Married one of the Jackson girls.

Q When did they come to this Country? A Right away after they was admitted.
Q In what year? A I think the winter of '94, I think it was, spring or winter of '94.
Q You know Gideon Graham? A Yes sir.
Q Who is his mother? A Missouri Ann Graham, formerly Missouri Ann Dawson.
Q Did he come from Texas to Arkansas? A Come from Texas.
Q Did you know them in Texas? A I knew the girl.
Q You never knew them until they come to this country? A I never knew did.
Q When did you see him here? A I think they come here in the fall or winter of 1884 or '5.
Q He was a married then? A I think he was.
Q Brought his wife? A I think he was, I don't know.
Q Did he have any children when you first saw him? A He come to my house and I never saw his family for--I don't know, for several years.
Q You understood he had a family? A Yes sir.
BY MR. McKENNON:
Q Did you mean to say '84 or '94? A '84.
Q Did you see Gid Graham in '84? A '84, let me study, no, '85.
BY MR. HASTINGS:
Q Did you see him in '85, are you positive on that proposition? A I think so.
Q Will you swear it? A No sir, I won't positive swear it, but I think it was, as I remember now it was; I couldn't say positive.
Q All the people Mr. Dawson that have been admitted to citizenship by courts of competent jurisdiction unless they were de-citizenized by courts of acquired jurisdiction, enjoyed the same privileges that you have mentioned here about going to school and being tried in the courts? A Yes sir.

Q All that sort of thing that you have been telling here in your direct examination? A Ask the question again.
Q I say all people who were admitted here by courts of competent jurisdiction, until they were de-citizenized by courts of like jurisdiction, enjoyed the same privileges that you did? A So far as I know they was.
Q They all drawed money and all tried in the courts as long as we had tribunal courts, were they not? A Yes sir, so far as I know.
Q There was no special privilege granted to you in preference to anybody else? A None but recognized citizens of the Cherokee Nation.
Q Well you had been recognized since you were admitted? A Yes sir, I enjoyed the same privileges of native born Cherokees.
Q Well I say there is nothing special about it? A No, I don't know as there is.
Q You got acquainted with Mr. Duncan while you were up there during the hearing? A Yes sir, I was acquainted with him, knew him, when I saw him.
Q Mr. Bill Rose did the examination of Dr. Baker? A Yes sir.
Q Did you file any other paper before the Court other than your petition and then Dr. Baker's statement? A I never filed any petition there at all.
Q None whatever? A I don't remember any.
Q Will you never had occasion to file any papers before Mr. Duncan? A I got him to do some writing for me.
Q What? A Letters to my brother in Texas.
Q Buck Dawson? A Yes sir, S. Dawson.

Q That? A Yes sir, Buck Dawson.
Q Well is that all he did for you? A I don't remember now about it.
Q Why didn't you get your attorney to do that letter writing? A There was not any there.
Q Taylor nor Benge was not there then? A No sir.
Q That is what you paid the 20 or 25 dollars for, was writing this letter back to your brother? A I paid him for that claim.
Q When did you pay that? A I think I paid it, I don't exactly when, Camp Taylor paid it a year or two after I moved out here and settled where I did; right have been 2 years. I don't remember.
Q Where was Duncan living then? A I couldn't say where.
Q Was he still clerk of this Court? A No sir, not when that money was paid; that is, when Camp Taylor said he paid it.
Q You did send Camp Taylor some money? A I sent some money to him for Joel Bryant.
Q You knew Joel Bryant's address didn't you? A No, I don't know that I did, No I didn't send Camp Taylor any money, I gave it to him.
Q How much did you give him? A One hundred dollars.
Q When? A Right at that time; he claimed it from me as soon as we got our papers; he come onto me and demanded it for Bryant.
Q You never sent him any then after that? A No sir.
Q Did you ever see Bryant after that? A Yes sir
Q How long after that? A I don't know, a year or two afterwards. a year I believe, my brother wrote, I wrote to my brother about paying Camp Taylor money and he went onto my brother about it and he never paid him until we moved out to this country.
Q After all that you got him to attend to your uncle Jim Dawson's and the other relatives cases? A The other parties did.

BY MR. McKENNON:

Applicants object to all that part of the witness' evidence in response to interrogatories by representatives of the Cherokee Nation which relates to the character of the evidence upon which the judgments admitting members of the James and Robert Dawson families were admitted, and to the history of the members of the Dawson family, because the same is immaterial, incompetent and irrelevant.

BY MR. McKENNON:

Q One question I omitted to ask you Mr. Dawson, as to the Court at the time the judgment admitting Robert Dawson's family was rendered, who of the judges were present on that day? A They was all three of them, Wolfe, Tehee and Thompson.
Q Are you positive of that fact? A Yes sir.
Q You do not know this Andrew Dawson family who applied to the Dawes Commission for Cherokee citizenship, and who stated that they are cousins of some members of your family? A Andrew?
Q Andrew J. Dawson, who claims to be from Missouri? A How was the question?
Q You do not know them do you? A I don't know that they are any kin to us.
Q You don't know that they are related to you at all? A No sir.
Q This Mary Dawson case, do you know the members of that family? A No sir, I don't.
Q Don't know who they are? A No sir.
Q The Rebecca Dawson case? A I don't know her either.
Q You don't know whether they are related to you or not? A No sir.
Q If any of these persons are related to you or your family did you have any knowledge of it? A Not as I know of.

Q Jonina Barber, do you know anything about them? A They claim to be kin to us.
Q Where are they from? A They are from Texas.
Q Do you know they are related to you? A They claim to be kin.
BY MR. HASTINGS:
Q Tell you swore for them before the Commission? A Yes, they claim to be kinfolks of mine.
BY MR. McKENNON:
Q Irene J. House, who is that? A That is a cousin of mine: claims to be.
BY MR. HASTINGS:
Q You testified for her didn't you before the Commission? A I think I did as well as I remember.
BY MR. McKENNON:
Q Before the Court that admitted James Dawson and family, who were the witnesses there? A Oliver Miller, from Berryville, Arkansas.
Q Who were the others? A Myself and J. Dawson and there was two other witnesses, I don't remember who they are.
Q Were they Cherokee citizens and residents of th Cherokee Nation? A Yes sir.
BY MR. HASTINGS:
Q You don't remember their names? A Which?
Q Of these other people who claimed to be citizens of the Cherokee Nation and who were witnesses? A I said about me and J. Dawson was citizens of the Cherokee Nation.
Q You only proved that Jim Dawson was a brother of Robert Dawson before the Court? A Yes sir.
Q And then referred back to the decision in the Court before? A We proved that they were citizens, and he knew by folks before we ever came here.
Q Was he older than Dr. Baker? A About the same age.
Q Why didn't you get Oliver Miller's testimony in the Hodge case?
Q He was dead.
Q You and no member of your family in the Irene House case or the Jonina Barber case or any of those cases that were tried before the Dawes Commission in your affidavits ever made reference to the fact that Oliver Miller testified in Jim Dawson's case in '84 did you?
A I don't remember about that.
Q You did take reference to the fact that Dr. Baker testified there in '83, didn't you? A I don't remember about that now.
Q You never made reference to any other witness having testified other than Dr. Baker didyou? A I don't remember about it now.
BY MR. McKENNON:
Q Now just one other question: All of these papers in the original application and everything, so far as you know, in the James Dawson case, were filed before the Commission which admitted the James Dawson family, are lost or mislaid are they not? A I suppose they are, I don't know, I never saw them.
Q Have you tried to get copies of them? A Yes sir, I tried to get the original papers.

BY COMMISSION:- This case is continued until 8:30 a.m., tomorrow morning, March 20th, 1902, it now being the hour for adjournment.

MARCH 20, 1902,- 8:30 a. m.- F. M. DAWSON again on the stand, testifies as follows:
BY MR. McKENNON:
Q Where was your brother Rich Dawson raised? A In Arkansas.

Q What County? A Carroll.
Q Near what town? A Berryville.
Q Did Dr. Baker live at Berryville? A Yes sir.
Q Was your brother intimately acquainted with him for many years?
A Yes sir.
Q Did he know him sufficiently to be acquainted with his character and habits of life? A Yes sir.
Q Do you know Josephine Pierce? A Yes sir.
Q Whose daughter was she? A Robert Dawson's.
Q Is she the same identical person who is called Josie Pierce, now Josie Dawson? A Yes sir.
Q Is there any other Josie Pierce or Josie Dawson or Josephine Pierce or Josephine Dawson? A I don't know but the one.
Q She was also called Josephine or Josie Kelly? A Yes, after she married; her first husband was Pierce.
Q And her second husband A Was Kelly.
Q There was another Josephine Dawson wasn't there, Bulaska's wife?
A Why they called her Joe, I suppose that's her name, I could not be positive; that was Rile Dawson's daughter, August Bulaska's wife.
Q She is much younger than your sister, Josephine, above referred to? A Yes sir, oh yes.

BY MR. HUTCHINGS:

Q Where were you born, Mr. Dawson? A Carroll County, Arkansas.
Q You know how old you are? A 42.
Q 42? A I think so.
Q How many older children were there of your father and mother than yourself? A Three.
Q Which were they? A E. Dawson, Riley Dawson and Jasper Dawson.
Q You are the fourth child and the fourth boy? A Yes sir, fourth boy.
Q Where were your father and mother married, do you know, from family history? A I think it was in Arkansas, I couldn't be positive, I think they was.
Q Do you know how long your grandfather lived in Arkansas? A No sir I don't.
Q Don't know what year he came to Arkansas? A Only from statement.
Q Well what did they say about it? A I think they come there some time in '30.
Q You know whether your father was born in Arkansas? No many of your grandfather's children were born there? A There was none of them born in Arkansas according to history and according to what he always told me, they were born in Tennessee.
Q He came there in '30, and all the other children were born on the Kinnesa River in Tennessee, befor he ever came? A That is what I think, yes sir. Now I am not positive about that. They were from Tennessee, but either Dr. Baker lived there or my folks come from there; I don't know as I remember that I ever heard my father say where he was born at.
Q In Tennessee somewhere; he said he was a good big boy when he came to Arkansas? A I don't know as I ever heard him say.
Q Do you know the difference in the ages of yourself and your three older brothers? A No I don't.
Q Don't know the time that comes in between you? A No I don't know what; I think it is about two years though.
Q That would make E. Dawson about eight years older than you, probably? A Yes sir.

BY MR. McKENNON:
Q Did Josephine Pierce have a daughter who married Mr. Bogle?
A Yes sir.
Q What was her name? A I always knowed her by Dade Pierce; I don't know whether that is her right name or not.
Q That is Bogle's name? A John Bogle.
Q She is the child of Josephine Pierce who married John Bogle?
A Yes sir.
BY MR. HASTINGS:
Q Where did she marry John Bogle? A Near Afton.
Q When? A I couldn't state.
Q About when? A You have got a copy of the marriage license.
Q When did Josephine Pierce come to the Cherokee Nation? A '83.
Q Has she lived here continuously since that time? A Up until her death; she is dead.
Q Any of her children come with her at that time? A Yes sir.
Q And have they lived here continuously since that time? A Yes sir, except Bill Pierce, he went to Colorado and died.

J. C. STARR, being first duly sworn and being examined, testified as follows:
BY MR. McKENNON:
Q Your name is J. C. Starr is it? A Yes sir.
Q Mr. Starr, was that instrument taken by you, or before you? (Showing witness document.)
A Yes sir.
Q Where? A At the residence of C. H. Benge near Fort Gibson.
Q When? A On the 15th day of this month.
Q What day of the week was that? A On Saturday.
Q Is that the day it was taken? A Yes sir.
Q Did you go there on Saturday to take this? A Yes sir.
Q Then when Judge Benge stated on Tuesday that it was taken "yesterday" meaning Monday, the 17th, he was mistaken, was he?
A It was taken Saturday, the 15th.
Q Was he mistaken or not? A It was not taken then.
Q Then his statement made on Tuesday the 18th that it was taken on "yesterday", meaning Monday, the 17th, was not correct, was it?
A I think not, because I was there, and it was taken on the 15th.
Q And it was taken on the 15th, you are positive it was taken on the 15th? A Yes sir.

Q Then of course his statement could not be correct? A I guess not.
BY MR. HASTINGS:
Q He was just mistaken about the date, wasn't he? A Yes sir.
BY MR. McKENNON:
Q Did you tell Charles T. Moore who is now present, on last Tuesday that they sent you out there on Monday to take that? A No sir.
BY MR. HASTINGS:
Q I sent you there that Saturday? A Yes sir.
Q And you went there at my direction, didn't you? A Yes sir, and come back Saturday night.

ROBERT L. DAWSON, being first duly sworn, and being examined testified as follows:
BY MR. McKENNON:
Q What is your name? A My name is Robert L. Dawson.
Q What is your age? A My age is something close to 30 years old, I guess 29 past.

Q Are you a son of E. Dawson, commonly known as Buck Dawson?
A Yes sir.
Q I will ask you if you will examine this letter sent with the enclosure and state whether or not you found that among the papers of your father after his death? A (Hands letter to witness who examines it) A Yes sir, I found this amongst the papers of my father. He always kept all his own papers, and me looking over them I saw this letter.
Q Has that been in your custody ever since you found it? A Yes sir, if that's the letter that was in the envelope.
Q Well that's what it is, you can tell whether it is or not. (Witness further examines letter) Q That purports to be a letter from Samuel H. Benge, does it not, to your father? A Yes sir. (Here applicants' attorney hands letter and envelope referred to to attorneys for Cherokee Nation.)

BY MR. McKENNON: I want to offer this letter in evidence in this case; it is a letter signed by S. H. Benge, attorney at law, dated Fort Gibson, C. N., Jan. 13, 1883. Addressed to Mr. E. Dawson, Esq., together with the envelope, in which it was enclosed, with the card of C. H. Taylor upon it, attorney at law, Tahlequah, Indian Territory, and postmarked Tahlequah, Ind. T., January 13.

BY MR. HUTCHINGS: The Nation objects to the introduction of this letter for the reason that S. H. Benge is living and has testified in this case, and his handwriting should be either proven or denied by himself.

G. W. BENGE, being first duly sworn, and being examined, testified as follows:
BY MR. McKENNON:
Q What is your name? A G. W. Benge.
Q Are you a son of Samuel H. Benge? A Yes sir.
Q Do youknow his handwriting? A I believe so.
Q Is that his handwriting? (Shows witness letter before referred to.) A Yes sir, it is either his or a resemblance of his.
Q To the best of your knowledge and belief is that his letter?
A Yes sir.

BY MR. McKENNON: Now we offer it in evidence.

BY COMMISSION: (Reading letter)

"Fort Gibson, C. N.,
Jan 13th, 1883.

Mr. E. Dawson, Esq.,

Dear Sir:- I write this note to inform you that your case came off before the Court on Citizenship on the 11th inst, and was decided in your favor, so you all are citizens of this Nation. F. M. Dawson was furnished with a copy of the decision at the court. He will write to you also. You will please send me fifty dollars as my fee in your case according to contract. Send it to Fort Gibson, Cherokee Nation.

Respectfully yours,
S. H. Benge,
Attorney at law."

Enclosed in envelope, as follows:
Card in upper corner, left hand:
"Return in ten days to C. H. Taylor,
Attorney at Law,
Tahlequah, Ind. Ter."
Addressed: "Mr. E. Dawson,

Henrycttn,
Clay Co., Texas."

Post-marked: " Tahlequah, Jan 1? Ind T."

ROBERT L. DAWSON, -re-called and further examined, testified as follows:

BY MR. McKENNON:

Q Now examine that and see if that is also a paper which you found among your father's papers after his death? (Hands papers to witness) A That is the same letter that I found.

Q Among the same that you found the Benge letter? A Yes sir.

BY MR. McKENNON: This is a letter purporting to have been written by J. M. Bryan, to E. Dawson, dated at Chouteau Station, Cherokee Nation, and not dated, which we offer in evidence. (Applicants' attorney hands said paper to Nation's attorneys.)

Q Mr. Bryan is dead is he not? A I think so.

BY MR. HUTCHINGS: We have no objection.

BY COMMISSION: (reads letter)

"Chouteau Station, Cherokee Nation.
I. T., M. K. & T. R. R.

MR. Dawson:

Dear Sir:-

I am in receipt of your favor of the 30th inst in regard to our contract.

After I had got the claim so there would be little more to do I employed Campbell Taylor to answer for me when the case came up, for which I was to pay him $20 out of my fee.

This all the action I had in the matter with Taylor.

I saw Taylor in Washington last month, and he told me that your brother had made another contract with him, and paid him, or that you was to pay him $100- and that you had offered him a check on some bank in Texas.

That $100- matter with Taylor, I have nothing to do with, nor couldn't have if I wanted to.

I hope Mr. Dawson this letter will explain the matter fully.

And I am satisfied that you are apprised of the earnest work I done for you, Please write to me.

Very respectfully,
Very truly,
J. M. Bryan."

Q I will ask you if you know of your father having paid Bryan that money? A Yes sir, paid him a horse and some other money.

BY MR. HUTCHINGS:

Q How old was your father when he died? A No, I don't know whether I know his age or not.

Q If you don't know you can't say? A I wouldn't have no reason to know his age; never asked him his age; of course I guess my mother knows.

Q Never had occasion to talk about his age at all? A Oh I have heard him speaking of his age at different times, but then I never paid enough attention to it.

Cid Graham, being first duly sworn and being examined testified as follows:

BY MR. McKENNON:

Q What is your name? A Cid Graham.

Q How old are you? A Mr. Graham? A I am 38 years old.
Q How long have you been living in the Territory? A I came out here in 1887 or '88.
Q To the Cherokee Nation? A Yes sir.
Q How long have you been living in the Cherokee Nation, what year was that '87 or '8? A Yes sir.
Q Have you resided here continuously from that time ever since in the Territory? A Yes sir.
Q How long did you live in the Cherokee Nation? A About 6 years.
Q Where did you go then? A Wagoner.
Q In the Creek Nation? A Yes sir.
Q And been residing there ever since? A Yes sir.
Q In business? A Yes sir.
Q Have you all the while been recognized as a citizen of the Cherokee Nation? A Yes sir.
Q Mr. Graham, do you know Judge Samuel H. Benge? A Yes sir.
Q Did you have a conversation with him in Fort Gibson about September of 1900? A Well as to the exact time I couldn't say, it was sometime about the time that the Dawes Commission were at Sallisaw, or possibly a little later, somewhere about there.
Q Taking the census of the Cherokees? A Yes sir.
Q At that time had the question of the validity of the judgment of the Cherokee citizenship commission admitting Robert Dawson and family been called in question? A Yes sir.
Q Did you talk to him about the facts concerning the obtaining of that judgment? A I did.
Q What did he tell you about it; well I will just ask you, did he then and there tell you that that judgment was regular and all right nothing wrong with it? A He did.

BY MR. HUTCHINGS:

Q You were looking around for testimony at that time, Mr. Graham, were you? A How was that?
Q You were looking around for testimony at that time, expecting this case to be questioned? A Since the validity of that judgment had been attacked by the authorities of the Cherokee Nation, I thought it was well to look into the matter.
Q And he told you the judgment was all right? A Having known that Mr. Benge was connected with the case, I saw him in Fort Gibson, subsequent to that time and asked him about it, if there was anything wrong about the matter, and also that I might want his affidavit concerning the matter, and I also I think maybe wrote to him; Possibly prior to that, I am not sure as to the writing, but I think possibly I did.
Q Did he tell you he would make an affidavit? A I don't think at that time that I asked him for an affidavit. I thought as he lived right near here I would use him in person; he assured me that everything was all right.
Q Your mother was Missouri Dawson was not she? A Yes sir.
Q Her name was Missouri Graham when she was re-admitted to citizenship? A Yes sir
Q And was not Missouri Dawson as named in that judgment? A Yes sir.
Q Do you know whether the other children named in there had married and changed their names also at the time they were admitted?
A There were not any of them married.
Q Ella Dawson was your aunt? A Yes sir.
Q Was she married at that time? In 1883? A Yes sir.
Q Melvina Dawson, was she married at that time? A Yes sir.
Q And the fourth one you have mentioned, Missouri Dawson, was your mother? A Yes sir.

Q Can you give us the exact date of your birth? A Yes sir.
Q Do so, please? A January 21, 1867.
Q And you came to the Territory when? A In 1887 or 1888.
Q You can't fix that any more definite? A Well sir, it has been a good while ago, and I didn't have anything to cause me to.
Q Well I just want to know whether you did have or not? A No sir.
Q When were you married? A 1886.
Q You were married prior to coming here? A Yes sir.
Q Your first child born away from here? A Yes sir.
Q What is its name? A John W.
Q '86 you were married, and he was born about the spring of '87?
A Somewhere in 1887, I don't remember.
Q Prior to your coming here? A Yes sir.
Q That is the only child you had that was born away from here?
A No sir, Julius.
Q Julius was not born in the Territory? A No sir.
Q And prior to the time of your removing to the Territory? A Yes sir.
Q These are the only children born out? A Yes sir.

BY MR. McKENNON:

Q Do you know Campbell Taylor? A Yes sir.
Q I will ask you if about February 1901, he came to Wagoner, and sent his son to have you come to the hotel at night where he was, and if he then and there said to you "You people are on the doubtful list, and if you will give me five hundred dollars I will make it all right and see that you are enrolled, and if you don't I will see that you don't get on"? A Well now as to the first part of that question, where you say he sent his son; that is an error; I don't know whether he came to my house or sent some one; when I returned home that evening my wife told me there was some one there to see me, and was at the city hotel at Wagoner, and said come down and see him; I went down there; I never had met Taylor; he introduced himself to me and stated what his business was; asked me if I was on the doubtful list, etc., to which I replied that we were; he asked me if I didn't want to employ him, stating that if we would give him, our family would give him five hundred dollars he would see that we were placed on the rolls all right, but if we refused to give him five hundred dollars that he would use his influence against us and see that we were rejected.
Q You never had met him before, or had any communication with him?
A I never met him before. as to the communication, I may have written him something about his affidavit as to the validity of that judgment, I can't say as to that. He said in his testimony that I did; I don't know whether I did or not now.

BY MR. HUTCHINES:

Q You knew he was the attorney in the case, originally? A After looking at the records I did.
Q I mean you knew it at the time you wrote to him about the affidavit; that was the reason why you thought he would know something? A Certainly.
Q He never told you he was going to swear against you or threatened to tell anything that was not true? A He just simply said unless we gave him that five hundred dollars he would see we were all put off the rolls.
Q Said he would use his influence against you, that is what he said? A Yes sir.

BY MR. HASTINGS:
Q You don't deny writing to him then for the affidavit? A I don't say I did or I did not: I neither affirm it or deny the question.
Q You went to Captain Benge and also wrote him with reference to what he knew about the case? A I don't kno whether I wrote him or not, I said I was under the impression I wrote his son.
Q You went to see Aaron Butler, who was interpreter before that court that admitted you? A Yes sir.
Q And you went with Aaron Butler to see Jim Smith, attorney before that court? A Yes sir.
Q And you either wrote or went to see everybody you knew of that was before that court then? A Yes sir.
Q That shows you used considerable activity? A Yes sir, I used such activity as was to my interest.
BY MR. McKENNON:
Q That was all after the representatives of the Cherokee Nation objected to the enrollment of the Dawson family and by reason thereof such as had appeared before the Commission had been placed upon a doubtful card? A Yes sir.
Q Then you began to look up the evidence and see what there was in it? A Yes sir.
Q As Mr. Hastings has stated? A That's right.
BY MR. McKENNON:
Q You are a grandson of James Dawson? A Yes sir.
Q The old gentleman? A Yes sir.
Q About what was his age when he was admitted to citizenship in the Cherokee Nation, in 1884, wasn't it? A Yes sir, well I can't be exact as to that.
Q Well as nearly as you can? A He was somewhere about 70 or 72, years of age.
Q Well what other James Dawson did you know belonging to the families, either one of these families, Robert Dawson family or the James Dawson family? A I never knew of but two James Dawsons.
Q Who were the others? A Dr. James R. Dawson, who is present and standing right here; my grandfather, James Dawson.
Q Was there in '84 any James R. Dawson 35 or 40 or 45 years old, that you know of, belonging to either one of these families? A No sir.
Q Do you know how old Dr. James R. Dawson was that that time? A James Dawson? Q No I am speaking of Dr. James R. Dawson? A Oh; how old he was, no sir, I do not.
BY MR. HUTCHINGS:
Q Do you know who was here attending to your mother's citizenship case at that time, at the time they were admitted? A Yes sir, James Low and Bill Jackson, son of Ellen Jackson.
Q Who was W. A. Dawson? A That is Wilburn, my uncle.
Q Was he here? A I don't know sir.
Q You were not here any of the time? A No sir.
Q You knew your grandfather then, you had lived in the same neighborhood with him? A Yes sir, I knew him well.
Q He didn't die for a year or two after that did he? A After when, Mr. Hutchings?
Q After his admission to citizenship? A No sir, he didn't die I think until '91 or '90, several years after.
Q Very old man when he died? A Yes sir.
BY MR. McKENNON:
Q About what age? A He was approximately 90 years old.
BY MR. HUTCHINGS:
Q When he died? A Yes sir.

BY MR. HASTINGS:
Q That about 1881? A I think so, yes sir.
BY MR. McKENNON:
Applicants object to the testimony of the witness elicited by interrogatories of Counsel for the Cherokee Nation relating to his family, their history, etc, as being immaterial, irrelevant and incompetent.

James R. Dawson, being first duly sworn, and being examined, testified as follows:
BY MR. McKENNON:
Q Your name is James R. Dawson? A Yes sir.
Q Where do you live? A Afton, Indian Territory.
Q What is your age? A 45.
Q You are a physician are you not? A Yes sir.
Q Was James Dawson, whose family was admitted in 1884, an uncle of yours? A Yes sir.
Q Do you know what his age was at that time? A No sir, I do not, only approximately.
Q State as nearly as you can? A At the time of theadmission?
Q Yes sir? A About 70, I don't know exactly.
Q How old was he when he died? A I would suppose he was about 78.
Q What was your age in 1884? A I am 45.
Q What year were you born, Doctor? A I was born in '56.
Q Must have been '58? A Yes sir, that's right.
Q What was your age then? A In '84?
Q Yes sir? A About 28.
Q Were you present at the time that James Dawson family was admitted, or at any time while their case was pending before the Cherokee citizenship commission? A Not while the James Dawson case was, no sir.
Q You were present during your father's case? A I was there at the time.
Q When was that? A The dates I disremember; when the case first come up, I disremember the exact date.
Q How long were you there? A I was there about a week.
Q Was that when it first came up you say? A Yes sir.
Q Nothing was done? A No sir.
BY MR. HASTINGS?
Q You never saw Dr. Baker? A Yes sir.
Q Did he and your uncle Jimmie use d to talk about how they played together when they were boys? A My uncle Jim and Dr. Baker talk?
Q Yes? A I never saw them together.
Q They were about the same age? A Yes sir, I believe Dr. Baker was 15 years older probably.
Q Dr. Baker must have been mistaken about his own age? A Guessing, that's all I know about his age.
Q The Doctor had been paralyzed, rather a decrepit looking man at the time he was over here at this citizenship business? A No sir, not as I know anything about.
Q He was near about 70 then? A I couldn't tell you, he was an old looking man.
Q Your uncle Jimmie was about 70? A Yes sir.

TESTIMONY ON BEHALF OF THE CHEROKEE NATION.

W. W. HASTINGS, being first duly sworn, and being examined testified as follows:

BY MR. HUTCHINGS:

Q State your name? A W. W. Hastings.
Q Residence? A Tahlequah, age 35.
Q You are attorney for the Cherokee Nation in the general preparation of these cases? A Yes sir.
Q Just state how it happened that you summoned Mr. Campbell Taylor, and what occurred between you with reference to his testimony?
A Well there had been some talk, as the testimony here indicates, that there was perhaps fraud in the admission of this family, and by agreement with counsel on the other side, and the Commission, this case was set for the 17th day of March, and some short time prior to that, as the attorney for the Nation I began to make some preparation or inquiry into the case, and I wrote a great many letters around to different people and among them I wrote C. H. Taylor to come down here. I don't think in that letter that I told him what I wanted with him. I don't think I told him the case that I wanted him to testify in; that is my recollection now. Mr. Taylor prior to that time, neither directly nor indirectly, so far as I know, ever gave me any information voluntarily against this family, or ever said anything that would lead me to believe that he knew anything of a fraudulent character connected with it. But I summonsed him; perhaps the fact that I knew he had been connected with them in some way and that I perhaps also would get some information from him. Well he came in response to a letter that I wrote, and I took him up to my office. I talked to him quite a long while. He was exceedingly reluctant about giving any testimony whatever, he told me first and last that he didn't intend to testify before the Commission. He told me he had been attorney for these people, and he didn't believe he could be compelled to testify, and that is he was put upon the stand he would claim that privilege, and he didn't believe I could force him to testify. I talked to him at some considerable length; I asked him what he knew about it; of course he for a long time declined to tell me; and what information I did get from him was by piecemeal. He was exceedingly reluctant all through the interview to give any information. I asked him finally though that if the Court compelled him to testify when he got before the Commission, if he would tell the facts about it, and he said that he would. I told him then that I would subpoena him.

Well we talked quite a good while and finally after always telling me that he intended to claim that privilege, and never wanting to testify, he detailed to me the facts just as he told them on the stand; I don't believe there is the slightest variation, except that he perhaps was not so full at that time and it was told by piecemeal, but I got all those facts out of him, or very nearly all those facts out of him. He may have elaborated a little more here by examination; but he never voluntarily gave me any information at all, either directly or so far as I know indirectly. I don't think he sent any one to me. I got his name because I heard he was connected with the case, and perhaps knew something about it, like I did a great many other people some of whom I didn't bring, because they didn't know what I supposed they did know about the case.

With reference to S. H. Benge, I want to state that he never voluntarily gave me any information at all about this case, nor did I know that he knew anything in connection with this case until I sent J. C. Starr over to S. H. Benge's place to take his affidavit on Saturday, March 15, in the W. H. and J. W. Shoemake case, and their descendants. I had heard that Mr. Benge knew some important facts in connection with the Shoemake case and I sent him over there then to take that affidavit; and when Mr Starr came back he told me that he knew some facts also in connection with these other cases, and I was surprised to find he had instead of one affidavit, in the Shoemake case, that he also had another affidavit in the Dawson case. That is the first information I had that Mr. Benge knew anything whatever in connection with the Dawson case, and therefore he never voluntarily, either directly or indirectly gave any information prior to that time to me.

I impressed upon Mr. Taylor that the Nation only wanted the absolute truth in this matter; that it was not seeking anything else but the truth, and didn't want him to tell anything else but the truth.

I want to say again that after he was on the stand and left that evening, and after Captain McKennon, or counsel for the family, had indicated his willingness for Mr. Taylor to testify, that he went over all of these facts that he testified to on the stand subsequent to that time in the presence of J. C. Starr in my office. I simply wanted to go on the stand for the purpose of showing that Mr. Taylor hadn't voluntarily given me any information, and I make this statement for that purpose.

BY MR. McKENNON:

Q You had no power to compel him to give you any information at that time at all did you? A No sir, none other than the persuation that I brought to use.
Q He therefore did it simply upon your persuation? A Yes sir.
Q You knew he had been acting as attorney for these parties?
A Yes sir, I had seen from the record that he did too.
Q And he told you so? A Yes sir.

BY COMMISSION: The attorneys for the applicant and the representatives of the Cherokee Nation will be granted thirty days from the receipt of the transcript in this case in which to file a brief in this case with the Commission.

I, M. D. Green, do hereby certify that as stenographer to the Commission to the Five Civilized Tribes I correctly recorded the testimony and proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

(Signed) M. D. Green.

I, Arthur G. Evans, being duly sworn, state that as stenographer to the Commission to the Five Civilized Tribes I copied the foregoing, and that the same is a true and complete copy of the original.

Arthur G. Evans

Subscribed and sworn to before me this 18th day of December, 1903.

B C Jones

Notary Public.

File with Cherokee D-626, James R. Dawson, et al.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Francis M. Dawson, et al for enrollment as Cherokee citizens, consolidating the applications of,

Francis M. Dawson et al	Cherokee	D.	324
John Dawson,	"	D	329
William R. Dawson,	"	D	331
Andrew C. Atkins, et al	"	D	334
Francis M. Dawson, Jr.	"	D	378
Arizona Allred, et al	"	D	385
Samuel R. Dawson, et al	"	D	390
Robert Dawson,	"	D	393
Albert M. Dawson, et al	"	D	398
August Bulawsky, et al	"	D	405
John W. Dawson, et al	"	D	422
Katie Newman	"	D	428
John Dawson, et al	"	D	478
Thomas P. Dawson, et al	"	D	480
Orle H. Dawson, et al	"	D	490
Robert Pierce, et al	"	D	408
William Pierce,	"	D	409
Charles E. Pierce,	"	D	471
Oma Gray, et al	"	D	471
Effie Pierce,	"	D	473
John S. Bogle, et al	"	D	479
Joseph N. Dawson, et al	"	D	364
Wilborn Dawson,	"	D	475
Charles T. Moore, et al	"	D	518
James R. Dawson, et al	"	D	526
Henry A. Blasingame, et al	"	D	819
Elbert L. Blasingame, et al	"	D	833
James R. Blasingame, et al	"	D	834
Martin L. Patterson, et al	"	D	435
William C. Dawson, et al	"	D	604
Robert L. Dawson,	"	D	605
Elbert B. Dawson, et al	"	D	616
Richard W. Dawson, et al	"	D	617
Ella L. Spickerman, et al	"	D	626
Francis M. Dawson,	"	D	627
Sarah J. Dawson,	"	D	629
John W. Graham, et al	"	D	23
Gideon Graham, et al	"	D	35
Mathew A. Painter, et al	"	D	845
Charles T. Bradshaw, et al	"	D	1174
Joe E. Graham, et al	"	D	1115
John P. Graham, et al	"	D	1116
Joe Willie Neal	"	D	1117
James M. Graham, et al	"	D	1134
Green W. Jackson, et al	"	D	1135
James B. Watson, et al	"	D	476
Jennie A. Jackson,	"	D	844
Lizzie Jackson, et al	"	D	833
William C. Lowe, et al	"	D	847
James Lowe, et al	"	D	848
Millie T. Dawson,	"	D	493

Yeranna Woolley, et al.,	Cherokee	D	496
[illegible] F. Richardson, et al.,	"	D	716
[illegible] Brewer,	"	R	12
[illegible] A. Dawson,	"	R	13
[illegible] M. Fishback, et al.,	"	D	343
[illegible] P. Waddle, et al.,	"	D	541
William D. Boutwitt,	"	D	528
Florence Morgan, et al.,	"	D	737
John E. Fishback,	"	D	845
George A. Mabry, et al.,	"	D	879

D E C I S I O N.

It appears from the record herein that applications were made to this Commission at the times and places hereinafter mentioned for the enrollment of the following named persons as citizens of the Cherokee Nation:

D 324 By Francis M. Dawson, son of Robert Dawson, at Vinita, Indian Territory, on September 17, 1900, for the enrollment of himself and his minor children, Lula, Ray, Jessie J., Jacob L., Hugh A. and Laura A. Dawson as citizens by blood, and for the enrollment of his wife Katie Dawson as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on April 8, and October 20, 1902.

D 580 By John Dawson, at Nowata, Indian Territory, on October 15, 1900, for the enrollment of himself as a citizen by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 1, 1902.

D 581 By William R. Dawson, at Nowata, Indian Territory, on October 17, 1900, for the enrollment of himself and his wife, Fannie Dawson as citizens by blood. Fannie Dawson has been differently classified and is not embraced in this decision.

D 584 By Andrew C. Atkins, at Nowata, Indian Territory, on October 15, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Lizzie Atkins and his minor children, Arthur, Edna B., Edward C. and George J. F. Atkins as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 10, 1902.

D 588 By Francis M. Dawson, Jr., son of Francis M. Dawson and grand son of Robert Dawson, at Nowata, Indian Territory, on October 15, 1900, for the enrollment of himself as a citizen by blood.

D 377 By Francis M. Dawson, Sr., at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of his daughter Arizona Allred and his grand-son William O. Allred as citizens by blood.

D 380 By Samuel R. Dawson, at Vinita, Indian Territory, on September 19, 1900, for the enrollment of himself and his two minor children August and Mate Dawson, as citizens by blood, and for the enrollment of his wife Catherine Dawson as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, October 3, 1902.

D 352 By Robert Dawson, at Vinita, Indian Territory, on September 19, 1900, for the enrollment of himself as a citizen by blood.

D 358 By Albert H. Dawson, at Vinita, Indian Territory, on September 19, 1900, for the enrollment of himself and his minor children Ralph H., Alford and Cecil Dawson as citizens by blood, and for the enrollment of his wife Sarah F. Dawson as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 21, and October 3, 1902.

D 365 By August Bulawsky, at Vinita, Indian Territory, on September 20, 1900, for the enrollment of himself as a citizen by intermarriage, and for his wife Josephine, and his minor children Dora, Ida, Annie, Blanche, May and Oscar Bulawsky, as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 6, 1902.

D 482 By John W. Dawson, at Vinita, Indian Territory, on October 1, 1900, for the enrollment of himself as a citizen by blood, and for the enrollment of his wife Nannie as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 3, 1902.

D 402 By Charles J. Newman, for the enrollment of his wife Katie Newman as a citizen by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on March 18, 1902.

D 578 By John Dawson, at Nowata, Indian Territory, on October 15, 1900, for the enrollment of himself and his minor children Robert B., Iola M., Lemuel R., Rosa B., Charles B., Hattie J., Jennings B. and James U. Dawson as citizens by blood, and for his wife Sarah J. Dawson as a citizen by intermarriage. On November 20, 1901, an affidavit was filed for Vergal C. Dawson, a ninth child of the applicant. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, October 20, 1902.

D 360 By Thomas P. Dawson, at Vinita, Indian Territory, on September 20, 1900, for the enrollment of himself and his minor child Marice J. Dawson as citizens by blood.

D 530 By Orle H. Dawson, at Vinita, Indian Territory, on October 4, 1900, for the enrollment of himself and his minor child, Burr R. Dawson as citizens by blood. On October 31, 1902, a birth affidavit was filed for James W. Dawson, a second child of the applicant.

D 409 By Robert Pierce, at Vinita, Indian Territory, on September

24, 1900, for the enrollment of himself and his minor child Myrtle as citizens by blood, and for the enrollment of his wife Nellie as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 3, 1902. On January 9, 1902, an affidavit was filed showing the birth of Arthur Pierce, a second child of the applicant.

D 409 By William Pierce, at Vinita, Indian Territory, on September 24, 1900, for the enrollment of himself as a citizen by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 21, 1902.

D 431 By Charles E. Pierce, at Vinita, Indian Territory, on September 25, 1900, for the enrollment of himself as a citizen by blood.

D 471

D 472 By John B. Gray, at Vinita, Indian Territory, on Septe ber 29, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Ona Gray, his minor child, Cecil Gray, and his sister-in-law, Effie Pierce (now Effie Aking), as citizens by blood. John B. Gray is differently classified and is not embraced in this decision. Further proceedings were had in the matter of this application at Vinita, Indian Territory, on October 4, 1900, and at Muskogee, Indian Territory, on July 21, 1902. On February 18, 1902, an affidavit was filed showing the birth of Velton Gray, a second child of the applicant.

D 479 By John S. Bogle, at Vinita, Indian Territory, on October 2, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Nancy J., and his minor children, James E., Edna M., John H., Marvin R. and Claud Bogle as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 9, 1902. On October 31, 1902, a birth affidavit was filed for Nancy Edith Bogle, born since the date of this application.

D 364 By Joseph R. Dawson, at Vinita, Indian Territory, on September 20, 1900, for the enrollment of himself and his five minor children, Clarence E., Council J., Elmer A., Cleo, and Rufus T. Dawson, as citizens by blood, and for the enrollment of his wife, Florence Dawson, as a citizen by intermarriage. Further proceedings were had in the matter of said application at Vinita, Indian Territory, on October 19, 1901, and at Muskogee, Indian Territory, on October 3, 1902. On October 19, 1901 an affidavit was filed showing the birth of Edgar Dawson, a sixth child of the applicant.

D 47[illegible] By Wilborn Dawson, at Vinita, Indian Territory, on September 20, 1900, for the enrollment of himself as a citizen by blood.

D 518 By Charles T. Moore, at Vinita, Indian Territory, on October 4, 1900, for his enrollment as a citizen by intermarriage, and for the enrollment of his wife, Mollie, and is five minor children, Nora, Walter, Clara, Ora and James W. Moore as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on March 18, and October 10, 1902, and on March 17, 1902, an affidavit was filed showing the birth of Edna E. a sixth child of the applicant.

D 828 By James R. Dawson, at Vinita, Indian Territory, on October 4, 1900, for the enrollment of himself and his three minor children, Vinnie D., Ermine C. and Edwin C. Dawson as citizens by blood, and for the enrollment of his wife, Martha A. Dawson, as a citizen by intermarriage. Further proceedings were had in the matter of said application at Vinita, Indian Territory, on October 5, 1900, and at Muskogee, Indian Territory, on October 3, 1902, and on September 13, 1901, an affidavit was filed showing the birth of Ancil F. Dawson, a fourth child of the applicant.

D 832 By Henry A. Blasingame, at Chelsea, Indian Territory, on November 19, 1900, for the enrollment of himself and his minor child, Vinnie C. as citizens by blood, and for the enrollment of his wife, Birdie J. as a citizen by intermarriage. Birdie J. Blasingame is differently classified and is not embraced in this decision.

D 833 By Elbert L. Blasingame, at Chelsea, Indian Territory, on November 19, 1900, for the enrollment of himself and his three minor children Ellis F., Earl D. and Alexander Blasingame, Jr., as citizens by blood, and for the enrollment of his wife Ida, as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, October 6, 1902. On October 31, 1902, a birth affidavit was filed for Elmer H., born since the date of this application.

D 834 By James R. Blasingame, at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of himself and his two minor children, William A. and George L. Blasingame as citizens by blood, and for the enrollment of his wife, Mary A. Blasingame as a citizen by intermarriage. On February 28, 1901, an affidavit was filed showing the birth of Grace D. Blasingame, a third child of the applicant. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 6, 1902.

D 835 By Martin L. Patterson, at Vinita, Indian Territory, on September 26, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Zona, and his five minor children, Sarah A., Martha A., Claud A., Edgar D. and Thomas M. Patterson, as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on April 8, and October 4, 1902, and on October 23, 1901, an affidavit was filed showing the birth of Virgil V., sixth child of the applicant.

D 604 By William C. Dawson, at Nowata, Indian Territory, on October 16, 1900, for the enrollment of himself as a citizen by blood, and for the enrollment of his wife Alice as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on April 3, and October 10, 1902.

D 605 By Robert L. Dawson, at Nowata, Indian Territory, on October 16, 1900, for the enrollment of himself as a citizen by blood.

D 606 By Elbert B. Dawson, at Nowata, Indian Territory, on October 16, 1900, for the enrollment of himself as a citizen by blood. On July 8, 1901, an affidavit was filed showing the birth of Ralph B. Dawson, a child of the applicant.

D 608 By Sarah J. Dawson, at Nowata, Indian Territory, on October 10, 1900, for the enrollment of herself as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 15, 1902.

D 617 By Richard W. Dawson, at Nowata, Indian Territory, on October 17, 1900, for the enrollment of himself and his minor child Ina E. as citizens by blood, and for the enrollment of his wife, Luella as a citizen by intermarriage. Luella Dawson is differently classified and is not embraced in this decision. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on April 8, 1902.

D 626 By Ella L. Spickerman, at Nowata, Indian Territory, on October 17, 1900, for the enrollment of herself and her minor child, Hellen J. Spickerran, as citizens by blood, and for the enrollment of her husband, John J. Spickerman as a citizen by intermarriage. John J. Spickerran is differently classified and is not embraced in this decision. On March 8, 1902, an affidavit was filed for William Glenn Spickerman, a second child of the applicant.

D 627 By Francis M. Dawson, son of Elbert Dawson, at Nowata, Indian Territory, on October 17, 1900, for the enrollment of himself as a citizen by blood.

D 27 By John W. Graham, at Fairland, Indian Territory, on July 12, 1901, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Missouri and his minor children Tamra V. and Robert S. Graham, as citizens by blood. Furtherproceedings were had in the matter of said application at Muskogee, Indian Territory, on October 2, 1902.

D 35 By Gideon Graham, at Westville, Indian Territory, on July 16, 1900, for the enrollment of himself and his minor children, John W., Julius E., Francis W., Mary E., Jesse E., Gracie M. and Florence M. Graham as citizens by blood, and for the enrollment of his wife Elizabeth Graham, as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 17, 1902.

D 836 By Mathew A. Painter, at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Laverna A. and his five minor children Ada R., Eva P., John W., Ray D., and Roberta A. Painter, as citizens by blood. On December 7, 1900, an affidavit was filed for Roy V. Painter, a sixth child of the applicant. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 2 and 3, 1902.

D1124 By Charles T. Bradshaw, at Muskogee, Indian Territory, on February 23, 1901, for the enrollment of himself as a citizen by intermarriage, and for his wife Florence P. and his minor children, Myrtle and Claude Bradshaw as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 31, and October 20, 1902.

D1125 By Joe E. Graham, at Muskogee, Indian Territory, on Febru-

ary 23, 1901, for the enrollment of himself and his minor child William C. as citizens by blood.

D1126 By John F. Graham, at Muskogee, Indian Territory, on February 23, 1901, for the enrollment of himself and his minor child Edna M. as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 21, 1902. On October 31, 1902, a birth affidavit was filed for Robert Lee Graham, a second child of the applicant.

D1127 By James Neal, at Muskogee, Indian Territory, on February 23, 1901, for the enrollment of his wife, Joe Willie Neal, as a citizen by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 21, 1902.

D1128 By James M. Graham, at Muskogee, Indian Territory, on February 23, 1901, for the enrollment of himself and his minor children, Marion, Maggie, Luther, Liddie and Margaret Graham as citizens by blood, and for the enrollment of his wife Bessie as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 17, 1902. On October 27, 1902, a birth affidavit was filed for Floyd Graham, born since the date of this application.

D 395 By Green W. Jackson, at Vinita, Indian Territory, on September 22, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Ella Jackson as a citizen by blood.

D 476 By James M. Harmon, at Vinita, Indian Territory, on October 1, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Flora and his minor children, Lillie R., Claud, Dwight, and William D. Harmon, as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 9, 1902.

D 508 By Toshie A. Jackson, at Vinita, Indian Territory, on October 3, 1900, for his enrollment, among others, as a citizen by blood. The other parties to the application are differently classified and are not embraced in this decision. Further proceedings were had in the matter of said application at Tahlequah, Indian Territory, on December 7, 1900.

D 870 By Lizzie Jackson, at Chelsea, Indian Territory, on November 19, 1900, for the enrollment of herself as a citizen by intermarriage, and for the enrollment of her minor children Osie, Lizzie, Jessie, Ray and Clyde Jackson as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 3, 1902.

D 847 By William C. Lenox, at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Fannie and his minor children Birtie E. and Myrtle Lenox as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 3, 1902.

D 879 By James Lowe, at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of himself and his minor children, May, Zelma, Roberta and Rosa Lowe as citizens by blood.

D 405 By Millie T. Dawson, at Vinita, Indian Territory, on September 24, 1900, for the enrollment of herself as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 13, 1902.

D 406 By Texanna Woolley, at Vinita, Indian Territory, on September 24, 1900, for the enrollment of herself and her minor child Irene W. Woolley as citizens by blood. On March 27, 1902, an affidavit was filed showing the birth of Wilburn E. Woolley, a second child of the applicant.

D 715 By Henry T. Richardson, at Claremore, Indian Territory, on October 26, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Kitty, his minor children Delia F. and Finis T. Richardson and his step-children, Edgar, Walter, Alice, Laura, Oscar, Claude, Edna and Florence Flournoy as citizens by blood. Florence Flournoy is embraced in another application herein as Florence Morgan (D - 737). Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 9, 1902, and on August 20, 1902, a birth affidavit was filed for Jasper C. Richardson, born to Henry T. Richardson and his wife, Kittie, since the date of this application.

R 12 By Etta Brauer, at Fairland, Indian Territory, on July 12, 1900, for the enrollment of herself as a citizen by blood.

R 13 By Melissa A. Dawson, at Fairland, Indian Territory, on July 12, 1900, for the enrollment of herself as a citizen by intermarriage.
Further proceedings in the matter of said application were had at Vinita, Indian Territory on October 4, 1900, and at Muskogee, Indian Territory, on October 14, 1902.

D 521 By Lula Pearl Weddle, at Vinita, Indian Territory, on October 4, 1900, for the enrollment of herself and her minor children Curtis and Morris O. Weddle as citizens by blood, and for the enrollment of her husband, Hiram F. Weddle as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 14, 1902. October 31, 1902, a birth affidavit was filed showing the birth of Roy Weddle, a third child of the applicant.

D 522 By William D. Douthitt, at Vinita, Indian Territory, on October 4, 1900, for the enrollment of himself as a citizen by blood.

D 347 By Alonzo M. Fishback, at Vinita, Indian Territory, on September 19, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Laverna A. Fishback and his minor children William A. and Annie B. Fishback as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on March 18, and October 3, 1902.

D 737 By Elbert L. Morgan, at Claremore, Indian Territory, on October 29, 1901, for the enrollment of his wife Florence and his minor child Clide as citizens by blood. On April 30, 1902, an affidavit was filed showing the birth of Alice A. Morgan, a second child of the applicant.

D 845 By John M. Fishback, at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of himself as a citizen by blood.

D 979 By George A. Mabry, at Tahlequah, Indian Territory, on December 14, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Anna, and his minor children Roby and Charley Mabry as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, January 15, 1901, and March 17, and October 15, 1902.

Proceedings were had in the matter of F. M. Dawson, et al., before Lewis T. Martin, a Notary Public on October 4, 1900, and further proceedings were had therein before the Commission at Muskogee, Indian Territory on March 17, 1902. All of these proceedings have been made a part of the record herein.

The evidence, and an examination of the records of the Cherokee Nation, in the possession of this Commission show that on January 11, 1883, one Robert Dawson and his adult children, F. M. Dawsin, Elbert Dawson, Jasper Dawson, Mollie Dawson, Wilborn Dawson, James Dawson, Rial Dawson, Josephine Dawson, Joseph Dawson, Jane Dawson and John Dawson were admitted to citizenship in the Cherokee Nation by the Cherokee Commission on Citizenship, commonly known as the "Teehee Court", and that on September 9, 1884, one James Dawson, a brother of the Robert Dawson aforesaid, together with his adult children, Ella Dawson, W. A. Dawson, Malvina Dawson and Missouri Dawson were admitted to citizenship in the Cherokee Nation by the Cherokee Commission on Citizenship commonly known as the "Spears Court." In addition to their tribal enrollment as shown by the evidence herein, it also appears from an examination of the Cherokee tribal rolls, in the possession of this Commission, that F. M. Dawson is identified on the Cherokee pay rolls of 1883 and 1894, Elbert Dawson on the Cherokee pay roll of 1886, Mollie Dawson on the pay roll of 1883, Wilborn Dawson on the pay rolls of 1886 and 1894, James Dawson on the pay rolls of 1883 and 1894, Rial Dawson on the pay rolls of 1886 and 1894, Josephine Dawson on the pay roll of 1886, Jane Dawson on the pay roll of 1883, Joseph Dawson and John Dawson on the pay rolls of 1883, 1886 and 1894, Ella Dawson and W.A.

Dawson on the pay roll of 1883, and Missouri Dawson on the pay roll of 1894.

A majority of the above named persons, together with the descendants of the persons admitted as aforesaid and such white persons as may have intermarried with the said Dawsons or their descendants are the applicants herein.

For convenience, the applications are divided into groups:

Group 1, includes the applications of Francis M. Dawson and those claiming through him and embraces cases numbered D 324, D 580, D 581, D 584, D 588 and D 835.

The evidence shows that Francis M. Dawson is the same person admitted to citizenship as hereinbefore stated under the name of F.M. Dawson. Katie Dawson, his wife, was married to him on November 21, 1880. The Cherokee Supreme Court in the cases of Cherokee Nation vs. Nancy Rogers and Melissa Dawson vs. W. A. Dawson held that a white woman married to a Cherokee Indian at the time of his admission to citizenship acquires thereby the rights of Cherokee citizenship. She has lived with her said husband since they were married, and the six children included in the application of said Francis M. Dawson, and hereinbefore named are the issue of the marriage aforesaid. All the applicants herein are identified on the Cherokee Census roll of 1896.

John Dawson, William R. Dawson, Lizzie Atkins, formerly Dawson, Francis M. Dawson, Jr., and Arizona Allred are the children of said Francis M. Dawson by a former wife, Julia Ann. They were minors at the date of their father's admission to citizenship. John Dawson, Lizzie Atkins and Francis M. Dawson, Jr., are identified on the Strip Payment roll of 1894, and William R. Dawson and Arizona Allred are identified on the Cherokee Census roll of 1896.

Andrew C. Atkins was married under a Cherokee marriage license

and in accordance with the laws of the Cherokee Nation on March 29, 1891, to the above named Lizzie Dawson. He has resided in the Cherokee Nation with his said wife since they were married, and the four children included in his application, and hereinbefore named are the issue of that marriage. The oldest child, Arthur, is identified on the Cherokee pay roll of 1894, and the three younger children are identified by birth affidavits on file with this Commission.

Arizona Allred, nee Dawson, came from Arkansas to the Cherokee Nation for the first time in 1894, remained there about two years and then returned to Arkansas, where she was married to Lee Allred. Such marriage was not in accordance with the laws of the Cherokee Nation. Arizona Allred and her husband came to the Cherokee Nation in 1896, stayed there a month and returned to Arkansas where they remained until September, 1898, at which time they came to the Cherokee Nation, remained there about a year and returned to Arkansas in 1899, where they were living at the date of this application. William C. Allred is the child of said Arizona Allred and possesses no rights not acquired by his mother. He is identified on the Cherokee Census roll of 1896.

Paragraph 9, Section 21, of the Act of Congress approved June 28, 1898 (30 Stats., 495) provides:

> "No person shall be enrolled who has not heretofore removed to and in good faith settled in the Nation in which he claims citizenship."

The evidence further shows that Francis M. Dawson, his wife, Katie and William R. Dawson, Francis M. Dawson, Jr., and Lizzie Atkins have resided in the Cherokee Nation since 1883, and Andrew C. Atkins, the husband of said Lizzie Atkins, since 1891, and that John Dawson has resided in the Cherokee Nation for at least fourteen years prior to the date of his application. The residence of the minor children of the above named persons is considered to be that of their parents, with whom they are living.

Group II, includes the applications of Samuel R. Dawson, together with those claiming through him and embraces cases numbered D 350, D 352, D 358, D 365, D 482 and D 402.

The evidence shows that Samuel R. Dawson is identified as the Rial Dawson admitted to citizenship in the Cherokee Nation as hereinbefore stated. His wife, Catherine, a white woman, was married to him on July 11, 1868. The Cherokee Supreme Court in the cases of Cherokee Nation vs. Nancy Rogers and Melissa Dawson vs. W. A. Dawson held that a white woman married to a Cherokee Indian at the time of his admission to citizenship acquires thereby the rights of Cherokee citizenship. She has lived with her said husband since their marriage, and August and Mate Dawson are the issue of the aforesaid marriage. Samuel R. Dawson, his wife and children are identified on the Cherokee Census roll of 1896.

Robert Dawson, Albert H. Dawson, Josephine Bulawsky, formerly Josephine Dawson, John W. Dawson, and Katie Newman, formerly Katie Dawson are the children of said Samuel R. Dawson. They were minors at the date of their father's admission to citizenship, and they are all identified on the Cherokee Census roll of 1896.

Sarah F. Dawson, nee Abbott, was married to the said Albert H. Dawson in October, 1894. She has lived with her said husband, since they were married. Ralph H., Alford and Cecil Dawson are the issue of that marriage. Sarah F. Dawson and her child Ralph H. are identified on the Cherokee Census roll of 1896. Alford is identified by a birth affidavit on file with this Commission. The evidence further shows that the youngest child, Cecil Dawson, is dead.

August Bulawsky, was married under a Cherokee marriage license and in accordance with the laws of the Cherokee Nation on May 25, 1893, to the said Josephine Dawson. He has lived with his said wife since they were married and the six children included in his application, and hereinbefore named, are the issue of that marriage. The

four older children are identified on the Cherokee Census roll of 1896, and the Strip payment roll of 1894. May Bulawsky is identified on the Cherokee Census roll of 1896, and Oscar Bulawsky is identified by a birth affidavit on file with this Commission.

Nannie Dawson, nee Baugher, was married to the said John W. Dawson on September 2, 1894, and she has lived with her said husband since they were married.

The evidence further shows that Samuel R. Dawson, his wife, Catherine, and Robert Dawson, Albert H. Dawson, John W. Dawson, and Katie Newman have resided in the Cherokee Nation since 1836, August Bulawsky and his wife Josephine, since 1898, and Sarah F. and Nannie Dawson since 1894. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group III, includes the application of John Dawson, and those claiming through him and embraces cases numbered D 578, D 360 and D 530. The evidence shows that John Dawson is the same person admitted to citizenship in the Cherokee Nation as hereinbefore stated, Sarah J. Dawson, nee Wood, his wife, a white woman, was married to him on October 4, 1871. The Cherokee Supreme Court in the cases of Cherokee Nation vs. Nancy Rogers and Melissa Dawson vs. W. A. Dawson held that a white woman married to a Cherokee Indian at the time of his admission to citizenship acquires thereby the rights of Cherokee citizenship. She has lived with her said husband since they were married and the nine children included in the application of said John Dawson, and hereinbefore named, are the issue of said marriage. John Dawson, his wife, and his seven older children are identified on the Cherokee Census roll of 1896. The two younger children are identified by birth affidavits on file with this Commission.

Thomas P. Dawson and Orle H. Dawson are the children of said John Dawson. They were minors at the date of their father's admission to citizenship, and they are both identified on the Cherokee

Census roll of 1896.

Thomas P. Dawson was married on April 24, 1898, to Allen A. Allison, and Marion J. Dawson is the issue of that marriage. The said child is identified by a birth affidavit on file with this Commission.

Orle M. Dawson was married on December 28, 1899, to Willis York, and Burr M. and James F. Dawson are the issue of that marriage. The said children are identified by birth affidavits on file with this Commission.

The evidence further shows that the said John Dawson and his wife, Sarah J., have resided together in the Cherokee Nation since 1883; that said Orle M. Dawson has resided in the Cherokee Nation since 1883, and that Thomas P. Dawson has resided in the Cherokee Nation since 1888. The residence of the minor children herein is considered to be that of their parents, with whom they are living.

Group XV, includes the applications of those claiming through the said Josephine Dawson, now deceased. At the time of her admission she was the wife of one Thomas Pierce, but was admitted to citizenship under maiden name of Dawson. The group embraces cases numbered D 408, D 409, D 431, D 471, D 472 and D 479.

The evidence shows that Robert Pierce, William Pierce, Charles M. Pierce, Ona Gray, formerly Ona Pierce, Effie Pierce (now Effie Akin) and Nancy J. Bogle, formerly Nancy J. Pierce are the children of said Josephine Dawson. They were minors at the date of their mother's admission to citizenship, and they are all identified on the Cherokee Census roll of 1896.

Nellie Pierce, a white woman, was married to said Robert Pierce on July 15, 1894. She has lived with her said husband since they were married, and Lyrtle and Arthur Pierce are the issue of that marriage. Nellie Pierce is identified on the Cherokee Census roll of 1896, and her two children are identified by birth affidavits on file with this Commission.

Oma Gray was married to John B. Gray on April 7, 1898, and [illegible] and Walton Gray are the issue of that marriage. Oma Gray is identified on the strip payment roll of 1894 and her children are identified by birth affidavits on file with this Commission.

John S. Bogle was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on April 8, 1894, to the above named Nancy J. Pierce. He has lived with his said wife since they were married and the six children included in his application, and hereinbefore named, are the issue of that marriage. John S. Bogle and his two older children are identified on the Cherokee Census roll of 1896, and his four younger children are identified by birth affidavits on file with this Commission.

The evidence further shows that the said William Pierce died in January, 1902.

It further appears that Robert Pierce, Charles E. Pierce, Nancy J. Bogle and Oma Gray have resided in the Cherokee Nation since 1884; that John S. Bogle, husband of Nancy J. Bogle, and Nellie Pierce, wife of Robert Pierce, have resided in said Nation ever since they were married, and the residence of the minor children herein is considered to be that of their parents with whom they are living. It appears that Eddie Aking was seventeen years old at the date of the application for her enrollment, and it further appears that she resided in the Cherokee Nation from about 1886 up to December, 1900, when she went to Colorado, was married there to Will Aking, and is now living in that state with her said husband.

Group V, includes the application of the said Joseph Dawson, Wilborn Dawson and James Dawson, and embraces cases numbered D 364, D 475 and D 526.

Joseph R. Dawson is identified as the Joseph Dawson admitted to citizenship in the Cherokee Nation as hereinbefore stated. He was married to Florence Jackson on May 16, 1886, and they have lived to-

gether since the date of their marriage. The said Florence Jackson is the daughter of Ella Dawson, but she was of age at the date of her mother's admission to citizenship. The six children included in the application of said Joseph R. Dawson, and hereinbefore named, are the issue of the marriage between the said Joseph R. Dawson and Florence Jackson. The applicant, his said wife and his four older children are identified on the Cherokee Census roll of 1896. The two younger children are identified by birth affidavits on file with this Commission.

Wilborn Dawson is identified as the person of that name admitted to citizenship in the Cherokee Nation as hereinbefore stated. He is identified on the Cherokee Census roll of 1896.

James R. Dawson is identified as the James Dawson admitted to citizenship in the Cherokee Nation as heretofore stated. His wife, Martha A. Dawson was married to him on February 20, 1890. She has lived with her said husband since the date of their marriage, and the four children included in the application of said James R. Dawson, and hereinbefore named, are the issue of said marriage. The applicant, his said wife and his three older children are identified on the Cherokee Census roll of 1896. The youngest child is identified by a birth affidavit on file with this Commission.

The evidence further shows that Joseph R. Dawson has resided in the Cherokee Nation since 1883; that Florence Dawson and Wilborn Dawson have resided in said Nation since 1886, and that James R. Dawson has resided in said Nation since 1883, excepting a temporary absence from 1889 to 1891. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group VI, includes the application of Mollie Dawson and those claiming through her and embraces case numbered D 518.

The evidence shows that Mollie Moore, formerly Dawson, is identified as the Mollie Dawson admitted to citizenship in the Cherokee

Nation as hereinbefore stated. Her husband, Charles T. Moore, was married to her under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on January 17, 1897. He has lived with his said wife since they were married and the six children included in his application, and hereinbefore named, are the issue of said marriage. Charles T. Moore, his wife Mollie, and his four older children are identified on the Cherokee Census roll of 1896; the two younger children are identified by birth affidavits on file with this Commission.

The evidence further shows that said Charles T. Moore, his wife Mollie and his oldest child have resided in the Cherokee Nation since 1883; the younger children have resided in said nation all their lives.

Group VII, includes the applications of those claiming through the above named Jane Dawson, who, at the time of her admission to citizenship in the Cherokee Nation, as hereinbefore stated, was the wife of one Alexander Blasingame, but she was admitted under her maiden name of Dawson. Jane Dawson is a resident of Arkansas, and is not an applicant for enrollment. This group embraces cases numbered D 832, D 833 and D 834.

The evidence shows that Henry A. Blasingame, Elbert L. Blasingame, and James R. Blasingame are the children of said Jane Dawson. They were minors at the time of their mother's admission to citizenship and they are all identified on the Cherokee Census roll of 1896.

Henry A. Blasingame was married to his wife Birdie J., on December 6, 1896, and Vinnie C. Blasingame is the issue of that marriage. The said child is identified by a birth affidavit on file with this Commission.

Ida Blasingame, a white woman, was married to the said Elbert L. Blasingame on September 5, 1894. She has lived with her said husband ever since they were married and the four minor children included in the application of said Elbert L. Blasingame are the

issue of that marriage. The said Ida Blasingame and her two older children are identified on the Cherokee Census roll of 1896. The two younger children are identified by birth affidavits on file with this Commission.

Mary A. Blasingame was married to the said James R. Blasingame on August 11, 1895. She has lived with her said husband since they were married and the three minor children included in the application of said James R. Blasingame, and hereinbefore named, are the issue of that marriage. Mary A. Blasingame and her oldest child are identified on the Cherokee Census roll of 1896. The two younger children are identified by birth affidavits on file with this Commission.

The evidence further shows that the said Henry A. Blasingame, Elbert L. Blasingame and James R. Blasingame removed to the Cherokee Nation in 1897 and have resided therein with their said wives ever since. The residence of the minor children included in this Group is considered to be that of their parents, with whom they are living.

Group VIII, includes the applications of those claiming through the said Elbert Dawson, and embraces cases numbered D 435, D 604, D 608, D 605, D 609, D 617, D 626 and D 627.

The evidence shows that Zona Patterson, formerly Dawson, William C. Dawson, Robert L. Dawson, Elbert B. Dawson, Richard W. Dawson, Ella L. Spickerman, formerly Dawson, and Francis M. Dawson are the children of the said Elbert Dawson. All of them, excepting the said Francis M. Dawson, were minors at the time of their father's admission to citizenship. Zona Patterson is identified on the Cherokee Census roll of 1896, and William C. Dawson, Robert L. Dawson, Elbert B. Dawson and Richard W. Dawson are identified on the Strip payment roll of 1894. An examination of the Cherokee tribal rolls, in the possession of this Commission, shows that the said Ella L. Spickerman is also identified on the Strip payment roll of 1894.

Martin L. Patterson was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on July 13, 1890, to the said Zona Dawson. He has lived with his said wife since they were married and the six children included in his application, and hereinbefore named, are the issue of that marriage. Martin L. Patterson and his three older children are identified on the Cherokee Census roll of 1896, and his three younger children are identified by birth affidavits on file with this Commission.

Alice Dawson, nee Alexander, was married to the said William G. Dawson on November 18, 1886. She has lived with her said husband ever since they were married.

Elbert B. Dawson was married on February 16, 1898, to Cora Bright, a non-citizen, and his child Ralph E. Dawson is the issue of that marriage. The said child is identified by a birth affidavit on file with this Commission.

Sarah J. Dawson, nee Jones, was married to the above named Elbert Dawson about 1854, and lived with him as his wife until his death in February, 1899, and has not re-married since his death. The Cherokee Supreme Court in the cases of Cherokee Nation vs. Nancy Rogers and Melissa Dawson vs. F. A. Dawson held that a white woman married to a Cherokee Indian at the time of his admission to citizenship acquires thereby the rights of Cherokee citizenship.

Richard W. Dawson was married to Luella Mason, a white woman, on January 24, 1898. His child Ina E. Dawson is the issue of that marriage, and she is identified by a birth affidavit on file with this Commission.

Ella L. Spickerman was married to John J. Spickerman, a white man on September 7, 1897. Her children Hellen J. and William Glenn are the issue of that marriage. They are identified by birth affidavits on file with this Commission.

It further appears from the evidence that Francis M. Dawson, son of Elbert Dawson, at the time of his father's admission to citizen-

ship in the Cherokee Nation was twenty-two or twenty-three years old. There is no evidence that the said Francis M. Dawson has been admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation, or by the Commission to the Five Civilized Tribes, or by the United States Court under the provisions of the Act of Congress of June 10, 1896 (29 Stats., 321), Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), provides for the enrollment of,

> "all persons who have been enrolled by the tribal authorities who have heretofore made permanent settlement in the Cherokee Nation whose parents, by reason of their Cherokee blood have been lawfully admitted to citizenship by the tribal authorities, and who were minors when their parents were so admitted."

The evidence further shows that Zona Patterson, William C. Dawson and Richard W. Dawson have resided in the Cherokee Nation since 1884; Robert L. Dawson, Elbert B. Dawson, Sarah J. Dawson, and Ella L. Spickerman since 1883; Alice Dawson since 1886, and Martin L. Patterson since 1894. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group IX, includes the applications of the said Missouri Dawson, and those claiming through her. The said Missouri Dawson at the time of her admission to citizenship was the wife of one John W. Graham, but she was admitted under her maiden name of Dawson, This group embraces cases numbered D 23, D 35, D 836, D 1124, D 1125, D 1126, D 1127 and D 1128.

The evidence shows that John W. Graham was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on February 12, 1888, to the said Missouri Dawson. He had been formerly married to her in the state of Texas in 1866, and has lived with her since that time. Tempa V. and Robert S. Graham are the issue of the aforesaid marriage. John W. Graham, his wife and two children are identified on the Cherokee Census roll of 1896.

ship in the Cherokee Nation was twenty-two or twenty-three years old. There is no evidence that the said Francis M. Dawson has been admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation, or by the Commission to the Five Civilized Tribes, or by the United States Court under the provisions of the Act of Congress of June 10, 1896 (29 Stats., 321). Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), provides for the enrollment of,

> "all persons who have been enrolled by the tribal authorities who have heretofore made permanent settlement in the Cherokee Nation whose parents, by reason of their Cherokee blood have been lawfully admitted to citizenship by the tribal authorities, and who were minors when their parents were so admitted."

The evidence further shows that Zona Patterson, William C. Dawson and Richard W. Dawson have resided in the Cherokee Nation since 1894; Robert L. Dawson, Wilbert B. Dawson, Sarah J. Dawson, and Ella L. Spicherman since 1883; Alice Dawson since 1886, and Martin L. Patterson since 1894. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group IX, includes the applications of the said Missouri Dawson, and those claiming through her. The said Missouri Dawson at the time of her admission to citizenship was the wife of one John W. Graham, but she was admitted under her maiden name of Dawson. This group embraces cases numbered, D 23, D 35, D 836, D 1124, D 1125, D 1126, D 1127 and D 1128.

The evidence shows that John W. Graham was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on February 12, 1888, to the said Missouri Dawson. He had been formerly married to her in the State of Texas in 1886, and has lived with her since that time. Tempe V. and Robert S. Graham are the issue of the aforesaid marriage. John W. Graham, his wife and two children are identified on the Cherokee Census roll of 1896.

Joe E. Graham was married to Mary Bradshaw, a non-citizen on January 6, 1898. William C. Graham is the issue of that marriage, and he is identified by a birth affidavit on file with this Commission.

John F. Graham was married on February 11, 1900, to Mattie Lawson, a non-citizen, and Edna M. and Robert Lee are the issue of that marriage. Said children are identified by birth affidavits on file with this Commission.

Bessie Graham was married on November 2, 1892, to the said James M. Graham. She has lived with him since the date of their marriage, and the six children included in the application of said James M. Graham, and hereinbefore named, are the issue of the said marriage. The oldest child Marion is identified on the Strip payment roll of 1894, and the five younger children are identified by birth affidavits on file with this Commission.

The evidence further shows that the said John W. Graham, his wife Missouri Graham, Gideon Graham, Mathew A. Painter, and his wife Laverna A. Painter, Florence P. Bradshaw, John F. Graham and Joe Willie Neal have resided in the Cherokee Nation since 1888, and that Joe E. Graham and James M. Graham have resided in the Cherokee Nation since 1884. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group X, includes the application of the said Ella Dawson and those claiming through her. The said Ella Dawson, at the time of her admission to citizenship, was the wife of Green W. Jackson, but she was admitted to citizenship under her maiden name of Dawson. This group embraces cases numbered D 395, D 476, D 808, D 830 and D 847.

The evidence shows that Green W. Jackson was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on March 24, 1887 to the said Ella Dawson. He had been previously married to her in Texas prior to her admission to

citizenship. From an affidavit made a part of this record it appears that Green W. Jackson died subsequent to the date of this application, and prior to September 1, 1902.

The evidence further shows that Flora Harmon, formerly Jackson, Tashio A. Jackson, William Jackson and Fannie Lenox, formerly Jackson are the children of said Ella Dawson, now Ella Jackson. Flora Harmon, Tashio A. Jackson and Fannie Lenox were minors at the date of their mother's admission to citizenship, and they are all identified on the Cherokee Census roll of 1896.

James H. Harmon was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on April 24, 1887, to the said Flora Jackson. He has lived with his wife since the date of their marriage, and the four minor children included in his application, and hereinbefore named, are the issue of the said marriage. James H. Harmon and his three older children are identified on the Cherokee Census roll of 1896. The youngest child is identified by a birth affidavit on file with this Commission.

William C. Lenox was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on April 1, 1888, to the said Fannie Jackson. He has lived with his wife since the date of their marriage, and the two children Birtie B. and Myrtle Lenox, included in his application, are the issue of the said marriage. William C. Lenox and his two children are identified on the Cherokee Census roll of 1896.

Lizzie Jackson claims to have been married in 1888 to the said William Jackson, who is now deceased. It appears that William Jackson at the date of his mother's admission to citizenship, was over twenty-one years old. There is no evidence that the said William Jackson was ever admitted to citizenship in the Cherokee Nation, by the duly constituted authorities of said Nation, or by the Commission

to the Five Civilized Tribes, or by the United States Court under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321). Lizzie Jackson and the five minor children included in her application, and hereinbefore named, are identified on the Cherokee Census roll of 1896, and they take only such rights as may have been possessed by the said William Jackson. The authority of the Commission herein is defined in Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), heretofore quoted.

The evidence further shows that the said Ella Jackson, the said Flora Harmon and the said Toshie A. Jackson have resided in the Cherokee Nation since 1884, and that William C. Lenox, and his wife Fannie Lenox have resided in the Cherokee Nation since 1888. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group XI, includes the applications of those claiming through Malvina Dawson and embraces case numbered D 839.

The evidence shows that James Lowe is the son of the said Malvina Dawson, and that at the time of her admission to citizenship the said James Lowe was over 21 years old. There is no evidence that the said James Lowe was ever admitted to citizenship in the Cherokee Nation, by the duly constituted authorities of said Nation, or by the Commission to the Five Civilized Tribes, or by the United States Court under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321). It further appears that the said James Lowe was married on June 12, 1887, to Mollie Knight, a white woman, and the four minor children included in his application and hereinbefore named, are the issue of that marriage. James Lowe and his said children are identified on the Cherokee Census roll of 1896 and said children take only the rights which may have been acquired by their father.

The authority of the Commission herein is derived in Section 21 of the Act of Congress approved June 28, 1898 (30 Stats., 495), heretofore quoted.

Group XII, includes the applications of those claiming through the said W. A. Dawson and embraces cases numbered D 405, D 406, D 715, R 12 and R 13.

The evidence shows that Millie T. Dawson was married to the said W. A. Dawson in 1892 and lived with him as his wife in the Cherokee Nation until his death in 1899, and that she has not re-married since his death. Texanna Woolley is the daughter of said W. A. Dawson and his former wife Melissa A. Dawson. Texanna Woolley was a minor at the date of her father's admission to citizenship, and she is identified on the Strip payment roll of 1894. She was married on March 27, 1898, to James Woolley, and her children Irene V. and Wilburn R. are the issue of that marriage. They are identified by birth affidavits on file with this Commission.

Henry T. Richardson was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on July 11, 1886, to one Sellar Dawson, who was the daughter of the said W. A. Dawson by his first wife Melissa A. Sellar Dawson was a minor at the date of her father's admission to citizenship. Henry T. Richardson lived in the Cherokee Nation with his said wife Sellar from the date of their marriage until her death in 1892. On September 22, 1898, Henry T. Richardson married one Kitty Flournoy nee Dawson. The said Kitty Flournoy was re-admitted to citizenship in the Cherokee Nation by an Act of the Cherokee National Council on December 1, 1894. Of the children herein applied for, Delia F. Richardson is the child of the applicant by his first wife, Sellar. Finis T. Richardson and Jasper C. Richardson are children by his wife Kitty. Edgar, Walter, Alice, Laura, Oscar, Claude and Edna Flournoy are the children of his said wife Kitty by a former husband.

The six older children were admitted to citizenship in the Cherokee Nation on December 1, 1894, with their mother as the members of her family. The youngest child Edna Flournoy was born in 1896 and was living at the date of this application. Delia F. Richardson is identified on the Cherokee Census roll of 1896, and Finis T. and Jasper C. Richardson are identified by birth affidavits on file with this Commission.

Etta Brauer is the daughter of said W. A. Dawson, and was a minor at the date of her father's admission. She was married in 1902 to a non-citizen but such marriage was not in accordance with Cherokee laws. She is identified on the Cherokee Census roll of 1896.

Melissa A. Dawson was married to the said W. A. Dawson in the State of Texas on September 28, 1873. The Supreme Court of the Cherokee Nation in the case of Melissa A. Dawson vs. W. A. Dawson, decided that Melissa A. Dawson, the applicant herein was a citizen of the Cherokee Nation by virtue of intermarriage with her said husband, W. A. Dawson. She is identified on the Cherokee Census roll of 1896, and she has not re-married since her divorce from said W. A. Dawson.

The evidence shows that Texanna Woolley has resided in the Cherokee Nation since 1884; that Etta Brauer and Melissa A. Dawson have resided in the Cherokee Nation, with the exception of temporary absences, since 1884; that Millie T. Dawson has resided in the Cherokee Nation since 1892; that Henry T. Richardson has resided in the Cherokee Nation since 1886, and that Kitty Richardson, his wife, has resided in the Cherokee Nation since 1894. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group XIII, includes the following applications: Hiram F. Waddle, et al D 821; William D. Douthitt, D 822; Alonzo M. Pinkham, D 843; Florence Morgan, et al D 939; John E. Pinkham, D 940 and George A. Mabry, et al D 970. The persons enrolled in these applic-

cations are related to the above named Dawsons. They are not claiming the right to enrollment by virtue of such relationship, but rely upon a separate adjudication of their rights.

The evidence shows that Hiram F. Weddle was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on September 13, 1884, to Lula P. Douthitt, who was admitted to citizenship in the Cherokee Nation by the said "Spears Court" on September 13, 1884. Curtis, Morris O. and Roy Weddle are the issue of the said marriage. Hiram F. Weddle and his said wife are identified on the Cherokee Census roll of 1896, and their three children are identified by birth affidavits on file with this Commission.

William D. Douthitt is the brother of said Lula P. Weddle, and was admitted to citizenship in the Cherokee Nation with his said sister on September 13, 1884. He is identified on the Cherokee Census roll of 1896.

Alonzo M. Fishback was married under a Cherokee marriage license and in accordance with the laws of the Cherokee Nation on May 17, 1891, to Lavyrna A. Dawson. He had been previously married to the same wife in Texas in 1877, and has lived with her ever since. It appears that Lavyrna Fishback was re-admitted to citizenship in the Cherokee Nation by an Act of the Cherokee National Council on December 1, 1894. William A. and Annie B. Fishback are the issue of the said marriage. Alonzo M. Fishback and his said wife and children are all identified on the Cherokee Census roll of 1896, and his wife is also identified on the Cherokee pay roll of 1880.

Florence Morgan, the wife of Elbert L. Morgan, is the daughter of the Kitty Richardson heretofore mentioned and was admitted to citizenship in the Cherokee Nation on December 1, 1894 with the said Kitty Richardson as a member of her family. Clide and Alice A. Morgan are her children by her said husband. The said children are

identified by birth affidavits on file with this Commission.

John E. Fishback is the son of Laverna Fishback, who was re-admitted to citizenship on December 1, 1894, as heretofore stated. He was a minor at the date of his mother's admission to citizenship and he is identified on the Cherokee Census roll of 1896.

George A. Mabry was married to one Edna Dawson in the State of Arkansas in 1884. He claims to have been married under a Cherokee marriage license to his said wife in 1889, but he presents no satisfactory proof of such marriage. Edna Dawson was re-admitted to citizenship in the Cherokee Nation by an Act of the Cherokee National Council on December 1, 1894. Roby and Charley Mabry are her children by her said husband, George A. Mabry. Edna Mabry is identified on the strip payment roll of 1894, and the two children were minors at the date of their mother's admission to citizenship.

The evidence further shows that Alonzo H. Fishback and his wife Laverna A. Fishback have resided in the Cherokee Nation since 1883; that Lula P. Weddle, William D. Douthitt, and John E. Fishback have resided in the Cherokee Nation since 1884, and that Florence Morgan and Edna Mabry have resided in said Nation since 1894. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

All birth affidavits for the minor children embraced in this decision, and hereinbefore noted, are made a part of this record.

It is contended by the Cherokee Nation that the applicants herein are not entitled to be enrolled by this Commission because they have never been lawfully admitted or enrolled by the Cherokee authorities, and that the judgment of the Cherokee Commission on Citizenship admitting Robert Dawson and his family was obtained by fraud on the part of said Dawson.

In considering the question at issue, it is the opinion of this Commission that it has no power, and that it is not the purpose of this proceeding, to review or to set aside the judgment in the Dawson case, or to determine such questions as were necessarily involved in the issues before the Cherokee Commission, and were passed upon by that Commission. In United States vs. Throckmorton, 98 U.S. Page 61, it is stated, "the doctrine is well settled that the Court will not set aside a judgment because it was founded on perjured testimony or for any matter which was actually presented and considered in the judgment assailed." Only such facts therefore, are considered by this Commission, as were not part of the record in the Robert Dawson case before the Teehee Commission, and which tend to show whether the judgment admitting the Dawsons was a bona fide judgment of the Teehee Commission, or whether such judgment is void because of fraud, and upon this proposition the burden of proof is upon those attacking the judgment.

Briefly stated, the circumstances attending the admission of the Dawsons appear to be as follows:

On September 24, 1881, an application was made to the Cherokee Commission on Citizenship known as the "Teehee Court" for admission to Cherokee citizenship of Robert Dawson and the members of his family above mentioned. The members of that Commission were Thomas Teehee, Alex Wolfe and T. F. Thompson. The first two were full blood Cherokee Indians; they could understand, but could not talk English. One D. W. C. Duncan was the Clerk of the Commission. The Dawson case was continued several times before final decision. J. M. Bryan appears to have been an attorney in the case, and after some delay he notified Francis M. Dawson that the case would be taken up by the Commission at its session in January, 1883, and also informed him that C.N.Taylor would look after Dawson's interests as he, Bryan,

would be in Washington. On receipt of this notice Francis M. Dawson went to Fort Gibson, Cherokee Nation, and made arrangements with his uncle Samuel H. Benge to go to Tahlequah and conduct the case.. Benge who is a witness herein testifies that he was connected with the Dawson case when it was commenced in 1881; that it was continued several times for want of evidence, and that in January, 1885, in company with F. M. Dawson he went to Tahlequah and while there secured the testimony of Tosh Rogers, a negro, who knew the Dawson's ancestors, and that after getting his evidence the case was submitted to the Commission. He further testifies that the Commission rendered a decision against the Dawsons and that next morning the Commission reopened the case, but not upon motion of the witness, and rendered a judgment admitting the Dawsons to citizenship. He further states that on his way home to Fort Gibson with Dawson he remarked to the latter, "it was a pretty hard blow when they rendered a decision against us," to which Dawson is alleged to have replied, "yes, but Duncan was the man to reach and he reached him with five hundred dollars."

Dawson denies ever having had such a conversation and says that he did not return to Fort Gibson with Benge but went home to Arkansas by a different route.

C. N. Taylor testifies that he was an attorney in the case and was present when the case was decided. He says there were only two Commissioners present, Teehee and Wolfe. He further testifies that D. W. C. Duncan, the Clerk of the Court asked the witness to let him know when any large citizenship cases came up; that he introduced F. M. Dawson to Duncan on the evening of January 10th, heard part of a conversation between them in which Duncan addressing Dawson said, "there is a hitch in your evidence, if that was straightened out it will be all right." Next morning witness says Dawson told him to call up the case, which he did. That there was no additional

evidence introduced and no argument made, and that the case was then decided in favor of the Dawsons. Witness further testifies that Dawson gave him twenty dollars and said he would send him the balance in a short time, that in the course of ten days he sent him one hundred dollars with directions to pay over half of it to Duncan; that Dawson soon afterwards sent him another hundred dollars with the same instruction to give Duncan half of it.

Dawson denied the matters testified to by Taylor excepting in the matter of paying Taylor money, which he admits in part, but says that the twenty dollars mentioned was sent to Taylor about a year after the decision, and that he instructed Taylor to pay it over to Duncan to pay him for a land claim, and that the other money was in payment of F. M. Boyle's attorney fees which Taylor represented to Dawson he had for collection against him. Taylor's reputation for truth and veracity has been impeached by various disinterested witnesses.

The evidence which may be considered as tending to support the charge of fraud is the testimony of S. M. Donge, C. H. Taylor, Thomas . Babcart, J. E. Blickenbeard, James W. Lewis, C. G. Draught and David Meredith.

F. M. Donge testifies that a judgment adverse to the Dawsons was rendered by the Commission on the evening of one day and without any additional proceedings in the case that judgment was reversed on the morning of the next day.

Even if this were a material fact, there is no other proof that two judgments in the case were ever rendered. The record of the proceedings and judgment in the Commission's docket is all on one page, the entry of the application in 1891 and the first continuance being entered under authority of a former Commission and by a different clerk, and there is no evidence of erasure on that page. It is not an unusual thing for a Court to change its judgment, and this fact, if it is a fact, is not in itself any evidence of fraud.

Thomas B. Babeart testifies that one James Dawson, a man of forty or fifty years of age, in company with Butler, the Commission's interpreter and Jim Smith, solicitor for the Nation, came to the witness in Tahlequah the evening of January 10, 1883, to borrow some money; that Dawson was vouched for by Butler as a responsible party and that Dawson told the witness that he had to have money that night, that his case was to be submitted the next day if he could get some money, that Smith had agreed to submit the case without evidence, and that witness thereupon let Dawson have ten dollars.

Admitting all this to be true and that the influence of these officials was purchased for the sum of ten dollars, the Commission fails to see how these alleged facts show that the Court was imposed upon or misled. Bribery of officials to use their influence with the Commission would not necessarily vitiate the judgment, but it must appear that the fraud, or corruption reached the members of the Commission and tainted the judgment itself. The case was not submitted without evidence as appears from the record, and it is shown that such evidence was carefully considered by that Commission. Furthermore, the evidence shows that there was no such person then in Tahlequah as the James Dawson described by witness.

Clinkenbeard testifies that he had a talk with Elbert Dawson about 1881; that Dawson told him he had only one witness, Dr. Baker of Arkansas, "an old man 85 or 90 years old who did not know straight up" and that he could give Dr. Baker four drinks of Arkansas whiskey and he would swear black was white. Witness further testifies that Dawson told him that money was what made the mare go in Texas, and that he had found out that it goes here too.

Assuming that this Commission can go into thequestion of perjury in connection with evidence in that case, the testimony of Clinkenbeard establishes, if anything, only the facts stated, and does not prove that Dr. Baker committed perjury in giving his testi-

mony before the Commission. Further, it is not clear that Dr. Baker was the only witness in the case. Benge stated that Noah Rogers was a witness, Duncan is under that impression also, and T. F. Thompson, one of the Commissioners, states that he thinks there were three witnesses. The testimony of Dr. Baker, seems, however, to be the only testimony preserved of record. As to whether Doctor Baker offered perjured testimony by Dawson's procurement, it is proper to state that the evidence of W. H. Curtis and A. S. McClennon, witnesses for applicants, show that Doctor Baker was a man of integrity and was not addicted to drinking.

The testimony of James W. Lewis is to the effect that he had a conversation with F. M. Dawson about 1883, in which Dawson had told the witness that it had cost him seven hundred dollars to get his rights. Draught also testifies that he was an applicant for citizenship about 1881 or 1882, and that while his case was pending he had a talk with F. M. Dawson who told him that if he (the witness) ever got in, it would cost him seven hundred dollars, and that Dawson told him he had paid one witness three hundred dollars, and made arrangements with the Court to get the Dawsons in at one hundred dollars a family. David Meredith testifies that he had a talk with old James Dawson in 1888, and that the latter told the witness it cost him twelve hundred dollars to get his case through.

It can hardly be urged that such evidence is sufficient to show that the members of the Teehee Commission were corrupted by the fraudulent use of money. So far as these witnesses have been able to testify the money spent by the Dawsons might have been for proper and legitimate purposes. F. M. Dawson gives a detailed statement of what the case cost him and his brother in a legitimate way. The presumption can not be indulged that such moneys were used for fraudulent purposes and the proof to the contrary must be very clear

before this Commission will deny applicants the right to be enrolled upon that ground.

Admitting the truth of all the testimony in this case as to the actual transfer of money by the Dawsons, it appears that Duncan, Butler and Smith were the only beneficiaries of that money. There is no evidence that the members of the Commission received or were offered any of it.

The judgment entered in the Commission's docket shows the signature of the three members of the Commission appended thereto. There is some conflict as to whether Duncan signed Thompson's name, or whether Thompson affixed his own signature. Duncan testified that all three signatures were made by him as Clerk under authority of the Commissioners present, the two full bloods being unable to sign their names. T. F. Thompson testifies that he signed the original transcript of the judgment, which was made on the day of its rendition. The question, however, is not considered to be very material. The signing of judgments by each Commissioner appears to have been a matter of custom only. T. F. Thompson testifies that he remembers the Dawson case and recognizes the judgment therein as the final judgment of the Commission, and that there was no fraud or corruption in the procurement of that judgment by the Dawsons or by any one else so far as he knew.

Much evidence has been introduced by the Cherokee Nation for the purpose of showing that the ancestor, through whom the Dawsons claim, was not a Cherokee, and that other members of the Dawson family, claiming from the same source, have been denied Cherokee citizenship by subsequent Cherokee tribunals, and also by this Commission and by the United States Court. Such evidence, in the opinion of this Commission, is not competent for any purpose in this proceeding. The only question before this Commission is whether there was

fraud in the procurement of the Robert Dawson judgment, and not whether the applicants are Cherokee Indians, or whether they ought to have been admitted to citizenship upon the proof submitted. These were questions presented, considered and passed upon by the Tehee Commission. If their decision is a valid and regular judgment, it is binding on this Commission. If, on the contrary, the applicants have never been lawfully admitted to citizenship, because the judgment under which they claim is void, for fraud, then the question as to whether they are Cherokees by blood is not material, as this Commission has now no authority to admit them to citizenship.

While it is true, that since 1883, a number of applicants, members of the Dawson family, have been denied admission to citizenship in the Cherokee Nation, no argument derived therefrom is of any force, for it is also true that other members of the same family have been admitted to citizenship, and the action of the Cherokee authorities in admitting them has never been questioned by the Cherokee Nation. Whatever inference, therefore, may be drawn from these facts applies with equal force both for and against the validity of the judgment in question.

The Dawsons have lived in the Cherokee Nation, most of them since 1883; they have exercised the rights of Cherokee citizenship for many years, some of them occupying official positions in the Nation, and no protest seems to have been made against their citizenship until within the last few years. The records of the Cherokee Nation, in the possession of this Commission, show, that since 1883, there have been Commissions on citizenship charged with authority to investigate the judgments of former tribunals alleged to have been secured by fraud, and the Cherokee Legislature had power to order an investigation, and to create a tribunal with authority to set aside a judgment so obtained. No such action appears to have been taken

by the Cherokee authorities with reference to the judgment of the Teehee Commission in the Robert Dawson case.

After a careful consideration of all the facts in this case this Commission is of the opinion that the evidence fails to establish that the Dawsons secured their admission to citizenship by fraud or that the judgment of the Teehee Commission as rendered January 11, 1883, was fraudulent as the result of corruption, bribery, or deception upon the part of the Dawsons, or their agents, and that such judgment, and also the judgment of the Spears Commission in 1884, and the Act of the Cherokee National Council of December 1, 1894, which have not been attacked by the Cherokee Nation, being regular on their face, must therefore be accepted by this Commission as the valid judgments of the duly constituted Cherokee authorities.

It is, therefore, the opinion of this Commission that,

(Group I.) Francis M. Dawson, son of Robert Dawson, Lula Dawson, Ray Dawson, Jessie J. Dawson, Jacob L. Dawson, Hugh A. Dawson, Laura A. Dawson, John Dawson, William R. Dawson, Lizzie Atkins, Arthur Atkins, Edna E. Atkins, Edward C. Atkins, George J. F. Atkins, Francis M. Dawson, Jr., son of Francis M. Dawson and grand-son of Robert Dawson,

(Group II.) Samuel R. Dawson, August Dawson, Mate Dawson, Robert Dawson, Albert E. Dawson, Ralph H. Dawson, Alford Dawson, Josephine Bulawsky, Dora Bulawsky, Ida Bulawsky, Annie Bulawsky, Blanche Bulawsky, May Bulawsky, Oscar Bulawsky, John W. Dawson, Katie Newman,

(Group III) John Dawson, Robert B. Dawson, Iola M. Dawson, Leamel H. Dawson, Rosa B. Dawson, Charles E. Dawson, Hattie J. Dawson, Jennings B. Dawson, James U. Dawson, Vergal C. Dawson, Thomas P. Dawson, Marice J. Dawson, Orle H. Dawson, Burr [illegible] Dawson, James W. Dawson,

(Group IV) Robert Pierce, Myrtle Pierce, Arthur Pierce, Charles E. Pierce, Ona Gray, Cecil Gray, Velton Gray, Effie Akin (formerly

Myrtle Pierce), Nancy J. Bogle, James E. Bogle, Edna M. Bogle, John H. Bogle, Marvin R. Bogle, Claud Bogle, Nancy Edith Bogle,

(Group V) Joseph R. Dawson, Clarence E. Dawson, Council Y. Dawson, Elmer A. Dawson, Cleo Dawson, Rufus T. Dawson, Wilborn Dawson, Edgar Dawson, James R. Dawson, Vinnie D. Dawson, Ermine C. Dawson, Edwin C. Dawson, Ancil F. Dawson,

(Group VI) Mollie Moore, Nora Moore, Walter Moore, Clara Moore, Cue Moore, James W. Moore, Edna M. Moore,

(Group VII) Henry A. Blasingame, Vinnie C. Blasingame, Elbert L. Blasingame, Ellis W. Blasingame, Earl D. Blasingame, Alexander Blasingame, Jr., Elmer H. Blasingame, James R. Blasingame, William A. Blasingame, George L. Blasingame, Grace D. Blasingame,

(Group VIII) Zona Patterson, Sarah A. Patterson, Martha A. Patterson, Claud A. Patterson, Edgar D. Patterson, Thomas M. Patterson, Virgil W. Patterson, William C. Dawson, Robert L. Dawson, Elbert B. Dawson, Ralph E. Dawson, Richard W. Dawson, Ina M. Dawson, Ella L. Spickerman, Hellen J. Spickerman, William Glenn Spickerman,

(Group IX) Missouri Graham, Tempa V. Graham, Robert S. Graham, Gideon Graham, John W. Graham, Julius M. Graham, Francis W. Graham, Mary E. Graham, Jesse E. Graham, Gracie M. Graham, Florence M. Graham, Lavorna A. Painter, Ada R. Painter, Eva P. Painter, John W. Painter, Ray D. Painter, Roberta A. Painter, Roy V. Painter, Florence P. Bradshaw, Myrtle Bradshaw, Claude Bradshaw, Joe E. Graham, William C. Graham, John F. Graham, Edna M. Graham, Robert Lee Graham, Joe Willie Neal, James M. Graham, Marion Graham, Maggie Graham, Luther Graham, Floyd Graham,

(Group X) Ella Jackson, Flora Harmon, Lillie R. Harmon, Claud Harmon

Dwight Harmon, William D. Harmon, Tosnie A. Jackson, Fannie Lenox, Birtie E. Lenox, Myrtle Lenox,

(Group XII) Texanna Woolley, Irene W. Woolley, Wilburn E. Woolley, Witty Richardson, Edgar Flournoy, Walter Flournoy, Alice Flournoy, Laura Flournoy, Oscar Flournoy, Claude Flournoy, Edna Flournoy, Finis T. Richardson, Jasper C. Richardson, Delia V. Richardson, Etta Brauer,

(Group XIII) Lula Pearl Weddle, Curtis Weddle, Morris O. Weddle, Roy Weddle, William D. Douthitt, Laverna A. Fishback, William A. Fishback, Annie B. Fishback, Florence Morgan, Clide Morgan, Alice A. Morgan, John H. Fishback, Edna Mabry, Roby Mabry, and Charley Mabry,

should be enrolled as citizens by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and that

(Group I) Katie Dawson, Andrew C. Atkins,

(Group II) Catherine Dawson, Sarah F. Dawson, August Dulawsky, Mannie Dawson,

(Group III) Sarah J. Dawson, nee Wood,

(Group IV) Nellie Pierce, John S. Bogle,

(Group V) Florence Dawson, Martha A. Dawson,

(Group VI) Charles T. Moore,

(Group VII) Ida Blasingame, Mary A. Blasingame,

(Group VIII) Martin L. Patterson, Alice Dawson, Sarah J. Dawson, nee Jones,

(Group IX) John W. Graham, Elizabeth Graham, Mathew A. Painter, Charles T. Bradshaw, Bessie Graham,

(Group X) James H. Harmon, William C. Lenox,

(Group XII) Millie T. Dawson, Henry T. Richardson, Melissa A. Dawson

(Group XIII) Hiram F. Weddle and Alonzo M. Fishback, should be

enrolled as citizens by intermarriage of the Cherokee Nation in accordance with the provisions of said Section twenty-one of the Act of Congress, and it is so ordered.

It is further the opinion of this Commission that, for the reasons heretofore stated, the applications for the enrollment of Arizona Allred and William C. Allred, (embraced in D 885); Francis M. Dawson, son of Elbert Dawson, (embraced in D 627); Osie Jackson, Lizzie Jackson, Jessie Jackson, Ray Jackson, and Clyde Jackson, the children of William and Lizzie Jackson, (embraced in D 830); James Lowe, May Lowe, Zelma Lowe, Roberta Lowe and Rosa Lowe, (embraced in D 839), as citizens by blood of the Cherokee Nation, and that the applications of Lizzie Jackson, widow of William Jackson, (embraced in D 830), and George A. Mabry (embraced in D 979), as citizens by intermarriage of the Cherokee Nation should be denied, in accordance with the provisions of the law heretofore quoted, and it is so ordered.

As hereinbefore stated William Pierce (D 409) and Cecil Dawson (D 358) and Green W. Jackson (D 395), died prior to September 1, 1902. It further appears from affidavits, made a part of this record that Liddie and Margaret Graham (D 1128) have died since the date of the application for their enrollment and prior to September 1, 1902.

It is, therefore, ordered that the applications for the enrollment of said William Pierce, Cecil Dawson, Green W. Jackson, Liddie Graham and Margaret Graham be, and the same are hereby dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

(Signed) TAMS BIXBY,
Acting Chairman.

(Signed) T. B. BRADLEY,
Commissioner.

(Signed) C. R. BREVARD,
Commissioner.

Dated at Muskogee, Ind. Ter.,
this Dec. 23, 1902.

COMMISSIONERS
HENRY L. DAWES.
TAMS BIXBY.
THOMAS B. NEEDLES.
C. R. BROCKUNIER.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

ADDRESS ONLY THE COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 1st 1902

William C. Dawson,

Talala, Indian Territory,

Sir:-

You are hereby notified that the application of yourself and wife

for enrollment as citizens of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the

17th day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Cherokee D-404.

Register.

Yours truly,

Acting Chairman.

COPY.

Cherokee D-324--

Muskogee, Indian Territory, February 19, 1903.

A. S. McConnon,

Attorney for Francis M. Dawson, et al.,

Wewoka, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 23, 1902, granting the application for the enrollment of Francis M. Dawson, Lula Dawson, Ray Dawson, Jessie J. Dawson, Jacob L. Dawson, Hugh A. Dawson, Laura A. Dawson, John Dawson, William R. Dawson, Lizzie Atkins, Arthur Atkins, Edna E. Atkins, Edward C. Atkins, George J.F. Atkins, Francis M. Dawson, Jr., Samuel R. Dawson, August Dawson, Mate Dawson, Robert Dawson, Albert H. Dawson, Ralph H. Dawson, Alford Dawson, Josephine Bulawsky, Dora Bulawsky, Ida Bulawsky, Annie Bulawsky, Blanche Bulawsky, May Bulawsky, Oscar Bulawsky, John W. Dawson, Katie Berman, John Dawson, Robert B. Dawson, Iola M. Dawson, Lemuel H. Dawson, Rosa B. Dawson, Charles E. Dawson, Hattie J. Dawson, Jennings B. Dawson, James U. Dawson, Vergal C. Dawson, Thomas P. Dawson, Mariee J. Dawson, Orlo H. Dawson, Durr R. Dawson, James W. Dawson, Robert Pierce, Myrtle Pierce, Arthur Pierce, Charles E. Pierce, Oma Gray, Cecil Gray, Velton Gray, Effie Akin, Nancy J. Bogle, James E. Bogle, Edna B. Bogle, John H. Bogle, Marvin R. Bogle, Claud Bogle, Nancy Edith Bogle, Joseph R. Dawson, Clarence E.

Dawson, Council J. Dawson, Elmer A. Dawson, Cleo Dawson, Rufus T. Dawson, Wilborn Dawson, Edgar Dawson, James R. Dawson, Vinnie D Dawson, Ermine C. Dawson, Edwin C. Dawson, Ancil F. Dawson, Mollie Moore, Nora Moore, Walter Moore, Clara Moore, Ora Moore, James W. Moore, Edna E. Moore, Henry A. Blasingame, Vinnie C. Blasingame, Elbert L. Blasingame, Ellis W. Blasingame, Earl D. Blasingame, Alexander Blasingame, Jr., Elmer H. Blasingame, James R. Blasingame, William A. Blasingame, George L. Blasingame, Grace D. Blasingame, Zona Patterson, Sarah A. Patterson, Martha A. Patterson, Claud A. Patterson, Edgar D. Patterson, Thomas M. Patterson, Vergil V. Patterson, William C. Dawson, Robert L. Dawson, Elbert B. Dawson, Ralph E. Dawson, Richard W. Dawson, Ina E. Dawson, Ella L. Spickerman, Mellan J. Spickerman, William Glenn Spickerman, Missouri Graham, Tempa V. Graham, Robert S. Graham, Gideon Graham, John W. Graham, Julius E. Graham, Francis W. Graham, Mary E. Graham, Jesse B. Graham, Gracie M. Graham, Florence M. Graham, Laverna A. Painter, Ada R. Painter, Eva P. Painter, John W. Painter, Ray D. Painter, Roberta A. Painter, Roy V. Painter, Florence P. Bradshaw, Myrtle Bradshaw, Claude Bradshaw, Joe E. Graham, William C. Graham, John T. Graham, Edna M. Graham, Robert Lee Graham, Joe Willie Neal, James M. Graham, Marion Graham, Maggie Graham, Luther Graham, Floyd Graham, Ella Jackson, Flora Harmon, Lillie R. Harmon, Claud Harmon, Dwight Harmon, William D. Harmon, Tookie A. Jackson, Fannie Lenox, Birtie E. Lenox, Myrtle Lenox, Texanna Woolley, Irene W. Woolley, Wilburn E. Woolley, Kittie Richardson, Edgar Flournoy, Walter Flournoy, Alice Flournoy, Laura

Fluornoy, Oscar Fluornoy, Claude Fluornoy, Edna Fluornoy, Finis T. Richardson, Jasper C. Richardson, Delia F. Richardson, Etta Brauer, Lula Pearl Weddle, Curtis Weddle, Morris O. Weddle, Roy Weddle, William D. Douthitt, Laverna A. Fishback, William A. Fishback, Annie B. Fishback, Florence Morgan, Clide Morgan, Alice A. Morgan, John E. Fishback, Edna Mabry, Roby Mabry and Charley Mabry as citizens by blood of the Cherokee Nation, and for the enrollment of Katie Dawson, Andrew C. Atkins, Catherine Dawson, Sarah F. Dawson, August Bulawsky, Nannie Dawson, Sarah J. Dawson, Nellie Pierce, John S. Bogle, Florence Dawson, Martha A. Dawson, Charles T. Moore, Ida Blasingame, Mary A. Blasingame, Martin L. Patterson, Alice Dawson, Sarah J. Dawson (nee Jones), John W. Graham, Elizabeth Graham, Mathew A. Painter, Charles T. Bradshaw, Bessie Graham, James H. Harmon, William C. Lenox, Millie T. Dawson, Henry T. Richardson, Melissa A. Dawson, Hiram F. Weddle, and Alonzo M. Fishback as citizens by intermarriage of the Cherokee Nation; rejecting the application for the enrollment of Arizona Allred, William C. Allred, Francis M. Dawson, Osie Jackson, Lizzie Jackson, Jessie Jackson, Ray Jackson, Clyde Jackson, James Lowe, May Lowe, Zelma Lowe, Roberta Lowe and Rosa Lowe as citizens by blood of the Cherokee Nation, and for the enrollment of Lizzie Jackson and George A. Mabry as citizens by intermarriage of the Cherokee Nation; and dismissing the application for the enrollment of William Pierce, Cecil Dawson, Green W. Jackson, Liddie Graham and Margaret Graham.

You have heretofore been furnished with a copy of the record of proceedings had in this case.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest has been furnished both yourself and the principal applicant, by the attorney for the Nation.

The decision, together with the record of proceedings had in this case will be transmitted to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as the Commission is informed of same.

You are requested to forward to the Commission two copies of your printed brief in this case, in order that the same may be included in the record to be forwarded to the Secretary of the Interior.

Respectfully,

(Signed) TAMS BIXBY,

Acting Chairman.

Enc. M-45.

Register.

COPY.

Cherokee D-324--

Muskogee, Indian Territory, January 24, 1903.

W. W. Hastings,

Attorney for the Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 13, 1902, granting the application for the enrollment of Francis M. Dawson, Lula Dawson, Ray Dawson, Jessie J. Dawson, Jacob L. Dawson, Hugh A. Dawson, Laura A. Dawson, John Dawson, William R. Dawson, Lizzie Atkins, Arthur Atkins, Edna E. Atkins, Edward C. Atkins, George J. E. Atkins, Francis M. Dawson, Jr., Samuel R. Dawson, August Dawson, Nate Dawson, Robert Dawson, Albert M. Dawson, Ralph H. Dawson, Alford Dawson, Josephine Bulawsky, Dora Bulawsky, Ida Bulawsky, Annie Bulawsky, Blanche Bulawsky, May Bulawsky, Oscar Bulawsky, John W. Dawson, Katie Newman, John Dawson, Robert E. Dawson, Lola M. Dawson, Lemuel H. Dawson, Rosa B. Dawson, Charles B. Dawson, Hattie J. Dawson, Jennings B. Dawson, James U. Dawson, Vergal C. Dawson, Thomas P. Dawson, Marice J. Dawson, Orle H. Dawson, Burr R. Dawson, James W. Dawson, Robert Pierce, Myrtle Pierce, Arthur Pierce, Charles E. Pierce, Oma Gray, Cecil Gray, Velton Gray, Effie Akin, Nancy J. Tedd, James E. Bogle, Edna B. Bogle, John H. Bogle, Marvin B. Bogle,

Claud Bogle, Nancy Edith Bogle, Joseph R. Dawson, Clarence E. Dawson, Council J. Dawson, Elmer A. Dawson, Cleo Dawson, Julius T. Dawson, Wilborn Dawson, Edgar Dawson, James R. Dawson, Minnie D. Dawson, Ermine C. Dawson, Edwin C. Dawson, Ancil F. Dawson, Mollie Moore, Dora Moore, Walter Moore, Clara Moore, Ora Moore, James W. Moore, Edna E. Moore, Henry A. Blasingame, Vinnie C. Blasingame, Elbert L. Blasingame, Ellis W. Blasingame, Earl D. Blasingame, Alexander Blasingame, Jr., Elmer H. Blasingame, James R. Blasingame, William A. Blasingame, George L. Blasingame, Grace D. Blasingame, Zona Patterson, Sarah A. Patterson, Martha A. Patterson, Claud A. Patterson, Edgar D. Patterson, Thomas M. Patterson, Vergil V. Patterson, William C. Dawson, Robert L. Dawson, Elbert D. Dawson, Ralph D. Dawson, Richard W. Dawson, Ina E. Dawson, Ella L. Spickerman, Hellen J. Spickerman, William Glenn Spickerman, Missouri Graham, Tempa V. Graham, Robert S. Graham, Gideon Graham, John W. Graham, Julius E. Graham, Francis W. Graham, Mary E. Graham, Jesse E. Graham, Gracie M. Graham, Florence M. Graham, Laverna A. Painter, Ada R. Painter, Eva P. Painter, John W. Painter, Ray D. Painter, Roberta A. Painter, Roy V. Painter, Florence P. Bradshaw, Myrtle Bradshaw, Claude Bradshaw, Joe E. Graham, William C. Graham, John F. Graham, Edna M. Graham, Robert Lee Graham, Joe Willie Neal, James M. Graham, Marion Graham, Maggie Graham, Luther Graham, Floyd Graham, Ella Jackson, Flora Harmon, Lillie R. Harmon, Claud Harmon, Dwight Harmon, William D. Harmon, Toshie A. Jackson, Fannie Lenox, Birtie E. Lenox, Myrtle Lenox, Texanna Woolley, Irene W. Woolley, Wilburn E. Woolley,

Mittie Richardson, Edgar Flournoy, Walter Flournoy, Alice Flournoy, Laura Flournoy, Oscar Flournoy, Claude Flournoy, Edna Flournoy, Finis T. Richardson, Jasper C. Richardson, Delia F. Richardson, Etta Brauer, Lula Pearl Weddle, Curtis Weddle, Morris C. Weddle, Roy Weddle, William D. Douthitt, Laverna A. Fishback, William A. Fishback, Annie B. Fishback, Florence Morgan, Clide Morgan, Alice A. Morgan, John E. Fishback, Edna Mabry, Roby Mabry and Charley Mabry as citizens by blood of the Cherokee Nation, and for the enrollment of Katie Dawson, Andrew C. Atkins, Catherine Dawson, Sarah F. Dawson, August Bulawsky, Fannie Dawson, Sarah J. Dawson, Nellie Pierce, John S. Bogle, Florence Dawson, Martha A. Dawson, Charles T. Moore, Ida Blasingame, Mary A. Blasingame, Martin L. Patterson, Alice Dawson, Sarah J. Dawson (nee Jones), John W. Graham, Elizabeth Graham, Mathew A. Painter, Charles T. Bradshaw, Bessie Graham, James H. Harmon, William C. Lenox, Millie T. Dawson, Henry T. Richardson, Melissa A. Dawson, Hiram F. Weddle, and Alonzo M. Fishback as citizens by intermarriage of the Cherokee Nation; rejecting the application for the enrollment of Arizona Allred, William C. Allred, Francis M. Dawson, Osie Jackson, Lizzie Jackson, Jessie Jackson, Ray Jackson, Clyde Jackson, James Lowe, May Lowe, Zelma Lowe, Roberta Lowe and Rosa Lowe as citizens by blood of the Cherokee Nation, and for the enrollment of Lizzie Jackson and George A. Mabry as citizens by intermarriage of the Cherokee Nation; and dismissing the application for the enrollment of William Pierce, Cecil Dawson, Green W. Jackson, Liddie Graham and Margaret Graham.

You are hereby advised that you will be allowed fifteen days from date hereof, in which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

(Signed) TAMS BIXBY,

Acting Chairman.

Enc. M-130.

COPY.

Cherokee D-324.

Muskogee, Indian Territory, February 25, 1905.

Honorable

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings had in the consolidated case of Francis M. Dawson et al., applicants for enrollment as citizens of the Cherokee Nation, including the Commission's decision, dated December 23, 1903, granting said application as to Francis M. Dawson, Lula Dawson, Ray Dawson, Jessie J. Dawson, Jacob L. Dawson, Hugh A. Dawson, Laura A. Dawson, John Dawson, William R. Dawson, Lizzie Atkins, Arthur Atkins, Edna E. Atkins, Edward C. Atkins, George J. F. Atkins, Francis M. Dawson Jr., Samuel R. Dawson, August Dawson, Mate Dawson, Robert Dawson, Albert H. Dawson, Ralph H. Dawson, Alford Dawson, Josephine Bulawsky, Dora Bulawsky, Ida Bulawsky, Annie Bulawsky, Blanche Bulawsky, May Bulawsky, Oscar Bulawsky, John W. Dawson, Katie Newman, John Dawson, Robert B. Dawson, Iola M. Dawson, Samuel H. Dawson, Rosa B. Dawson, Charles B. Dawson, Hattie J. Dawson, Jennings B. Dawson, James U. Dawson, Vergal C. Dawson, Thomas P. Dawson, Mariee J. Dawson, Orle H. Dawson, Burr R. Dawson, James W. Dawson, Robert Pierce, Myrtle Pierce, Arthur Pierce, Charles E Pierce, Oma Gray, Cecil Gray, Walton Gray, Effie Akin, Nancy J. Bogle, James E.Bogle, Edna P. Bogle, John H. Bogle, Marvin R.Bogle,

Claud Bogle, Nancy Edith Bogle, Joseph R. Dawson, Clarence R. Dawson, Council J. Dawson, Elmer A. Dawson, Cleo Dawson, Rufus T. Dawson, Wilborn Dawson, Edgar Dawson, James R. Dawson, Vinnie D. Dawson, Erwine C. Dawson, Edwin C. Dawson, Ancil F. Dawson, Mollie Moore, Dora Moore, Walter Moore, Clara Moore, Ora Moore, James W. Moore, Edna E. Moore, Henry A. Blasingame, Vinnie C. Blasingame, Elbert L. Blasingame, Ellis W. Blasingame, Earl D. Blasingame, Alexander Blasingame Jr., Elmer H. Blasingame, James R. Blasingame, William A. Blasingame, George L. Blasingame, Grace D. Blasingame, Zona Patterson, Sarah A. Patterson, Martha A. Patterson, Claud A. Patterson, Edgar D. Patterson, Thomas M. Patterson, Virgil V. Patterson, William C. Dawson, Robert L. Dawson, Elbert B. Dawson, Ralph E. Dawson, Richard W. Dawson, Ina E. Dawson, Lila L. Spickerman, Hellen J. Spickerman, William Glenn Spickerman, Missouri Graham, Tempa V. Graham, Robert S. Graham, Gideon Graham, John W. Graham, Julius E. Graham, Francis W. Graham, Laverna A. Painter, Mary E. Graham, Jesse F. Graham, Gracie M. Graham, Florence M. Graham, Ada R. Painter, Eva P. Painter, John W. Painter, Ray D. Painter, Roberta A. Painter, Roy V. Painter, Florence P. Bradshaw, Myrtle Bradshaw, Claude Bradshaw, Joe E. Graham, William C. Graham, John F. Graham, Sena M. Graham, Robert Lee Graham, Joe Willie Neal, James M. Graham, Wilson Graham, Maggie Graham, Luther Graham, Floyd Graham, Lila Jackson, Flora Harmon, Lillie R. Harmon, Claud Harmon, Dwight Harmon, William D. Harmon, Toshie A. Jackson, Bonnie Lenox, Birtie [illegible] Lenox, Myrtle Lenox, Texanna Woolley, Irene F. Woolley, Wilbert N. Woolley,

Kittie Richardson, Edgar Flournoy, Walter Flournoy, Alice Flournoy, Laura Flournoy, Oscar Flournoy, Claude Flournoy, Edna Flournoy, Finis T. Richardson, Jasper C. Richardson, Delia F. Richardson, Etta Brauer, Lula Pearl Weddle, Curtis Weddle, Morris O. Weddle, Roy Weddle, William D. Douthitt, Laverna A. Fishback, William A. Fishback, Annie B. Fishback, Florence Morgan, Clide Morgan, Alice A. Morgan, John E. Fishback, Edna Mabry, Roby Mabry and Charley Mabry as citizens by blood of the Cherokee Nation, and Katie Dawson, Andrew C. Atkins, Catherine Dawson, Sarah F. Dawson, August Bulawsky, Nannie Dawson, Sarah J. Dawson, Nellie Pierce, John S. Fogle, Florence Dawson, Martha A. Dawson, Charles T. Moore, Ida Blasingame, Mary A. Blasingame, Martin L. Patterson, Alice Dawson, Sarah J. Dawson (nee Jones), John W. Graham, Elizabeth Graham, Mathew A. Painter, Charles T. Bradshaw, Bessie Graham, James H. Parmon, William C. Lenox, Millie T. Dawson, Henry T. Richardson, Melissa A. Dawson, Hiram F. Weddle, and Alonzo M. Fishback as citizens by intermarriage of the Cherokee Nation; rejecting the application for the enrollment of Arizona Allred, William C. Allred, Francis M. Dawson, Osie Jackson, Lizzie Jackson, Jessie Jackson, Ray Jackson , Clyde Jackson, James Lowe, May Lowe, Zelma Lowe, Roberta Lowe and Rosa Lowe as citizens by blood of the Cherokee Nation, and for the enrollment of Lizzie Jackson, and George A. Mabry as citizens by intermarriage of the Cherokee Nation; and dismissing the application for the enrollment of William Pierce, Cecil Dawson, Green W. Jackson, Liddie Graham and Margaret Graham.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest is enclosed.

Respectfully,

(Signed) TAMS BIXBY,

Chairman.

Enc. M-135.

Through the

Commissioner of Indian Affairs.

COPY.

Cherokee D-524.

Muskogee, Indian Territory, February 25, 1903.

W. W. Hastings,

Attorney for the Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

You are hereby advised that there had this day been transmitted to the Secretary of the Interior, for review, the record of proceedings had in the matter of the application of Francis M. Dawson, et al., for enrollment as citizens of the Cherokee Nation, together with the Commission's decision in said case, and the protest of the Cherokee Nation against said decision, dated February 6, 1903.

The action of the Secretary will be made known to you as soon as the Commission is informed of same.

Respectfully,

(Signed) TAMS BIXBY,

Chairman.

COPY.

Cherokee D-324.

Muskogee, Indian Territory, February 25, 1905.

A. S. McClennon,

Attorney for Francis M. Dawson, et al.,

Wewoka, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision in the matter of the application of Francis M. Dawson, et al., for enrollment as citizens of the Cherokee Nation, has this day been transmitted to the Secretary of the Interior for his review and decision.

The action of the Secretary will be made known to you as soon as the Commission is informed of same.

Respectfully,

(Signed) TAMS BIXBY,

Chairman.

COPY

Cherokee D-604.

Muskogee, Indian Territory, February 25, 1903.

William C. Dawson,

Talala, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 23, 1902, in the consolidated case of Francis M. Dawson, et al., granting, among others, your application for the enrollment of yourself as a citizen by blood, and for the enrollment of your wife, Alice Dawson, as a citizen by intermarriage of the Cherokee Nation. There has heretofore been furnished your attorney, A. S. McKennon, Wewoka, Indian Territory, a copy of the record of proceedings, together with a copy of the Commission's decision.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest has been furnished both your attorney and the principal applicant by the attorney for the Nation.

The decision, with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Tams Bixby

Acting Chairman.

Enc. M-30.

Register.

(COPY)

Refer in reply to the following: Land
L&MSS-1902.
50928-1902.

DEPARTMENT OF THE INTERIOR,
Office of Indian Affairs,
Washington, Oct. 16, 1902.

COPY

[redacted]

Francis M. Dawson, et al.,

Group VIII.

The Honorable,

The Secretary of the Interior.

Sir:

Referring to office report of even date transmitting Group I of the consolidated case of Francis M. Dawson, et al., applicants for enrollment as citizens of the Cherokee Nation, there is enclosed herewith the record relative to the applicants parties to Group VIII.---

D.435, Group VIII, page 1.

Martin L. Patterson applies for the enrollment of himself as an intermarried citizen, and for the enrollment of his wife, Rena, and their minor children, Sarah A., Martha A., Glenda A., Edgar D., Thomas M. and Virgil V. Patterson, as citizens by blood. Virgil V. was born subsequent to the date of his original application and is identified by birth affidavit.

D.434, Group VIII, page 11.

William C. Dawson applies for the enrollment of himself as a citizen by blood, and for the enrollment of his wife, Alice Dawson, as an intermarried citizen.

D.433, Group VIII, page 11.

Robert L. Dawson applies for enrollment as a citizen by blood.

R.#25, Group VIII, page 12.

Hibert E. Dawson applied for the enrollment of himself and his minor child, Ralph E. Dawson, as citizens by blood. The child was born subsequent to the date of his original application, and is identified by birth affidavit.

R.#26, Group VIII, page 13.

Sarah J. Dawson applies for the enrollment of herself as an intermarried citizen.

R.#27, Group VIII, page 14.

Richard W. Dawson applies for the enrollment of himself and his minor child, Ina M. Dawson, as citizens by blood, and for the enrollment of his wife, Luella Dawson, as a citizen by intermarriage. The Commission states that Luella Dawson is differently classed and is not embraced in its decision.

R.#28, Group VIII, page 15.

Mila L. Spickerman applied for the enrollment of herself and her minor child, Helen J. Spickerman, as citizens by blood, and for the enrollment of her husband, John J. Spickerman, as a citizen by intermarriage. She also applies for the enrollment as a citizen by blood of her child, William G. Spickerman, who was born after her original application. This child is identified by a birth affidavit. The Commission states that John J. Spickerman has been differently classed and is not embraced in its decision.

R.#29, Group VIII, page 16.

Francis M. Dawson applies for the enrollment of himself as a citizen by blood.

The record in this case shows that Martin L. Patterson, (Group VIII, page 1), was married July 13, 1890, to Rena Patterson nee Dawson, daughter of Hibert Dawson, who was admitted by the Tahlee Court, January 11, 1883. The marriage was performed in accordance with the laws of the Cherokee Nation. Rena Patterson nee Dawson was a minor when her father was admitted. Rena Patterson's name appears on the 1896 census roll, as does the names of Martin L. Patterson, Sarah A., Martha and Claude (A.) Patterson. Edgar D., Thomas M. and Virgil V. Patterson are identified by birth affidavits.

William G. Dawson, (Group VIII, page 11), is a son of Hibert Dawson, who was admitted January 11, 1883. He was a minor when his father was admitted. He was married to Alice Dawson, November 14, 1894. He is identified by the 1894 and 1896 rolls of the Cherokee Nation. From the record it does not seem that the name of his wife is found on any of the rolls of the Cherokee Nation.

Robert L. Dawson, (Group VIII, page 15), is a son of Hibert Dawson who was admitted January 11, 1883. He was a minor when his father was admitted.

Hibert B. Dawson, (Group VIII, page 16), is the son of Hibert Dawson who was admitted January 11, 1883. He was a minor when his father was admitted. February 14, 1898, he was married to Sora Wright, a non-citizen. His name appears on the 1894 roll, but is not on the 1896 roll.

Sarah J. Dawson, (Group VIII, page 19), is the widow of Hibert Dawson, who was admitted January 11, 1883. The applicant's husband is identified by the 1894 pay-roll of the Chero kee Nation. It does not appear from the record that her name is on any roll of the Cherokee Nation.

Richard W. Dawson, (Group VIII, page 32), is the son of Elbert Dawson who was admitted January 11, 1894. He was a minor when his father was admitted to citizenship. He was married to Lucile Mason, a white woman, January 24, 1906.

Ella L. Spickerman, (Group VIII, page 37), is the daughter of Elbert Dawson, who was admitted in 1894. She was a minor when her father was admitted to citizenship. Sept. 7, 1897, she was married to John J. Spickerman, a white man. She is identified by the 1896 roll.

Francis M. Dawson, (Group VIII, page 31), is a son of Elbert Dawson, who was admitted January 11, 1894. He was of age when his father was admitted, and it does not appear that he was admitted to citizenship. From the evidence it does not seem that Francis M. Dawson's name is found on any roll of the Cherokee Nation. He claims to have lived in the Cherokee nation since 1895. It appears that he and the members of his family were refused enrollment by the Cherokee tribal authorities in 1896.

It is known that Nona Patterson, William C. Dawson and Richard W. Dawson, have resided in the Cherokee Nation since 1896. Robert L. Dawson, Elbert R. Dawson, Sarah J. Dawson and Ella L. Spickerman, have resided there since 1895. Alice Dawson has resided in the Nation since 1896 and Martin L. Patterson since 1894.

The Commission in its decision of December 23, 1902, held that all of the parties in this group, except Lucile Dawson and J. J. Spickerman, who are differently classed, and Francis M. Dawson (Group VIII, page 31), were entitled to enrollment as citizens of the Cherokee Nation--Martin L. Patterson, Alice Dawson and Sarah J. Dawson, as citizens by intermarriage and the others as citizens by blood.

For the reasons set forth in office report of even date, transmitting Group I of this consolidated case, the approval of the Commission's decision is recommended, except in so far as it relates to Martin L. Patterson, Alice Dawson and Sarah J. Dawson, who apply for enrollment as intermarried citizens. The question submitted to the Court of Claims not having been passed upon by the Court, their applications should not be considered at this time. The right of Francis M. Dawson to enrollment as a citizen by blood will be discussed herein.

August 21, 1906, Perry W. Kimball and W. M. White, attorneys for this city, filed a brief on behalf of applicant Francis M. Dawson, for enrollment as a citizen of the Cherokee Nation. In their letter it is said that a copy of this brief has been forwarded to the attorney for the Cherokee Nation, W. W. Hastings, Esq. Kimball & White in their brief state that Francis M. Dawson is the son of Hibert Dawson, who was admitted to citizenship in the Cherokee Nation, January 11, 1883, and that he was at that time about 22 years of age. They claim that his father applied for readmission February 24, 1880, and that Francis M. Dawson was at the date of this application less than 21 years of age that he has resided in the Cherokee Nation from the time of his father's admission, and they take the position that the only reason the Commission gives for refusing his enrollment is that he was more than 21 years of age at the time of his father's admission. The statement is made by them "his name appears upon every roll since his father's admission. He drew his share of the Strip money and has resided nowhere except in said Nation." They claim that under Section 5, of the Amendments to Article 3, of the Constitution, and the opinion of the Assistant Attorney General in the James W. Shirley case of June 11, 1906, Francis M. Dawson is entitled to enrollment as a citizen of the Cherokee Nation.

From the record it does not appear that the name of Francis M. Dawson is found on any rolls of the Cherokee Nation. The Commission, in what is understood to be its field decision or field note, says: "He is not identified on any roll since that time," meaning the date of his father's admission. In this decision or note it is also said: "The application for admission is shown by the document cited to be dated January 4, 1841, and giving the applicant the benefit of the opinion that the fact of admission would date from the application, he was a minor at that time.

In the brief of Kimball & White it is alleged that Elbert Dawson applied "for admission February 24, 1840." There seems to be considerable doubt as to the exact date Elbert Dawson made application for admission for citizenship in the Cherokee Nation, but from the records it appears the true date is September 24, 1841. By the supplemental testimony it is shown that the application of Elbert Dawson et al., for admission to citizenship was "filed September 24, 1841."

Francis M. Dawson, October 17, 1900, (Group VIII, page 21), testified among other things that he was 59 years of age "on the last day of December last," meaning December 31, 1899. If this be true, and if the correct date of the application of his father, Elbert Dawson, is September 24, 1841, Francis M. Dawson was 20 years 9 months and 24 days old at the date of his father's application. The office believes that the date of admission should be held to relate back to the date of the application. There is nothing in the record which shows that Elbert Dawson, or any of the other applicants of 1841, were asked in 1868 whether any of their children had arrived at the age of majority.

In view of the foregoing, it is respectfully recommended that

the decision of the Commission as to Francis M. Dawson be not approved, and that the Commission be directed to enroll him as a citizen of the Cherokee nation by blood, unless there be some reason which does not appear in the record why the same should not be done. There seems to be no question but that he is of Cherokee blood.

Very respectfully,

W. A. Jones,
Commissioner.

C.A.W.-L.J.

(MPM)

(COPY)

L.T.R. 7448-1903
7484- "
7906- "

J.W.H.
S.P.

DEPARTMENT OF THE INTERIOR,

WASHINGTON.

LRS

March 31, 1904.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

February 25, 1903, you transmitted the record in the matter of the application of Francis M. Dawson et al., for enrollment as citizens of the Cherokee Nation.

In your decision of December 22, 1902, you disposed of the applications in the Dawson case by groups. Group VIII, as disposed of by you, includes the applications of those persons who claim enrollment by virtue of their descent from Elbert Dawson, who was admitted to Cherokee citizenship by decree of the Tahee Court dated January 11, 1883. These applications are designated by you as D.435, D.604, D.605, D.606, D.609, D.617, D.624, and D.647.

It appears that the principal applicants in this group, claiming enrollment by blood, viz: Rona Patterson, formerly Dawson, William C. Dawson, Robert L. Dawson, Elbert M. Dawson, Richard W. Dawson, Ella L. Spiegelman, formerly Dawson, and Francis M. Dawson, are the children of the said Elbert Dawson. All of them except the said Francis M. Dawson were minors at the time of their father's admission to citizenship.

The application of Martha L. Patterson, D.435, was for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Rona Patterson, and his six minor children, Sarah A., Martha A., Claude A., Edgar D., Thomas M., and Virgil V. Patterson, as citizens by blood of the Cherokee Nation. The said Martin L. Patterson was married July 13, 1900, in accordance with the laws of the Cherokee Nation, to the said Rona Patterson, nee Dawson. He has resided in the

nation since his marriage, and the six children named above are the issue of said marriage. His name, and the names of his three older children, are on the Cherokee census roll of 1896. The three younger children are identified by birth affidavits. Rena Patterson, nee Dawson, is also identified on said roll, and he resided in the Cherokee Nation since 1894.

William C. Dawson, D.604, applied for the enrollment of himself as a citizen by blood, and for the enrollment of his wife, Alice Dawson, as a citizen by intermarriage of the Cherokee Nation. He is identified upon the strip payment roll of 1894, and has resided in the nation since 1884. He was married November 15, 1886, to the said Alice Dawson, nee Alexander. She has resided with him since their marriage.

The application of Robert L. Dawson, D.605, was for the enrollment of himself as a citizen by blood of the Cherokee Nation. He is identified on the strip payment roll of 1894, and has resided in the nation since 1885.

The application of Elbert B. Dawson, D.606, was for the enrollment of himself and his minor child, Ralph B. Dawson, as Cherokees by blood. Said Elbert B. Dawson is identified upon the strip payment roll of 1894. His son is identified by a birth affidavit. The father has resided in the nation since 1888. On February 16, 1898, he married Cora Wright, a non-citizen, who is the mother of said child. It appears, however, that no application was made for her enrollment under this title.

The application of Sarah J. Dawson, D.609, was for the enrollment of herself as an intermarried citizen of the Cherokee Nation. In 1894 she married the said Elbert Dawson, and lived with him as his wife until his death in February, 1898. Since then she has not married. She has resided in the nation since 1888.

The application of Richard W. Dawson, D.617, was for the enrollment of himself and his minor child, Ina E. Dawson, as citizens by blood and for the enrollment of his wife, Luella Dawson, as a citizen of said nation by intermarriage. The latter is differently classified and is not embraced in this decision. Said Richard W. Dawson is identified upon the 1894 strip payment roll, and has resided in the nation since 1884. January 24, 1898, he married Luella Vason. Ina E. Dawson, who is identified by a birth affidavit, is the issue of that marriage.

The application of Ella L. Spiekerman, D.636, was for the enrollment of herself and her minor children, Helen J. and William C. Spiekerman, as citizens by blood, and for the enrollment of her husband John J. Spiekerman, as a citizen by intermarriage of the Cherokee Nation. His application is differently classified and will not be considered herein. The said Ella L. Spiekerman, nee Dawson, is identified on the strip payment roll of 1894, and has resided in the nation since 1883. Said children are identified by birth affidavits.

The application of Francis M. Dawson, D.637, was for the enrollment of himself as a citizen by blood of the Cherokee Nation. His case is distinguished from that of the other principal applicants who claim by blood, in that he was not a minor at the date of his father's admission to citizenship. It appears, however, that the petition for the enrollment of his father, Albert Dawson et al., was filed when he was a minor. The exact date when said petition was filed is uncertain. The Indian Office finds that the date of the petition was September 24, 1901. You find that the petition bears a still earlier date. It is claimed by this applicant and by his attorneys that his name is borne upon various tribal rolls. It does not appear from the record, however, that such is the fact. He states that he has resided in the nation ever since 1883, and that he drew strip money [illegible]

In his report of October 14, 1903, relative to this group, the Commissioner of Indian Affairs calls attention to that portion of the evidence which shows that the applicant was a minor when the petition for the enrollment of his father was filed, and expresses the opinion that the admission of his father (construed as including his minor children living with him) should be considered as taking effect from the date the petition was filed.

In your decision of December 22, 1903, in which you refused to enroll this applicant, you make no reference to this aspect of the case. It is observed, however, from the field notes as they appear in connection with the record in this case, that the examiner was then of the opinion that the date of the father's petition might possibly affect the rights of the applicant.

The attorney for this applicant and for the Nation have filed briefs. The attorneys for neither, however, have discussed the rights of the applicant from this standpoint.

It is considered that both parties should be furnished with a copy of the Commissioner's letter relating to this group, and be allowed to be heard in reference to the matter.

From a letter addressed to the Assistant Attorney General for this Department, from Kimball & White, attorneys for Francis M. Dawson, Jr., dated February 22, 1904, it appears that under date of January 14, 1904, you wrote said attorneys as follows:

> "You are advised that the 1894 pay roll does not contain the name of such a person as Francis M. Dawson. There does appear upon that roll, however, the name of one Marion Dawson, and it is possible this is the same person."

Although not addressed to the Department, it was considered that your letter should be received as authentic evidence of the matters stated therein. It is believed, in view of the statement contained in

said letter and from the testimony of Francis Marion Benson, referred to above, that an adjudication of his case upon the record as it now stands would be untimely and inadvisable.

In your decision of December 21, 1904, you held that all of the applicants are entitled to enrollment except Francis M. Benson. The Commissioner of Indian Affairs concurred in your recommendation respecting these applicants claiming by blood, except as to him, and also recommended his enrollment. As to those applicants claiming by intermarriage the Commissioner recommended that no action be taken at present.

The Department concurs in the recommendation of the Commissioner as to all of the applicants, except Francis M. Benson. The record in his case is herewith returned for further investigation in accordance with the suggestions herein contained.

The attorney for the Cherokee Nation protests against the enrollment of these applicants, claiming that their enrollment was obtained through fraud. In this connection see opinion of the Assistant Attorney General of February 14, 1904, relating to the Benson case, a copy of which was sent you February 24, 1904.

A copy of Indian Office letter of October 14, 1903, relating to this group, is also inclosed.

Respectfully,

(signed) Thos Ryan
Acting Secretary.

2 inclosures.

(HMM)

Cherokee D-604.

Muskogee, Indian Territory, April 12, 1904.

William C. Dawson,

Talala, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision, dated December 23, 1902, granting, among others, your application for enrollment as a citizen by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on March 31, 1904.

Respectfully,

Commissioner in Charge.

Cherokee D 324, et al.

Muskogee, Indian Territory, April 12, 1904.

A. S. McKennon,

Attorney for Francis M. Dawson, et al.,

South McAlester, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision dated December 23, 1902, in the consolidated case of Francis M. Dawson, et al., granting the applications for the enrollment of Francis M., Lula, Ray, Jessie J., Jacob L., Hugh A., Laura A., John, William R. and Francis M. Dawson, Jr., Lizzie, Arthur, Edna E., Edward C., and George J. F. Atkins, John W., Albert H., Ralph H., Alford, Samuel R., August, Nate and Robert Dawson, Katie Newman, Josephine, Dora, Ida, Annie, Blanche, May and Oscar Bulawsky, John, Robert B., Zola M., Lemuel M., Rosa E., Charles B., Hattie J., Jennings B., James U., Vergal C., Thomas P., Mariee J., Orle M., Burr R. and James W. Dawson, Ella Jackson, Flora, Lillie R., Claud, Dwight and William D. Harmon, Toshie A. Jackson, Fannie, Birtie E. and Myrtle Lenox, Missouri, Tempa V., Robert S., Gideon, John W., Julius E., Francis T., Mary E., Jesse E., Gracie M. and Florence M. Graham, Laverna A., Ada R., Eva P., John W., Ray D., Roberta A., and

Roy V. Painter, Florence P., Myrtle and Claude Bradshaw, Joe E., William C., John F., Edna M. and Robert Lee Graham, Joe Willie Neal, James L., Marion, Maggie, Luther and Floyd Graham, Mollie, Nora, Walter, Clara, Ora, James W., and Edna Edith Moore, Richard W. and Ina E. Dawson, Ella L., Hellen J. and William Glenn Spickerman, Elbert E., Ralph E., Robert L., and William C. Dawson, Zona, Sarah A., Martha A., Claud A., Edgar D., Thomas M. and Virgil V. Patterson, Joseph R., Clarence E., Council J., Elmer A., Cleo, Rufus T., Edgar, Wilborn, James R., Vinnie L., Ermine C., Edwin C. and Ancil F. Dawson, Etta Brauer, Kitty, Delia F., Finis T. and Jasper Cecil Richardson, Edgar, Walter, Alice, Laura, Oscar, Claude and Edna Flournoy, Texanna, Irene W. and Wilburn E. Woolley, Laverna A., William A. and Annie B. Fishback, Lula P., Curtis, Morris O. and Roy Veddle, Florence, Clide and Alice A. Morgan, John W. Fishback, Edna, Roby and Charley Mabry and William D. Douthitt, as citizens by blood of the Cherokee Nation, and dismissing the applications for the enrollment of Cecil Dawson, Liddie and Margaret Graham as citizens by blood of the Cherokee Nation, they having died prior to September 1, 1902, was affirmed by the Secretary of the Interior on March 31, 1904, and that the Commission's decision rejecting the applications for the enrollment of James, May, Zelma, Roberta, and Rosa Lowe, Osie, Lizzie, Jessie, Ray, and Clyde Jackson as citizens

by blood of the Cherokee Nation, was reversed by the Secretary of the Interior on the same date.

Respectfully,

(SGD)

Commissioner in Charge.

Cherokee D 324, et al.

Muskogee, Indian Territory, April 12, 1904.

W. W. Hastings,

Attorney for the Cherokee Nation,

Tahlequah, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision dated December 23, 1902, in the consolidated case of Francis M. Dawson, et al., granting the applications for the enrollment of Francis M., Eula, Ray, Jessie J., Jacob L., Hugh A., Laura A., John, William R. and Francis M. Dawson, Jr., Lizzie, Arthur, Edna E., Edward C., and George J. F. Atkins, John W., Albert M., Ralph M., Alford, Samuel R., August, Mate and Robert Dawson, Katie Newman, Josephine, Dora, Ida, Annie, Blanche, May and Oscar Bulaswaky, John, Robert B., Iola M., Lemuel T., Rosa E., Charles B., Hattie J., Jennings E., James U., Vergal C., Thomas P., Mariee J., Orle M., Burr R. and James W. Dawson, Ella Jackson, Flora, Lillie R., Claud, Dwight and William D. Harmon, Tobbie A. Jackson, Fannie, Birtie E. and Myrtle Lenox, Missouri, Tempa V., Robert S., Gideon, John W., Julius E., Francis W., Mary E., Jesse E., Gracie L. and Florence M. Graham, Laverna A., Ada R., Eva P., John W., Ray D., Roberta A., and

Roy V. Painter, Florence T., Myrtle and Claude Bradshaw, Joe E., William O., John F., Edna M. and Robert Lee Graham, Joe Willis Beal, James L., Marion, Maggie, Luther and Floyd Graham, Mollie, Nora, Walter, Clara, Ora, James T., and Edna Edith Moore, Richard W. and Ina E. Dawson, Ella L., Hellen J. and William Glenn Spicherman, Elbert B., Ralph E., Robert L., and William C. Dawson, Zona, Sarah A., Martha A., Claud A., Edgar D., Thomas M. and Virgil V. Patterson, Joseph R., Clarence E., Council J., Elmer A., Cleo, Rufus T., Edgar, Wilborn, James R., Vinnie B., Ermine C., Edwin C. and Ancil E. Dawson, Etta Brawer, Kitty, Delia F., Finis T. and Jasper Cecil Richardson, Edgar, Walter, Alice, Laura, Oscar, Claude and Edna Flournoy, Texanna, Irene W. and Wilburn B. Woolley, Laverne A., William A. and Annie B. Fishback, Lula P., Curtis, Morris O. and Roy Weddle, Florence, Clide and Alice A. Morgan, John E. Fishback, Edna, Roby and Charley Mabry and William D. Douthitt, as citizens by blood of the Cherokee Nation, and dismissing the applications for the enrollment of Cecil Dawson, Liddie and Margaret Graham as citizens by blood of the Cherokee Nation, they having died prior to September 1, 1902, was affirmed by the Secretary of the Interior on March 31, 1904, and that the Commission's decision rejecting the applications for the enrollment of James, May, Selma, Roberta, and Rosa Lowe, Osie, Lizzie, Jessie, Ray, and Clyde Jackson as citizens

by blood of the Cherokee Nation, was reversed by the Secretary of the Interior on the same date.

Respectfully,

T. D. Needles.

Commissioner in Charge.

6

Tahlequah, Indian Territory, April 19, 1904.

Commission to the Five Civilized Tribes,

(Cherokee Division),

Muskogee, Indian Territory.

Gentlemen:

As requested in the Commission's letter of April 14, there are enclosed herewith two copies of Departmental letter of March 31, approving the Commission's decisions in several cases, and remanding for further hearing the application of Francis M. Dawson, Cherokee D-627.

There are also transmitted, the original cards, jackets and records in the following cases:

Cherokee D-435, Martin L. Patterson.
Cherokee D-604, Alice Dawson.

These cases were finally decided in Departmental letter of March 31, except as to the intermarried applicants. The proper transfers have been made as to all except such intermarried applicants and the cards, jackets and records are now transmitted to the office at Muskogee to be held until such time as decisions can be rendered in intermarried cases.

Respectfully,

Commissioner in Charge
Cherokee Land Office.

Encl. P-2.
RP

Cherokee 10727

William C. Dawson

For record in this case, see

Cherokee D-60, Alice Dawson

Cher 10728

Clara F. Martin

Trans. from M456

Cher 10728

Department of the Interior,
Commission to the Five Civilized Tribes,
Nowata, I.T., October 18, 1900.

In the matter of the application of John M. Martin for the enrollment of himself and one child as Cherokee citizens; he being sworn and examined by Commissioner T. B. Needles, testified as follows:

Q What's your name? A John M. Martin.
Q What's your age? A 38.
Q What's your postoffice address? A Nowata, I.T.
Q What district do you live in? A Cooweescoowee.
Q Are you a recognized citizen of the Cherokee Nation? A Yes, sir.
Q By blood or intermarriage? A By blood.
Q For whom do you apply for enrollment? A Myself and one child.
Q Is your name upon the authenticated roll of 1880? A No, sir.
Q What proof have you got of citizenship?
The applicant presents a certified copy of an act to re-admit Patsy M.Martin and others to Cherokee citizenship; being an act of the National Council approved by J. P. Mayes, Principal Chief, 4th day of December, 1890; said act being certified to by J. T. Parks, Executive Secretary of the Cherokee Nation, under the great seal of the Cherokee Nation. He, certifying that the paper presented is a true and correct copy of the records on file in the office of the Executive Department of the Cherokee Nation. Among other names found in said act as being admitted to Cherokee citizenship is the name of John M. Martin.
Q Are you the identical John M. Martin mentioned in the certificate?
A Yes, sir.
Q Are you married? A No, sir.
Q Were you ever married? A No, sir, never was married.
Q What's the name of your child? A Clara F. Martin.
Q Is that your child? A Yes, sir.
Q What's its age? A Four years.
Q What's the name of its mother? A Sophia Rinehardt.
Q Is she a Cherokee citizen? A No, sir.
Q White woman? A Yes, sir.
Q Upon what ground do you desire to enroll this child? A Cherokee by blood.
Q Who the child is? A Yes, sir.
Q What's its father's name? A I am the man.
Q Were you married to her? A No, sir.
Q How long have you lived in the Cherokee Nation? A 10 years.
Q You were admitted in the year 1890? A Readmitted in 1890.
Q Were you a resident here at that time? A Yes, sir.
Q Live here now in the Cherokee Nation? A Yes, sir.
1896 roll, page 221, #3476, John Martin, Cooweescoowee.
Commissioner-

The name of John M. Martin appears upon the census roll of 1896 and he presents satisfactory proof of his readmission to Cherokee citizenship in the year 1890, the certificate of admission being more particularly described in the testimony. He also makes satisfactory proof as to his residence; consequently, the said John M. Martin will be duly listed for enrollment as a Cherokee citizen by blood. He applies for enrollment of Clara F. Martin who he avers to be his child by one Sophia Rinehardt, a white person, but avers that no marriage ceremony was ever performed; consequently, the application for the enrollment of Clara F. Martin will be rejected.

E.C.Rothenberger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he reported in full all proceedings in the above case, and that the foregoing is a true and complete translation of his stenographic notes in said case.

(Signed) E. C. Rothenberger.

Subscribed and sworn to before me this 18th day of October, 1900.

(Signed) T. B. Needles,
Commissioner.

Arthur G. Croninger, being duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he made the foregoing copy, and that the same is a true and complete copy of the original transcript.

Arthur G. Croninger

Subscribed and sworn to before me this 24th day of October, 1901.

Commissioner.

R. 30

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

FILED
OCT 26 1901

ACTING CHAIRMAN

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 19 1900 1900.

Name Nawata D.S.

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Rejected

Names of Children:

1 Clara J Martin	Dist.	Year 1896	Page —	No. —	Age 4
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age 2
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

Illegitimate child of John M. Martin by Sophie (Ruichart) a non citizen.

1 Birth affidavit required

[illegible] 331 CB

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.
FILED
OCT 19 1900

[illegible] HUFFMAN

Department of the Interior,
Commission to the Five Civilized Tribes.

In the matter of the application of John M. Martin for the enrollment of his daughter, Clara F. Martin, as a citizen of the Cherokee Nation.

STATEMENT OF FACTS.

On the 19th day of October, 1900, John M. Martin appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of his alleged daughter, Clara F. Martin, as a citizen by blood of the Cherokee Nation.

It appears from the evidence in this case that Clara F. Martin is the alleged child of John M. Martin , a citizen of the Cherokee Nation, and Sophia Rinehardt, a white woman, not a citizen of the Cherokee Nation, and that the said John M. Martin and Sophia Rinehardt were not legally and lawfully married. It further appears from the evidence in the case that John M. Martin was admitted to citizenship in the Cherokee Nation on the 4th day of December, 1890, by an Act of the Cherokee National Council, and that his name appears upon the Cherokee Census roll of 1896.

The tribal rolls of the Cherokee Nation have been examined and the name of Sophia Rinehardt does not appear of record thereon.

DECISION.

It is therefore the opinion of this Commission that the evidence in this case fails to establish that the child Clara F. Martin is the legitimate child of John M. Martin a citizen of the Cherokee Nation, and entitled to enrollment as his descendant; that she is not now and never has been recognized as a citizen of the Cherokee Nation, and that the application of John M. Martin for the enrollment of his daughter Clara F. Martin as a citizen of the Cherokee Nation should be denied, and it is so ordered.

Dated at Muskogee,
Indian Territory,
This [illegible] day of [illegible], 1902.

Cherokee D- 201.

Department of the Interior,
Commission to the Five Civilized Tribes.

In the matter of the application for the enrollment of Clara F. Martin as a citizen of the Cherokee Nation.

—o—

ORDER OF TRANSFER.

The evidence in this case shows that Clara F. Martin is supposed to be the child of John M. Martin, a citizen by blood of the Cherokee Nation, and Sophia Rinehardt, a white woman and non citizen, and that the said John M. Martin and Sophia Rinehardt, were never married. The Cherokee census roll of 1896 has been examined and the name of Clara F. Martin cannot be found thereon.

The case, therefore, comes within the Act of Congress approved May 31, 1900, which provides: That this Commission "shall not receive, consider, or make any record of any application of any person for enrollment as a member of any tribe in Indian Territory who has not been a recognized citizen thereof, and duly and lawfully enrolled or admitted as such".

This case is therefore ordered transferred to a memorandum card, and the card and jacket herein are hereby cancelled.

It is ordered that copies of this statement be filed with the testimony in the above case.

C. R. Breckinridge.
Commissioner.

Dated at Muskogee, Indian Territory,
MAR 7 1902

Department of the Interior.

Commission to the five civilized Tribes.

In the matter of the application of Clara F. Martin for enrollment as a citizen of the Cherokee Nation, she being the daugherter of John M. Martin and Sophie Martin.

Comesnow Clara F. Martin by and throught her fathe and natural guardain John M. Martin, and moves the said commission to the five civilized tribes to set asside the order disallowing her application for enrollement heretefore made and for grounds of said motion says:

That the she is the lawful daughter of John M. Martin and Sophie Martin and that on the date of her application heretefore made that her father Jonn M. Martion and Sophie Reinhardt were not married but that subsequent to that time that they have been married as will more fully appear by reffernce to their marriage certificate herewith filed and marked "Exhibit A" and made a paert hereof and that while this your applicant was not under the rulings of this commission entitled to enrollement under her said former applicantion she is an this date entitled to such enrollement and to all of the rights of a Cherokee by blodd, sincer she is at this time the lawful heir of the said John M. Martin who is a citizen by blood and duly enrolled as such and that under the laws of the State of Arakansas which are in force over the Indain Teritory your petitioner is a legiti mate child of the said John M. Martin and Sophie Martion, that the laws of the said State of Arkansas relative to the same read as follows: Sec. 2525 of Mansfiled's Digest of the Stateutes of Arkansas reads as follows to wit: If a man have by a woman a child or children, and afterwards shall intermarry with her, and shall recognize such children to be his, they shall be deemed and considered as legitimate.

That under the laws of the Cherokee Nation your p eptitoner is duly entitled to enrollmanat as a Cherokee Citizen by blood and that the said laws of the Cherokee Nation relative to this subject reads as follows to wit:

Sec. 892, of the complied laws of the Cherokee Nations reafs as follows "All marriages which are herein prohibited on account of consanguinity between the parties, or on account f either of them having a former husband

(2)

or wife living, shall be absolutley voind in this nation, without any judgment of divorce or other legal proceeding; provided, that the issue from saidx such unlawful marriage shall nevertheless be legitimate; provided, also that then a man, having by a woman one or more children, shall afterwards intermarry with such woamn, such child or children, if recognized by him,or proven to be his, shall thereby be legitimate".

That your pettioner was born on the 8th day of Feb. 1897, and that the fathe and mother of your pettioner ware married on the3rd day of July 1902, and your pettioner has been duly recognized by the said John M. Martin as his daughter.

_____

by _____
Atty.

United States of America, Northern
District of the IndainTeritory.

I, John M. Martin, do solmnly swear that I am personally acquainted with the facts set forth in the foregoing motion and that the statements therein contained are true as I verily believe.

_____

Subscribed and sworn to before me this the 23rd day of Sept. 1902.

_____
Notary Public.

My Com. Expires _____.

R.

DEPARTMENT OF THE INTERIOR.
Commission to the Five Civilized Tribes.
Muskogee, Indian Territory, November 8th, 1902.

In the matter of the application of John M. Martin for the enrollment of his daughter, Clara F. Martin, as a citizen by blood of the Cherokee Nation.

Supplemental to Cherokee Memorandum No. 456.

It appears from the records in this case that on October 19th, 1900, John M. Martin appeared before the Commission to the Five Civilized Tribes at Nowata, Indian Territory, and made personal application for the enrollment of his child Clara F. Martin as a citizen by blood of the Cherokee Nation.

That on April 9th, 1902, the Commission rendered a decision in which it held that the said Clara F. Martin was not entitled to enrollment as a citizen by blood of the Cherokee Nation and denied her application, under the provisions of the act of Congress approved May 31st, 1900. (31 Stats., 221.)

On the same day the case was forwarded to the Department and John M. Martin and the attorney for the Cherokee Nation notified of the action of the Commission.

Under date of May 15th, 1902, the Department affirmed the decision of the Commission denying the enrollment of Clara F. Martin and the said John M. Martin and the attorney for the Cherokee Nation were so notified.

Under date of September 23rd, 1902, there was received and filed with the Commission, a motion made by W. A. Chase, attorney for John M. Martin, requesting that this case be reopened and set down for the introduction of further testimony.

Under date of September 29th, 1902, the Commission recommended to the Department that the record in this case be remanded and that additional testimony be taken, if necessary.

Under date of October 11th, 1902, the case was remanded by the Department and its decision of May 15th, 1902, rescinded.

The applicant this day appears by his attorney, W. A. Chase.

No appearance on the part of the Cherokee Nation.

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There is offered in evidence by the applicant a marriage certificate showing that John M. Martin and Sophie Rinehart, both of Nowata, Indian Territory, were united in matrimony at Independence Kansas, on the 3rd day of July, 1902, by Abram L. Hanbey, a minister of the gospel.

There is also offered in evidence a certified copy of the marriage license issued to John M. Martin and Sophie Rinehart by M. B. Soule, Probate Judge of the County of Montgomery and State of Kansas, on the 3rd day of July, 1902.

JOHN M. MARTIN, being duly sworn, testified as follows.
Examination by Mr. Chase.

Q. State your name? A. John Martin.
Q. Got any middle name? A. John M.
Q. Where do you live? A. Live at Nowata.
Q. Are you the John M. Martin who applied for enrollment to the Commission to the Five Civilized Tribes on October 19th, 1900, at Nowata? A. I am.
Q. Who did you then make application for? A. For myself and child, Clara F. Martin.
Q. When were you married, Mr. Martin? A. July 3rd, 1902.
Q. Where? A. At Independence, Kansas.
Q. By whom were you married? A. A preacher by the name of Hanbey.
Q. To whom were you married? A. Sophie Rinehart.
Q. Do you know Clara F. Martin? A. I do.
Q. Who is her father? A. I am.
Q. When was Clara F. Martin born? A. February 9th, 1897.
Q. Who is the mother of Clara F. Martin? A. Sophie Rinehart.
Q. When were you and Sophie married? A. July 3rd, 1902.
Q. Have you always recognized Clara F. Martin as your child?
A. Yes, sir; I have.
Q. Have you recognized her as your daughter since your marriage?
A. Yes, sir.
Q. Who has supported Clara F. Martin? A. I have.
Q. Paid her doctor bills? A. I have.
Q. Always recognized her as your daughter? A. Yes, sir.
Q. What is your citizenship? A. Cherokee by blood.

Examination by the Commission.

Q. This child is living at this time? A. Yes, sir.
Q. Living at home with you? A. Yes, sir.
Q. Was she born in the Cherokee Nation? A. Yes, sir.
Q. Has she lived there all her life? A. Yes, sir.
Q. You are a recognized citizen of the Cherokee Nation?
A. Yes, sir.
Q. By blood? A. Yes, sir.

SOPHIE MARTIN, being duly sworn, testified as follows:--
Examination by Mr. Chase.

Q. State your name? A. Sophie Rinehart.
Q. Sophie Rinehart? A. Martin, now.
Q. Do you know Clara F. Martin? A. I do.
Q. What relation is she to you? A. She is my child.
Q. When was she born? A. February 9th, 1897.
Q. Who is her father? A. J. M. Martin.
Q. Is that John Martin? A. John Martin.
Q. When were you and John M. Martin married? A. July 3rd, 1902.
Q. Where? A. Independence, Kansas.
Q. Where do you live at this time? A. Nowata, Indian Territory.
Q. How longhave you lived there? A. 9 years last August.
Q. How long has Clara F. Martin lived there? A. Six years this coming February.
Q. She was born there? A. Yes, sir.
Q. Has lived there continuously since that time? A. Yes, sir.
Q. Since the marriage of yourself to John M. Martin has he recognized Clara as his daughter? A. Yes, sir.

Jesse O. Carr, being first duly sworn, states that as stenographer to the Commission to the Five Civilized Tribes he reported the above entitled case and that the foregoing is a true and complete transcript of his stenographic notes thereof.

Jesse O. Carr

Subscribed and sworn to before me this 8th day of November, 1902.

[illegible]
Notary Public.



DEPARTMENT OF
OMMISSION TO THE
FILED
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DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES
FILED
NOV 8 1906
Not in Chronicle

---Marriage License---

This certifies that John H. Martin, of Nowata, State of Indian Territory, and Sophie Rinehart, of Nowata, State of Indian Territory, were by me united in Holy Matrimony, according to the Ordinance of God and the laws of the State of Kansas, at Independence on the third day of July, in the year of our Lord, one thousand nine hundred and two.

Abraham L. Hanbey, L. L. D.
Pastor First M. E. Church, Coffeyville.

Department of the Interior,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
Muskogee, I. T., November 14, 1902.

I, the undersigned, Chief Clerk of the Cherokee Enrollment Division of the Commission to the Five Civilized Tribes and custodian of the records of said Division, do hereby certify that the above and foregoing is a true and correct copy of the original on file in the office of said Division.

Chief Clerk Cherokee Division.

Notary Public.

Cherokee M-650.

aab

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application for the enrollment of Clara F. Martin as a citizen by blood of the Cherokee Nation.

D E C I S I O N.

The evidence in this case shows that on October 14, 1900, John M. Martin appeared before the Commission at Nowata, Indian Territory, and made application for the enrollment of himself and his child, Clara F. Martin, as citizens by blood of the Cherokee Nation. John M. Martin is differently classified and is not embraced in this decision. On April 8, 1902, the Commission rendered a decision holding that the said Clara F. Martin was not entitled to enrollment as a citizen by blood of the Cherokee Nation under the provisions of the Act of Congress approved May 31, 1900 (31 Stats., 221), and on the same day its decision was transmitted to the Secretary of the Interior for his approval. On May 15, 1902, the Secretary of the Interior affirmed the decision of the Commission and on September 23, 1902, the said John M. Martin filed a motion that this case be re-opened and set down for the introduction of further testimony. On October 11, 1902, the case was remanded by the Secretary of the Interior and its action of May 15, 1902, affirming the decision of the Commission herein, was rescinded. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on November 3, 1902.

The evidence herein shows that Clara F. Martin is a child of John M. Martin, a citizen by blood of the Cherokee Nation, and one Sophiah Rinehardt, a white woman. Said Clara F. Martin was born on February 6, 1897, and its parents, the said John M. Martin and Sophiah Rinehardt, were lawfully married on July 5, 1902, and it appears that the said John M. Martin has recognized the said Clara F. Martin as his child.

Section 698 of the Compiled Laws of the Cherokee Nation (1892), provides:

"That when a man, having by a woman one or more children, shall afterwards intermarry with such woman, such child or children, if recognized by him or proven to be his, shall thereby be legitimate."

The evidence further shows that the said Clara F. Martin has resided in the Cherokee Nation all her life.

It is, therefore, the opinion of this Commission that Clara F. Martin should be enrolled as a citizen by blood of the Cherokee

BEST AVAILABLE

Nation, in accordance with the provisions of Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), and it is so entered.

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Andrew C. McReynolds
Commissioner.

Tams Bixby
Commissioner.

C. R. Breckinridge
Commissioner.

Dated at Muskogee, Indian Territory,
this JUL 10 1903

W E Haney

COPY.

Muskogee, Indian Territory, February 14, 1903.

Mr. John M. Martin,

Nowata, Indian Territory.

Sir:

Enclosed herewith please find a copy of the record of the proceedings had in the matter of your application for the enrollment of your alleged child, Clara F. Martin, as a citizen of the Cherokee Nation, together with a copy of the Commission's decision of this date, refusing said application.

This decision, with a copy of the proceedings, has this day been transmitted to the Secretary of the Interior for his review and decision. The final decision of the Secretary will be made known to you as soon as the Commission is informed of the same.

Very respectfully,

Tams Bixby.

Acting Chairman.

Encl. C-R. 301.

Register.

Cherokee-M-450.

COPY.

Muskogee, Indian Territory, April 9, 1902.

Mr. John M. Martin,

Nowata, Indian Territory,

Sir:

On the 19 day of October, 1900, you appeared before the Commission to the Five Civilized Tribes and made application for the enrollment of your minor child, Clara F. Martin, as a citizen by blood of the Cherokee Nation.

It appears from the evidence offered in support of said application, that the applicant above named has never been enrolled by the tribal authorities of the Cherokee Nation, that her name does not appear upon the tribal rolls of the Cherokee Nation now in the possession of this Commission; that she has not been admitted to citizenship in the Cherokee Nation by the Commission to the Five Civilized Tribes, or by the legally constituted authorities of the Cherokee Nation, or by the United States Court in Indian Territory on appeal, in accordance with the provisions of the act of June 10, 1896, (29 Stats. 321); nor does it appear that this applicant is the lawful descendant of any one so enrolled or admitted.

The act of May 31, 1900, (31 Stats. 221), provides:

"That said Commission shall continue to exercise all authority heretofore conferred on it by law, but it shall not receive, consider, or make any record of any application of any person for enrollment as a member of any tribe in Indian Territory, who has not been a recognized citizen thereof, and duly and lawfully enrolled or admitted as such, and its refusal of such applications shall be final when approved by the Secretary of

the Interior.

The Commission has, therefore, on this day decided that your minor child above named, is not a citizen of the Cherokee Nation and duly and lawfully enrolled or admitted as such, and that, pursuant to the provision of law above quoted, the Commission is without authority to receive, consider, or make any record of the application for the enrollment of your minor child as a citizen of the Cherokee Nation.

A copy of the record of the proceedings in this case is herewith enclosed. You are informed that the Commission has on this day forwarded a memorandum of its action to the Secretary of the Interior, with a copy of the proceedings, for his consideration and final decision.

The Secretary's final action will be duly communicated to you when the same is made known to this Commission.

THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

By Acting Chairman.

Encl.-M-456.
Register.

DEPARTMENT OF THE INTERIOR.
COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, Indian Territory, April 9, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings in the matter of the application for enrollment as a Cherokee citizen of Clara P. Martin, refused by the Commission under the provisions of the act of Congress approved May 31, 1900, in its decision of this date, and which has this day been separately transmitted in duplicate to the Department.

This application will be found in said decision as No. 456; it is entitled Clara P. Martin, and is known as a Cherokee Memorandum application.

Respectfully,

Acting Chairman.

Through the Commissioner
of Indian Affairs.

1 enclosure C.M.426.

(COPY)

Refer in reply to the following Land. 23516-1902.

DEPARTMENT OF THE INTERIOR.

OFFICE OF INDIAN AFFAIRS,

Washington, May 13, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

There is transmitted, herewith, memorandum of the Commission to the Five Civilized Tribes in the matter of the application of John M. Martin for the enrollment of his minor child Clara F. Martin as a citizen of the Cherokee Nation.

From the testimony and record it appears that Clara F. Martin is the alleged child of John M. Martin a citizen by blood of the Cherokee Nation, and Sophia Rinehardt, a white woman and non-citizen, and that said Martin and Sophia Rinehardt were never married.

It further appears that the said applicant has never been enrolled, admitted or recognized as a Cherokee citizen, and therefore the Commission had no authority to enroll said applicant.

I respectfully recommend that the decision of the Commission on this application be approved.

Very respectfullly,

Your obedient servantm

A. C. Tonner

Acting Commissioner.

E. S. S. (Cg.)

D. C. No. 8357-1902.

(COPY)

L. R. S. 29216

DEPARTMENT OF THE INTERIOR.
WASHINGTON.

I. T. D. 3110-1902. WHR.

May 15, 1902.

The Commission

to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

The Department has considered the case involving the application of John M. Martin, for the enrollment of his minor child, Clara F. Martin, as a citizen by blood of the Cherokee Nation (No. 456), forwarded with your communication dated April 9, 1902, and rejected under the provisions of the Act of May 31, 1900 (31 Stats., 221).

From the evidence submitted said minor child is supposed to be the child of John M. Martin, a citizen by blood of the Cherokee Nation, and Sophia Rinehardt, a white woman and non-citizen; that said alleged parents were never married; that her name does not appear upon the census roll of 1896 and that she has never been enrolled by the tribal authorities of said Nation; that she has not been admitted to citizenship therein by your Commission, by the legally constituted authorities of the Nation, or by the United States Court on appeal in accordance with the provisions of the Act of June 10, 1896 (29 Stats., 321), nor does it appear that she is the lawful descendant of any one so enrolled or admitted.

The Acting Commissioner of Indian Affairs forwarded your communication under date of May 13, 1902, recommending that your decision rejecting the applicant be affirmed inasmuch as you were without authority to enroll her under said Act of May 31, 1900.

The record in this case has b en examined and your decision appearing to be in accordance with said Act above referred to, the same is accordingly affirmded.

A copy of the Acting Commissioner's report is inclosed herewith.

Respectfully,

Thos. Ryan,

Acting Secretary.

EMD.

COPY. Cherc. Nom. 456

Muskogee, Indian Territory, May 27, 1902.

John M. Martin,

Nowata, Indian Territory.

Dear Sir:

You are advised that the Commission is in receipt of a letter from the Secretary of the Interior dated May 15, 1902, approving the decision of the Commission communicated to you on April 9, 1902, refusing to enroll your child, Clara P. Martin, as a citizen of the Cherokee Nation.

You are further advised that the refusal as now communicated to you is final.

Yours truly,

(SIGNED) Tams Bixby

Acting Chairman.

Registered.

COPY. Chero. Nom. 455.

Muskogee, Indian Territory, May 27, 1903.

W. W. Hastings, Esq.,
Attorney for Cherokee Nation,
Muskogee, Indian Territory.

Sir:

You are hereby advised that the Commission's decision of April 9, 1903, rejecting the application of John M. Martin for the enrollment of his child, Clara F. Martin, as a citizen of the Cherokee Nation was affirmed by the Secretary of the Interior on the 15th day of May, 1903.

Very respectfully,

CHCHCM. Tams Bixby,
Acting Chairman.

Muskogee, Indian Territory, September 29, 1902.

The Honorable,

The Secretary of the Interior.

Sir:

April 9, 1902, the Commission denied the application of John M. Martin, for the enrollment of his child, Clara F. Martin, as a citizen by blood of the Cherokee Nation, under the provisions of the Act of Congress, approved May 3, 1900 (31 Stats., 221), which decision was approved by the Department, May 15, 1902. (Cherokee Memorandum Case, No. 456.).

It appears from the record in this case that on October 19, 1900, at Nowata, Indian Territory, John M. Martin who is identified on the tribal rolls of the Nation as a native Cherokee, made personal application for the enrollment of Clara F. Martin, alleging that she was his daughter by Sophie Reinhardt, a white woman. It further appears that he and the said Sophie Reinhardt were not married when this application was made.

The said Clara F. Martin is not identified upon any of the tribal rolls of the Nation in possession of the Commission, having been born since the last roll was compiled.

On the 23rd day of September, 1902, John M. Martin by his

attorney, filed a motion to re-open the cause, alleging that since application had been made for the enrollment of Clara F. Martin, he and Sophie Reinhardt were duly united in marriage, and that in accordance with Section 692 of the Compiled Laws of the Cherokee Nation (Edition of 1892) which provides:

> "All marriages which are herein prohibited on account of consanguinity between the parties, or on account of either of them having a former husband or wife then living, shall be absolutely void in this Nation, without any judgment of divorce or other legal proceedings provided, that the issue from such unlawful marriage shall nevertheless be legitimate; provided, also, that when a man, having by a woman one or more children, shall afterwards intermarry with such woman, such child or children, if recognized by him, or proven to be his, shall thereby be legitimate";-

the said Clara F. Martin is entitled to enrollment as a citizen by blood of the Cherokee Nation.

In view of the fact that the parents of the said Clara F. Martin are now lawfully married, I respectfully recommend that the record in this case be remanded, in order that a decision may be prepared in accordance with the facts as they now exist, and for the purpose of taking additional testimony if necessary.

Respectfully,

Acting Chairman.

Through the

Commissioner of Indian Affairs.

Refer in reply to the following:
Land
29216
58551-1902.

Department of the Interior,

Office of Indian Affairs,

Washington,

October 9, 1902.

The Honorable

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith the report made September 29, 1902, by the Commission to the Five Civilized Tribes, asking that the record in the matter of the application of John M. Martin for the enrollment of his child Clara Martin as a citizen by blood of the Cherokee Nation be returned to the Commission for reinvestigation and consideration.

The said application was finally denied by the Department on May 15, 1902, I.T.D.3110,1902.

The office believes that the Commission should have an opportunity to reconsider this case, if it so desires, and therefore respectfully recommends that the Department return the original record, which is herewith enclosed, to the Commission according to its request.

Very respectfully,

Your obedient servant,

Acting Commissioner.

W.C.V. H'r.

DC 18722-1902

J. P.

DEPARTMENT OF THE INTERIOR, RAF.

Washington,

ITD.6175-1902. October 11, 1902.

Commission to the Five Civilized Tribes,

Muskogee, I. T.

Gentlemen:

May 15, 1902, the Department affirmed your decision rejecting the application of John M. Martin for enrollment of his child, Clara F. Martin, as a citizen of the Cherokee Nation.

The Department is in receipt of your letter of September 29, 1902, stating that on September 23, 1902, Martin filed a motion to reopen the case, alleging that since application had been made for the enrollment of his child he and Sophie Reinhardt, the mother of said Clara F. Martin, were duly united in marriage, and that in accordance with section 692 of the compiled laws of the Cherokee Nation said Clara F. Martin is entitled to enrollment as a citizen by blood of the Cherokee Nation. In view of the fact that the parents are now lawfully married, you recommend that the record in the case be returned to you in order that a decision may be rendered in accordance with the facts, and for the purpose of taking additional testimony, if necessary.

Reporting in the matter October 9, 1902, the Acting

Commissioner of Indian Affairs recommends that the Department return the record as requested. A copy of his letter is inclosed.

The decision of the Department of May 15, 1902, is hereby rescinded, and the record is returned for further proceedings as suggested by you.

Respectfully,

Thos. Ryan,
Acting Secretary.

2 inclosures.

COPY.

Cherokee M-488

Muskogee, Indian Territory, October 24, 1902.

John M. Martin,

Nowata, Indian Territory.

Dear Sir:-

You are hereby advised that under date of October 11, 1902, the Secretary of the Interior returned to the Commission the record of the proceedings, including the decision of the Commission, in the matter of your application for the enrollment of your child, Clara F. Martin, as a citizen of the Cherokee Nation, with instructions to take additional testimony.

In accordance with said instructions, you are hereby notified that this case has been set down for further hearing at the office of the Commission to the Five Civilized Tribes, at Muskogee, Indian Territory, on Saturday, November 8, 1902.

Respectfully,

Tams Bixby.

Acting Chairman.

Register.

COPY.

Cherokee M-486

Muskogee, Indian Territory, October 24, 1902.

W. A. Chase,

Attorney for John M. Martin et al.,

Nowata, Indian Territory.

Dear Sir:-

You are hereby advised that under the date of October 11, 1902, the Secretary of the Interior returned the record of the proceedings, including the decision of the Commission to the Five Civilized Tribes, in the matter of the application of John M. Martin for the enrollment of his child, Clara P. Martin, as a citizen of the Cherokee Nation, for the purpose of taking additional testimony.

In accordance with said instructions, you are hereby advised that this case has been set down for further hearing at the office of the Commission to the Five Civilized Tribes, at Muskogee, Indian Territory, on Saturday, November 8, 1902.

Respectfully,

Tibbey.

Acting Chairman.

Register.

COPY.

Cherokee M-456

Muskogee, Indian Territory, October 24, 1902.

W. W. Hastings, Esq.,
Attorney for the Cherokee Nation,
Muskogee, Indian Territory.

Dear Sir:-

You are hereby advised that under date of October 11, 1902, the Secretary of the Interior returned the record of the proceedings, including the decision of the Commission to the Five Civilized Tribes, in the matter of the application of John M. Martin for the enrollment of his child, Clara F. Martin, as a citizen of the Cherokee Nation, for the purpose of taking additional testimony.

In accordance with said instructions, you are hereby advised that this case has been set down for further hearing at the office of the Commission to the Five Civilized Tribes, at Muskogee, Indian Territory, on Saturday, November 8, 1902.

Respectfully,

Tams Bixby.

Acting Chairman.

Register.

COPY.

Cherokee M-456.

Muskogee, Indian Territory, July 17, 1903.

W. W. Hastings,

Attorney for Cherokee Nation,

Tahlequah, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated July 10, 1903, granting the application of John M. Martin for the enrollment of his child, Clara F. Martin, as a citizen by blood of the Cherokee Nation.

You are hereby advised that you will be allowed fifteen days from date hereof in which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file [illegible] within the time allowed, this decision will be considered final.

Respectfully,

T. B. Needles.

Commissioner in Charge.

Enc. M-1.

COPY.

Cherokee Memorandum-496

Muskogee, Indian Territory, August 24, 1903.

John F. Martin,

Nowata, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated July 10, 1903, granting your application for the enrollment of your minor child, Clara F. Martin, as a citizen by blood of the Cherokee Nation. There has heretofore been furnished your attorney, W. A. Chase, Nowata, Indian Territory, a copy of the record of proceedings and there has this day been forwarded to him a copy of the Commission's decision.

The decision, with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

T. B. Needles.

Commissioner in Charge.

Enc. D. 166

Register

COPY.

Cherokee Memorandum-166

Muskogee, Indian Territory, August 24, 1903

W. A. Chase,

Attorney for Clara F. Martin,

Nowata, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated July 10, 1903, granting the application of John M. Martin for the enrollment of his minor child, Clara F. Martin, as a citizen by blood of the Cherokee Nation. You have heretofore been furnished with a copy of the record of proceedings.

The decision, with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

T. B. Needles.

Enc. D-166

Register.

Commissioner in Charge.

COPY

Cherokee M-456

Muskogee, Indian Territory, August 24, 1903

The Honorable

The Secretary of the Interior.

Sir:

In Cherokee Memorandum 456, Clara F. Martin, on April 9, 1902, the Commission rendered a decision rejecting the applicant and on the same date transmitted said decision to the Department for approval. This decision was affirmed by the Department on May 15, 1902. On motion of the applicant accompanied by the Commission's favorable recommendation, the Department, in its letter of October 11, 1902 (I.T.D. 6175-1902), rescinded its former decision and returned the record in this case for further proceedings.

There is now transmitted the record of proceedings, including the Commission's decision dated July 10, 1903, granting said application.

Respectfully,

T. B. Needles

Commissioner in Charge.

Through the
Commissioner of Indian Affairs.

Enc. D-167

LAND.
56864/1903.

DEPARTMENT OF THE INTERIOR,
OFFICE OF INDIAN AFFAIRS,
WASHINGTON.

C O P Y.

D.C. 9870-1904.

March 17, 1904.

The Honorable,

The Secretary of the Interior.

Sir:

There is enclosed herewith the report from the Commission to the Five Civilized Tribes dated August 24, 1902, transmitting the record relative to the application of Clara F. Martin for enrollment as a Cherokee. John M. Martin is also a party to the case, but as he is differently classed, the Commission did not pass upon his right.

May 15, 1902, the Department approved the decision of the Commission adverse to the contentions of the applicant. October 11, 1902, the Department allowed the motion of John M. Martin that the case be reopened.

The record in this case shows that Clara F. Martin is a child of John M. Martin, a citizen by blood of the Cherokee Nation and Sophia Rinehardt, a white woman. Clara F. Martin was born February 9, 1897, and her parents were lawfully married, the record shows, July 3, 1902.

Section 692 of the Compiled Laws of the Cherokee Nations reads "That when a man having by a woman one or more children, shall afterwards intermarry with such woman, such child or children if recognized by him or proven to be his, shall thereby be legitimatized." John M. Martin recognizes Clara Martin as his child and in as much as by his marriage with the mother of Clara Martin, the provisions of Section 692 have been complied with, the approval of the Commission's decision of July 10, 1903, favorable to the applicant is recommended.

Very respectfully,

A. C. Tonner,

Acting Commissioner.

CAT-H.

W.C.F.

DEPARTMENT OF THE INTERIOR,

WASHINGTON. FHE.

I.T.D. 2406-1904. D.C. 9870-1904.

March 25, 1904.

L.R.S.

Commission to the Five Civilized Tribes,

Muskogee, Indian Territory.

Gentlemen:

On August 24, 1903, you resubmitted the record in the matter of the application of John M. Martin, for the enrollment of himself and child, Clara F. Martin, as citizens by blood of the Cherokee Nation, including your decision of July 10, 1903, holding that the said Clara F. Martin is entitled to enrollment, and stating that the said John M. Martin is differently classified and not embraced therein.

Concurring in the recommendation of the Acting Commissioner of Indian Affairs, in his letter of March 17, 1904, the Department approves your decision. A copy of the Acting Commissioner's letter in enclosed.

Respectfully,

Thos. Ryan,

Acting Secretary.

1 enclosure.

Cherokee M-456.

Tahlequah, Indian Territory, April 18, 1904.

W. W. Hastings,

Attorney for the Cherokee Nation,

Tahlequah, Indian Territory.

Dear Sir:-

You are hereby notified that on March 26, 1904, the decision of this Commission of July 10, 1903, granting the application of John M. Martin, for the enrollment of his minor child, Clara P. Martin, as a citizen by blood of the Cherokee Nation, was approved by the Secretary of the Interior.

Respectfully,

Commissioner in Charge
Cherokee Land Office.

HP

Cherokee M-456.

Tahlequah, Indian Territory, April 18, 1904.

W. A. Chase,

Attorney for Clara F. Martin,

Nowata, Indian Territory.

Dear Sir:-

You are hereby notified that on March 25, 1904, the decision of this Commission of July 10, 1903, granting the application of John M. Martin, for the enrollment of his minor child, Clara F. Martin, as a citizen by blood of the Cherokee Nation, was approved by the Secretary of the Interior.

Respectfully,

Commissioner in Charge
Cherokee Land Office.

RP

Cherokee M-456.

Tahlequah, Indian Territory, April 18, 1904.

John M. Martin,

Nowata, Indian Territory.

Dear Sir:-

You are hereby notified that on March 26, 1904, the decision of this Commission of July 10, 1903, granting your application for the enrollment of your minor child, Clara F. Martin, as a citizen by blood of the Cherokee Nation was approved by the Secretary of the Interior.

Respectfully,

Commissioner in Charge
Cherokee Land Office.

KP

R 301 Make mem^{o}
Case - if not on roll

Insert statement
in record of request of
search of roll.

C. R. B.

DEPARTMENT OF THE INTERIOR

COMMISSION TO THE FIVE CIVILIZED TRIBES

Cher 10729

John Dawson

Trans. from D580

Cher 10729

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I.T., October 15, 1900.

In the matter of the application of John Dawson for enrollment as a Cherokee by blood; being sworn and examined by Commissioner Needles, he testified as follows:

Q What is your name? A John Dawson.
Q What is your age? A 27.
Q What is your post office address? A Talala.
Q Are you a recognized citizen of the Cherokee Nation? A Yes, sir.
Q By blood? A Yes, sir.
Q Your name appear upon the rolls of 1880? A On the 1896 roll.
Q What evidence have you got of your citizenship? A My father has a certificate.

(Applicant presents a certificate of admission issued from the office of the Commission on Citizenship, on the 11th of January, 1883, signed by Thomas Teehee, President of the Commission, Alex Wolf and T. F. Thompson, Commissioners, attested by D. W. C. Duncan, Clerk of the Commission, and by John L. Adair, Assistant Executive Secretary of the Cherokee Nation, under the great seal of the Nation, certifying that F. M. Dawson was admitted to Cherokee citizenship on the 11th of January, 1883.)

Q What is your father's name? A F. M. Dawson.
Q Is he living? A Yes, sir.
Q What is your mother's name? A My mother is dead, Julia Ann.
Q When were you born, Mr. Dawson? A In 1871.
Q For whom do you act to apply for enrollment? A Just myself.
Q Are you the son of F. M. Dawson? A Yes, sir.
Q Are there two John Dawsons besides yourself? A Yes, sir.
Q Did you draw strip money? A Yes, sir.

(On 1894 roll, page 175, no. 1317, John Dawson, Coowescoowee district.)

The name of John Dawson appears upon the census roll of 1894. His name does not appear upon the authenticated roll of 1880, neither upon the census roll of 1896. He avers and makes satisfactory proof that he is the son of F. M. Dawson, whose name appears in the certificate of admission to citizenship as described in the testimony. Satisfactory proof has been made as to his residence, and he is fully identified as the son of the said F. M. Dawson. Because of the protest of the Cherokee Nation as to the enrollment of all persons admitted by the name of Dawson on said date, January 11, 1883, final decision as to the enrollment of said John Dawson will be suspended and his name will be placed upon a doubtful card.

Bruce G. Jones, being duly sworn, says that as stenographer to the Commission to the Five Civilized Tribes he correctly recorded the proceedings and testimony in the above case, and the foregoing is a true and complete transcript of his stenographic notes thereof.

Bruce G. Jones

Sworn to and subscribed before me this the 15th of October, 1900.

Commissioner.

Statement of Applicant Taken Under Oath.

CHEROKEES BY BLOOD AND ADOPTION.

Date OCT 15 1900 1900.

Name John Ramson Talala I.T.

District COOWEESCOOWEE. Year 1896 Page 176 No. 1317

Citizen by blood Yes Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Wife's name

District Year Page No.

Citizen by blood Mother's citizenship

Intermarried citizen

Married under what law Date of marriage

License Certificate

Names of Children:

	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age
	Dist.	Year	Page	No.	Age

D 580

DEPARTMENT OF THE INTERIOR
COMMISSION TO THE FIVE CIVILIZED TRIBES.

FILED
OCT 15 1900

ACTING CHAIRMAN

COMMISSIONERS
HENRY L. DAWES,
TAMS BIXBY,
THOMAS B. NEEDLES,
C. R. BRECKINRIDGE.

ALLISON L. AYLESWORTH,
SECRETARY

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

Muskogee, I. T. Feb 26 1902

Received of the Commission to the Five Civilized Tribes one copy of the testimony in the matter of the application of [redacted] for enrollment as [redacted] of the Cherokee Nation.
citizen

[redacted]
(Atty for Applicant)

No. [redacted]

C. D. 580

AFFIDAVIT.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT.

In the matter of the application of Colyer for enrollment as a Cherokee Freedman.

No. 4 D 760

I, J. C. STARR, of lawful age, being duly sworn on oath states that on the 10th day of March, A. D. 1902, he registered to John Pearson, whose postoffice is Tulsa, Indian Territory, a notice, a true copy of which is attached to this affidavit, and he hereto attaches the receipt of the Postmaster at Vinita, Indian Territory; and that on the 13th day of March, 1902, he received the return card which is hereto attached, signed by the said John Pearson, showing that he had received said notice.

J. C. Starr.

Subscribed and sworn to before me on this the 13 day of March A. D. 1902.

J. C. Starr
Notary Public.

NOTICE!

IN THE MATTER OF the application of John Dawson for enrollment as Cherokee citizens:

Case No. D 550

To [illegible] Tahlequah I.T.

You are hereby notified that the Cherokee Nation will present before the United States Commission to the Five Civilized Tribes testimony on behalf of the Cherokee Nation tending to disprove your right to be enrolled as a Cherokee citizen at the office of the United States Commission to the Five Civilized Tribes in the town of Muskogee, I. T. Indian Territory, on [illegible] or from day to day thereafter until the same can be heard by said Commission during the usual business hours of said Commission for the taking of testimony both for and against applicants for enrollment as Cherokee citizens.

In testimony whereof, the undersigned representatives of the Cherokee Nation have hereunto set our hands this [illegible].

W. W. Hastings

Attorneys for the Cherokee Nation.

C. D. 580

D

D080

INDIAN TERRITORY,
CHEROKEE NATION.

I hereby certify that I served the within notice on .....

.....

by delivering a true copy thereof on the

..... day of ..... A. D. 190..

Given under my hand this .....

day of ..... A. D. 190

.....

Marshal for the Cherokee Nation.

I, the undersigned attorney for the within named applicant, hereby accept service of the within notice on this the

..... day of ..... 190 .

.....

Attorney for applicant.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT. } S. S.

I do solemnly swear that I delivered a true copy of the within notice to .....

.....

on the ..... day of ..... A. D. 190

.....

Subscribed and sworn to before me

this .....

.....

Notary Public.

FILED
MAR 15 [illegible]

[illegible]

To be filed in C. D-880.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., April 8, 1902.

In the matter of the application of Francis Marion Dawson et al for enrollment as citizens of the Cherokee Nation. He being sworn and examined by the Commission, testified as follows:

Q What is your name? A Francis Marion Dawson.
Q How old are you? A Soon will be sixty years old.
Q What is your postoffice address? A Afton now, it used to be Oseuma
Q What was the name of your wife? A My first wife was Julia Ann Howard
Q She was a white woman? A Yes sir.
Q When were you married to her? A I think it was the 8th of January, 1864.
Q Where were you living at that time? A In Arkansas.
Q Who married you? A A man by the name of Dave Sturdy.
Q Was he a preacher? A Yes sir.
Q A minister of the Gospel? A Yes sir.
Q Did you and she live together as husband and wife up to the time of her death? A Yes sir.
Q Did you have any children by her? A Yes sir.
Q What are their names? A William R. Dawson.
Q The next one? A Francis Marion Dawson Jr.
Q The next one? A Johnnie.
Q The next child? A Elizabeth
Q The next one? A Arizona Allred.
Q These are all the children you had by your first wife? A Yes sir.

Joseph R. Dawson being sworn and examined by the Commission, testified as follows.
Q What is your name? A Joseph R. Dawson.
Q How old are you? A I will be 51 the 18th day of June.
Q Are you related to the applicant here in this case, Francis M. Dawson? A Yes sir.
Q How are you related to him? A A brother.
Q Did you know his former wife, Julia? A Yes sir.
Q Is she living or dead? A She is dead.
Q Was she a Cherokee or white woman? A I couldn't say what; they married in the states.
Q Do you know when he was married to her? A Yes sir.
Q When was it? A About the close of the war.
Q Who married them? A Parson Sturdy.
Q Were you present when they were married? A Yes sir.
Q Did they continue to live together as man and wife up until the time his wife Julia died? A Yes sir.

John K. Stevens, being sworn and examined by the Commission, testified as follows.
Q What is your name? A John K. Stevens.
Q How old are you? A 56 years old.
Q What is your postoffice address? A Afton.
Q Are you acquainted with the applicant here in this case, Francis M. Dawson? A Yes sir, as wecall him, Bud Dawson.
Q How long have you known him? A My first acquaintance with him was in '61.
Q Did you know his first wife Julia? A Yes sir.
Q Do you know whether or not they were married? A Yes sir, they were married.
Q Were you present at the marriage? A No, I wasn't present at the marriage.
Q Did you see them soon after their marriage? A Yes sir.
Q Did you continue to know them for any length of time afterwards? A I knowed them as long as she lived.
Q During the time you knew them did they live together as husband

S-F.M.D.

and wife? A Yes sir.
Q Were they recognised in the community as such? A Everybody recognized them.

This testimony will be filed with and made a part of the record in thefollowing Cherokee cases:
Arizona Allred et al D-535; John Dawson D-580; William R. Dawson D-581; Lizzie Dawson D-564 and Francis M. Dawson Jr. D-566.

— o —

I, the undersigned stenographer to the Commission to the Five Civilized Tribes, do hereby certify that I recorded the proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

E. Rothenberger

0820

2.

DEPARTMENT OF THE INTERIOR.
Commission to the Five Civilized Tribes,
Muskogee, Indian Territory, July 31st, 1902.

In the matter of the application of John Dawson for the enrollment of himself as a citizen by blood of the Cherokee nation.

Supplemental to D-300.

Appearances:
A. S. McKennon for Applicant.
W. W. Hastings for Cherokee nation.

ALBERT H. DAWSON, being duly sworn, testified as follows:
Examination by Mr. McKennon.

Q. What is your name? A. Albert H. Dawson.
Q. Where do you reside? A. Afton, Indian Territory
Q. Do you know John Dawson? A. Yes, sir.
Q. How long have you known him? A. I have known him about 16 years.
Q. Where has he resided during that time? A. Why, he resided at Afton a part of the time and part of the time out in Nowata.
Q. He has resided in the Cherokee nation continuously during that time? A. Yes, sir.
Q. Still living in the Cherokee nation? A. Yes, sir.

Jesse O. Carr, being first duly sworn, states that as stenographer to the Commission to the Five Civilized tribes he correctly recorded the testimony and proceedings in this case and that the foregoing is a true and correct transcript of his stenographic notes thereof.

Jesse O. Carr

Subscribed and sworn to before me this 31st day of July, 1902.

H. G. Reuter
Notary Public.

To be filed with C. D. 648, John B. Fishback.

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES,
VINITA, I. T., SEPTEMBER 27th, 1900.

IN THE MATTER OF THE APPLICATION OF Francis Marion Dawson, wife and children for enrollment as citizens of the Cherokee Nation, and he being sworn by Commissioner, C. R. Breckinridge, testified as follows:

Q What is your full name? A Francis Marion Dawson.
Q What is your age? A I am fifty eight years old.
Q What is your Postoffice? A Oseoma.
Q What District do you live in? A Delaware.
Q Who is it you want to have enrolled? A Myself and family.
Q Your wife? A Yes, sir.
Q How many children? A Six.
Q Do you apply for enrollment as a Cherokee by blood? A Yes, sir.
Q Is your wife a Cherokee by blood? A No, sir: she is a white woman.
Q How long have you lived in the Cherokee Nation? A Since 1883.
Q Were you admitted by the Cherokee Commission? A Yes, sir.

The applicant presents a duly authenticated certificate of admission to citizenship, showing that on the 11th day of January, 1883, certain persons were admitted by the Commission on citizenship, and among them appears the name of F. M. Dawson.

Q That is your name is it? A Yes, sir.

This is recognized as satisfactory evidence of the facts stated.

Q Have you lived in the Cherokee Nation ever since your admission? A Yes, sir; in Delaware District ever since.
Q Give me the name of your wife? A Katie Dawson.
Q How old is she now? A Forty five.
Q Was she admitted with you? A No, sir.
Q Have you married her according to Cherokee law since your admission? A No, sir.
Q You have not remarried since your admission? A No, sir; it was not necessary.

The applicant presents a duly authenticated marriage license and certificate, showing that he was married to his wife, as stated by him, in 1882, by the [illegible], in [illegible] County, Arkansas, the license being issued by the Clerk of that County.

Those papers are filed herewith.

Q Your wife was not admitted by the Cherokee Commission, when you were? A No, sir.
Q Or at any other time? A No, sir.
Q By act of the Commission or Council? A No, sir: she was placed on the rolls.
Q On the census rolls? A Yes, sir.
Q Give me the names of your children. Eldest? A Lula.
Q How old? A Seventeen.
Q Next child? A Fay.
Q How old? A Fifteen.
Q Next child? A Jennie Jane.
Q How old? A Fourteen.
Q Next child? A Jacob Levy.
Q How old? A Ten.
Q Next child? A Ruth A.
Q How old? A He is eight I believe.

Q Next child? A Laura.
Q How old is that child? A She is four years old.
Q Is that all? A Yes, sir; six of them. I have others, but they are not at home.
Q Are they married? A No, sir.
Q Are they over age? A Yes, sir.

(1896 Roll, Page 461, #902, Francis Marion Dawson, Delaware.)
(1896 Roll, Page 569, #135, Katie Dawson, Delaware District.)
(1896 Roll, Page 461, #903, Lula Dawson, " "
(1896 Roll, Page 461, #904, Ray Dawson, " "
(1896 Roll, Page 461, #905, Jesse James Dawson, Delaware Dis't.)
(1896 Roll, Page 461, #906, Jacob Levy Dawson, " "
(1896 Roll, Page 461, #907, Hugh A. Densmore Dawson," "
(1896 Roll, Page 461, #908, Laura Albertie Dawson, " "

Q Is this Lula or Luly? A Luly.
The applicant applies for the enrollment of himself, wife and six children:
Q Were these children all born since you were admitted into the Cherokee Nation? A Yes, sir.

The applicant is shown by the certificate of admission, cited in the testimony, to have been admitted to Cherokee citizenship, by the Commission on Citizenship, January 11th, 1883; he is identified on the roll of 1896, but the representative of the Cherokee Nation desires to make inquiry into the methods of that time, and for that reason, the application of the applicant will at present be placed on a "Doubtful Card." He has lived in the Cherokee Nation ever since his admission to citizenship. His wife was married to him under United States law, and was married prior to his admission: she has never been remarried according to Cherokee law: She has lived with him ever since his admission to citizenship, and she is identified on the roll of 1896. The application for her enrollment will be placed on a "Doubtful Card".

Their six children, as enumerated in the testimony are identified on the roll of 1896: They are living at this time, all having been born since his admission (Applicant's). These children will be placed with him on a "Doubtful Card". The applicant's marriage to the mother of these children is established by the marriage license and certificate filed herewith. If any additional papers, adverse are developed in this case, he will be given timely notice thereof.

The undersigned, being sworn, states that as stenographer to the Commission to the Five Civilized Tribes, he correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

(Signed) R. R. Cravens.

Subscribed and sworn to before me
this 18th day of September, 1900.

(Signed) C. R. Breckinridge,
Commissioner.

BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the enrollment :
of F. M. Dawson and others as :
Cherokee citizens. :

Depositions of sundry persons in behalf of the applicants for enrollment mentioned in the title, taken before me, Lewis T. Martin, a Notary Public in and for the Northern District of the Indian Territory, duly appointed, qualified and acting as such, at the office of G. B. Denison in the Gray-Halsell building in the town of Vinita, Indian Territory, on Thursday the fourth day of October 1900, between the hours of one and a half o'clock and six o'clock in the afternoon of said day, in accordance with the agreement to take testimony, entered into between the applicants and the Cherokee Nation, by their respective attorneys, which agreement is hereto attached.

T. F. Thompson, being produced by the applicants, being first duly sworn to testify to the truth, the whole truth and nothing but the truth, testified as follows:

DIRECT EXAMINATION BY G. B. DENISON:

Q State your name, age, residence and occupation?
A T. F. Thompson, 53 years old, I live near Vinita, Cherokee Nation, I. T. I am a farmer.
Q How long have resided in the Cherokee Nation? A All my life.
Q Are you a citizen of the Cherokee Nation as now constituted?
A Yes, sir.
Q Upon what is that citizenship based, blood or otherwise?
A Blood.
Q What, if any official position have you held in the Cherokee Nation, and at what time?
A I was elected to the Cherokee Council in 1870 some odd, I don't remember the exact year, I was also on the Commission Court.
Q Do you remember when that was? A Some tim in 1869 or 1871, I think, it may have been earlier.
Q Did that Commission or Court have anything to do with admission to citizenship in the Cherokee Nation? A Yes, sir.
Q State, if you remember, how many members of that Commission or Court, there were, and who they were besides yourself?
A There were three, Tehee, Wolf and myself, Tehee was President of the Court.
Q Where were the sessions of that body held? A Tahlequah, Cherokee Nation.
Q Did you have a Clerk? A Yes, sir.
Q Do you remember who that was? A D. W. C. Duncan.
Q Do you know whether the members of that Commission beside yourself, are living or dead? A Yes, sir, they are both dead.
Q Can you recollect now what period of time that Commission lasted?
A About two years I think, two sessions, and there was one session each year.
Q Were the sessions of that body held in Tahlequah, open to the public at all times when it was in session?
A Yes, sir.
Q Were the cases coming before that body heard in open session?
A Yes.
Q Witnesses examined orally? A Yes, sir.

Q Judgments of the Court or Commission pronounced in open session?
A In case of decisions I think they sometimes had secret sessions, yes, the judgments of the Commission were pronounced openly.
Q What you intended to convey by you answer to the former question was that after hearing the proof the Commission or Court deliberated in secret session upon the testimony taken before reaching a decision or announcing it? A After hearing all the testimony we went into secret session.
Q I will present you with a paper which the Notary will mark exhibit "A" and a copy of which he will attach to your deposition, and will ask you if with the exception of the certificate of record by H. L. Dragdon, Clerk, and John L. Adair Asst. Ex. Secretary, you recognize it as a paper you have ever seen before?
A I recognize the signature to it, but don't remember the instrument.
Q Which signature on that paper do you recognize? A My own.
Q That signature is in your own handwriting? A Yes, sir.
Q Do you know whether Th mas Tehee, president of the Commission could write in English or not? A No, I don't think he could.
Q How as to Alexander Wolfe, a member of the Commission?
A I don't think he could write either, I don't think either of them ever wrote except by touching the pen.
Q Were you, and are you familiar with the handwriting of D. W. C. Duncan, the Clerk of that Commission?
A Tolerably well, but it has been a long time since I saw any of it.
Q Will you look at the paper again and say whether you recognize his signature attached thereto?
A Yes, that is his signature to the best of my knowledge.
Q Do you preserve any personal recollection of the application before that Commission of F. H. Dawson and other members of the Dawson family, to be admitted as citizens of the Cherokee Nation by that Commission?
A I remember F. H. Dawson and his brother, that is about the only ones I remember.
Q The question was not as to the personal recollection of the witness, but as to the claim being presented by the Dawsons for admission?
A Yes, there was such a claim before the Commission.
Q Can you state as to the citizenship of Thomas Tehee, whether he was a citizen of the Nation by blood or not?
A Yes, sir, he was always recognized as such, full blood besides.
Q What is your knowledge of Alexander Wolfe?
A About the same, he was also a full blood and recognized as a Cherokee.
Q Judge Thompson, if you possessed or had, or have now any knowledge of any corruption or bribery of the court or commission, or have ever heard it by F. H. Dawson or any of the Dawson family or anybody connected with the presentation of their claim for citizenship, state it fully?
A None whatever as far as I was concerned, and I don't think there was on the balance of the Court.

CROSS-EXAMINATION BY W. T. HUTCHINGS:

Q Do you mean to say Mr. Thompson that your name attached to the certificate shown you is in your handwriting?
A Yes, Sir.
Q The D. W. Duncan certified that this is a transcript of the decision in the case, he is mistaken, that is the original?
A No, I don't know, that may be the original, if that is not the original I have not sign it, if it is the original I signed it.
Q You state that the witnesses were examined orally before the Court, don't you know that in almost every case you took ex parte

affidavits of witnesses when those witnesses were not present?
A I think we ruled exparte evidence out, as well as I remember.
Q Did you have any stenographer or anybody to copy the evidence?
Mr. Duncan did all of the copying.
Q Was the evidence copied and preserved?
A Yes, sir, I think it was.
Q What was done with that evidence, where was any of it ever put?
A I suppose it is at Tahlequah in the office of the Treasurer or Secretary.
Q When you went into secret session did you have Mr. Duncan read that evidence to you?
A Yes, sir, we went over the evidence thoroughly.
Q Did you allow the applicants or their attorneys admission to any of your secret sessions?
No, sir.
Q When you got ready to render your decisions did you then send for the applicants or their attorneys?
A No, sir.
Q And you rendered them in secret also, did you? A Yes, sir.
Q Have you any recollection who testified in the Dawson case, as to their claim? A No, sir, I have not.
Q Have you any recollection as to who they claimed their Cherokee ancestors were? A Yes, sir, they claimed the Rogers.
Q Did they claim relationship with any of the present families of Rogers residing in the Cherokee Nation?

The applicant objects to this question as tending to elicit testimony wholly incompetent and irrelevant to the issue, and not cross-examination of this witness.

A I don't know that they did, particularly.
Q How could your court determine when they claimed descent through some Rogers family, that that family was of Cherokee blood?

The applicant objects to the question upon the same grounds as their objection to the previous question.

A By the evidence they produced.
Q Didn't you make them prove that that family was well known at one time to be connected with the Cherokee Nation, and were citizens thereof? A Yes.
Q Who was the attorney for the Dawsons? A Old man Houston Benge.
Q Could either Tehee or Wolfe speak English? A They could understand, but they never spoke English, they had an interpretor.
Q Did you ever talk to either of them as to whether they got anything for decidingthis case? A No, sir.
Q How long were you considering the case altogether?
A I could not say as to that, I think we were on it two or three weeks anyhow, I could not say positively now, they were a long time getting in testimony.
Q There were only two or three witnesses examined all told, were there not?
A I think so, three I think, they had quite a lot of affidavits, but we did not consider them.
Q Well the Court was a good while arriving at its conclusion after the evidence was closed?
A Yes, quite a good while, I don't remember the exact time.

RE-DIRECT EXAMINATION:

Q Do you remember who the interpreter the Commission had during the hearing of the Dawson case.
A His name was Reese, I forget his given name.

Q Do you know whether he is living or dead?
A I don't know, he seemed to be in bad health at the time we had the case up, I think they are all dead but me and Mr. Duncan.
Q What was he, a Cherokee by blood?
A He was considered a Cherokee by blood.
Q Do you know where he lived at that time?
A No, sir, he lived in the South part of the Nation though, I think in Sequoyah.

(Signed) T. F. Thompson.

Caption of Wit. "A" to T. F. Thompson's testimony.

CERTIFICATE OF RECORD.

United States of America,
Indian Territory,
Northern District,

I, Marshall L. Bragdon, Clerk of the United States Court in the Indian Territory, her by certify that the instrument hereto attached was filed for record in my office the 9 day of March, A. D. 1893, at 10-30 o'clock A. M. and duly recorded in book C. Misl Record Mortg. & Liens, page 339,

Witness my hand and seal of said court at Muscogee, in said Territory, this 16 day of March, A. D. 1893.

(SEAL) M. L. Bragdon,

Clerk.

Transcript to which this is attached, endorsed on back as follows:

"No. 108, Robt. Dawson et al, VS the Cheroke Nation, Transcript of Judgment, Filed Mar. 9, 1893 10-30 A. M. Marshall L. Bragdon, Clerk.,

OFFICE OF COMMISSION ON CITIZENSHIP,
TAHLEQUAH, CHEROKEE NATION, JANUARY 11th, 1883.

No. 108

Robt. Dawson, F. M. Dawson, Elbert Dawson, Jasper Dawson, John Dawson, Josephine Dawson, Joseph Dawson, Jane Dawson, Molly Dawson, Wilbron Dawson, James Dawson, Rial Dawson,

VS,

The Cherokee Nation.

And now on this, the 11th day of January, A. D. 1883, this case coming on for final hearing and all the evidence produced in the case being carefully read and duly considered by the Commission, it was adjudged and determined by the Commission on Citizenship, that the claimants, Rob't Dawson, F. M. Dawson, Elbert Dawson, Jasper Dawson, John Dawson, Josephine Dawson, Joseph Dawson, Jane Dawson, Molly Dawson, Wilbron Dawson, James Dawson, and Rial Dawson, are Cherokees by blood; and that they are entitled to all the rights and privileges of Cherokee citizenship within the Cherokee Nation, and that they should be, and they should be, and they are hereby

admitted to the full and complete enjoyment of the same in all respects as native born Cherokees.

D. W. C. Duncan, Clerk of Commission.) Thomas Tehee, President of Com.
Alex Wolf,) Commissioners.
T. F. Thompson,)

I hereby certify that the above is a correct transcript of the decision of the Commission on Citizenship in the above entitled case as appears of the record in my office.

D. W. C. Duncan,
January 11th. 1893. Clerk of Commission.

Executive Department,
Tahlequah, Cherokee Nation,
January 11th, 1893.

I hereby certify that the within named Commission on Citizenship, composed of Thomas Tehee, President, Alex Wolf and T. F. Thompson, are now and were at the time the within named persons were admitted to Cherokee Citizenship, a duly authorized and Commissioned Commission on Citizenship, and that their actions as such are legal and binding.

Witness my hand the

Witness my hand and the seal of the Cherokee Nation, on the date above written.

John L. Adair,
Asst. Ex. Secretary.

United States of America,
Indian Territory,
Northern District,

I, Lewis T. Martin, a Notary Public in and for the Northern District of the Indian Territory, duly appointed, qualified and acting as such, do hereby certify that the above and foregoing two pages, consisting of this one and the preceding one which is attached hereto, is a true, complete, and perfect copy of the transcript of the judgment of the Commission on Citizenship as the name was presented to me during the examination of T. F. Thompson as a witness, and identified by me at the time by writing thereon "Exhibit A" to testimony of T. F. Thompson, L. T. M. - N. P. Oct. 4, 1900." The foregoing copy having been carefully compared by me with the said original.

Given under my hand and seal of office as such Notary Public, this 4th day of October, A. D. 1900.

(SEAL) (Signed) Lewis T. Martin.

Notary Public.

My commission expires Feb 3rd. 1902.,

D. W. C. Duncan being produced by the applicants after being sworn to testify to the truth, the whole truth and nothing but the truth testified as follows:

DIRECT EXAMINATION BY C. B. DENISON:

Q Please state your name, age, residence and occupation?
A My name is D. W. C. Duncan, my age is 70 years, my residence is Vinita, Indian Territory, my occupation is a farmer.
Q How long has that been your place of residence? A Since 1874.
Q Are you a member of the Cherokee Nation as it is now constituted?
A Yes, sir.
Q Upon what is your citizenship based, a Cherokee by blood?
A Yes, a Cherokee by blood.
Q In January 1883, did you hold any official position in the Cherokee Nation, if so, what was it?
A About that time I held the position of Clerk of the Citizenship Court or Commission.
Q If you remember the names of themembers of that Commission or Court, please give them?
A The President of the Commission was Tehee I believe, and a member by the name of Wolfe whose first name I do not recollect, and Mr. Thompson here.
Q T. F. Thompson?
A Yes.
Q Do you know whether these three members of that Commission were recognized citizens of the Cherokee Nation, and whether their citizenship was based upon blood or not?
A They were supposed to be citizens of the Cherokee Nation and their citizenship was based upon their blood.
Q Will you please look at the paper now handed you which the Notary has marked exhibit "A" to the deposition of Mr. T. F. Thompson, and a copy of which he will attach to Mr. Thompson's depositions, and state whether with the exception of the certificate of H. L. Dragdon, Clerk, and of John L. Adair Asst. Ex. Secretary, you recognize the paper as one you have ever seen before?
A Yes, I think I have seen this before.
Q When, and where, if you remember, did you first see that paper?
A This is a paper I drew up at the time I was acting as clerk of the said Citizenship Court.
Q Looking at its date, was it drawn at you at the time it bears date?
A To the best of my recollection it was drawn at the date specified.
Q Do you recognize the signature to the certificate attached to that paper?
A Yes, that is my signature.
Q State if you know, in whose handwriting the body of the paper is?
A It is in my handwriting.
Q And at that time you were Clerk of that Commission? A Yes.
Q Will you please look at the signatures of the members of the Commission as they appear on that paper, and state if you can, by whom they were written?
A I think the first two is my handwriting, the last I recognize that as T. F. Thompson's.
Q Explain please, how you came to write the signatures of Thomas Tehee and Alex Wolfe to that paper?
A Thomas Tehee and Alex Wolfe were full bloods and could not write, and in their presence, and at their request I wrote their signatures.

Q Was that the usual manner of certifying to the action of the Commission to applicants as to the decision of their application for citizenship, where admitted?
A In all instances where it was necessary for the Court to sign a paper of any kind it was adopted by that Court for the Clerk to sign Tehee's and Wolf's names and T. F. Thompson to sign his own name.
Q You didn't catch exactly my idea, but perhaps that answered it, what I intended to call you attention to, was whether when applicants had been admitted to citizenship a paper of this kind was shown you, signed by the judges as you have explained, and certified by you as a transcript of the proceedings was issued?
A My recollection is that a transcript of the judgment was issued to the applicant when they were admitted at their request, the judgment was entered upon the record when they were admitted and signed by the judges, and whenever the transcript was delivered to the applicants I think it was signed by the judges.
Q If you had any knowledge at the time the application of the Dawson family, F. M. and others whose names are mentioned in that paper, was pending before that Commission, or before or after, of any corruption or bribery, or attempted corruption or bribery of the Court or any of its officers, by F. M. Dawson, or any person connected in any manner with the clair of the Dawsons to citizenship in the Cherokee Nation, state it fully?
A I never heard a thing of the kind, I know nothing of the kind, all that I have ever heard about a question of that kind is what has originated recently, since the enrollment business has been inaugurated.

CROSS-EXAMINATION BY W. T. HUTCHINGS:

Q If as you certify, this paper was a transcript of the record, why did you have the judges sign it?
A I know no reason further than that was the practice at that time, the members of the Court being present I presume it was thought it would be as good or better than the signature of the Clerk.
Q Examine that signature of Mr. Thompson, examine the first T in his name and the T in Tehee's name and see if it is not all your own handwriting?
A No, I would not call that mine, there is a resemblance between the letters but I am satisfied it is a mere fortuity, accident.
Q How was the evidence taken in those cases?
A It was taken by the witness being present and detailing his knowledge of the case, I wrote it down sentence by sentence as it was delivered.

Q Do you know whether that evidence is in existance or not?
A I do not, the last I saw of it was when I turned the records over to the Executive office at Tahlequah, and I have not seen it since.
Q You say you never heard any talk about this being an improper case until very recently?
A Well that would depend upon what you mean by recently, I don't think I ever heard of it prior to three years ago, I can safely say that I have not.

Q Do you remember through what ancestor they claimed their right to citizenship here?

Objected to by applicants because the question tends to elicit testimony which is wholly immaterial and irrelevant, and because it is not proper cross-examination.

A They claimed their right of citizenship through a man by the name of Rogers, I don't recal[illegible] his first name.
Q Do you know how many Rogers families there are who have citizenship in the Cherokee Nation?
A I do.

(Signed) D. W. C. Duncan.

UNITED STATES OF AMERICA,
INDIAN TERRITORY,
NORTHERN DISTRICT,

I, LEWIS T. MARTIN, a Notary Public in and for the Northern District of the Indian Territory, do certify that the foregoing depositions of T. F. Thompson and D. W. C. Duncan were taken before me at the time and place and in the action mentioned in the caption, and said T. F. Thompson and D. W. C. Duncan, having been first by me sworn that the evidence they should give in this matter should be the truth, the whole truth and nothing but the truth, and that their statements were reduced to writing by me on the typewriter in their presence; the claimants being present in person and by their attorney G. B. Benham, and the Cherokee Nation being represented by W. T. Hutchings Esquire its attorney,.

Given under my hand this 4th day of October, A. D. 1900.
(SEAL) (Signed) Lewis T. Martin.

Notary Public.
My commission expires 2/5/1901.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., April 8, 1902.

In the matter of the application of Francis Marion Dawson et al for enrollment as citizens of the Cherokee Nation., He being sworn and examined by the Commission, testified as follows:

Q What is your name? A Francis Marion Dawson.
Q How old are you? A Soon will be sixth years old.
Q What is your postoffice address? A Afton now, it used to be Oswego.
Q What was the name of your wife? A My first wife was Julia Ann Howard.
Q She was a white woman? A Yes, sir.
Q When were you married to her? A I think it was the 8th of January, 1864.
Q Where were you living at that time? A In Arkansas.
Q Who married you? A A man by the name of Dave Sturdy.
Q Was he a preacher? A Yes, sir.
Q A Minister of the Gospel? A Yes, sir.
Q Did you and she live together as husband and wife up to the time of her death? A Yes, sir.
Q Did you have any children by her? A Yes, sir.
Q What are their names? A Willie R. Dawson.
Q The next one? A Francis Marion Dawson Jr.
Q The next one? A Johnnie.
Q The next child? A Elizabeth.
Q The next one? A Arizona Allred.
Q Those are all the children you had by your first wife? A Yes, sir.

Joseph R. Dawson, being sworn and examined by the Commission, testified as follows:
Q What is your name? A Joseph R. Dawson.
Q How old are you? A I will be 51 the 13th day of June.
Q Are you related to the applicant here in this case, Francis M. Dawson? A Yes, sir.
Q How are you related to him? A Brother.
Q Did you know his former wife, Julia? A Yes, sir.
Q Is she living or dead? A She is dead.
Q Was she a full blood or white woman? A I couldn't say what; they were married in the states.
Q Do you know when he was married to her? A Yes, sir.
Q When was it? A About the close of the war.
Q Who married them? A Parson Sturdy.
Q Were you present when they were married? A Yes, sir.
Q Did they continue to live together as man and wife up until the time his wife Julia died? A Yes, sir.

John K. Stevens, being sworn and examined by the Commission, testified as follows:
Q What is your name? A John K. Stevens.
Q How old are you? A 58 years old.
Q What is your postoffice address? A Afton.
Q Are you acquainted with the applicant here in this case, Francis M. Dawson? A Yes, sir, as we call him, Mat Dawson.
Q How long have you known him? A My first acquaintance with him was in '64.
Q Did you know his first wife, Julia? A Yes, sir.

Q Do you know whether or not they were married? A Yes, sir, they were married.
Q Were you present at the marriage? A No, I wasn't present at the marriage.
Q Did you see them even after their marriage? A Yes, sir.
Q Did you continue to know them for any length of time afterwards? I knowed them as long as she lived.
Q During the time you knew them did they live together as husband and wife? A Yes, sir.
Q Were they recognized in the community as such? A Everybody recognized them.

This testimony will be filed with and made a part of the record in the following Cherokee cases: Arizona Allred et al D-635, John Dawson, D-580, William R. Dawson D-581, Lizzie Dawson D-584 and Fr Jacie M. Dawson Jr. D-585.

I, the undersigned stenographer to the Commission to the Five Civilized Tribes, do hereby certify that I recorded the proceedings in this case and that the foregoing is a true and complete transcript of my stenographic notes thereof.

(Signed) E. C. Rothenberger.

Supl.-C. D. #324.

Department of the Interior,
Commission to the Five Civilized Tribes,
Muskogee, I. T., March 17, 1902.

SUPPLEMENTAL TESTIMONY in the matter of the enrollment of FRANCIS M. DAWSON, ET AL., as citizens of the Cherokee Nation:

The case having been set for final hearing March 17, 1902, the following proceedings are had:

APPEARANCES:
Mr. A. S. McKennon, of counsel for applicants;
Mr. W. T. Hutchings, of counsel for Cherokee Nation.

Mr. Hutchings: Comes now the Nation on the calling of this case and announces that it is ready for trial, provided permission is given to hereafter examine before the Commission, either at this place or Fort Gibson, the witness S. M. Benge, who has been regularly summoned to attend at this day and time but who is too sick to travel at this time and probably will be for some time to come. As evidence of a good faith of the Nation we hereby present an affidavit of the facts sought to be proven by the said Benge. If the applicant's counsel are willing to concede that the witness if present would testify to the facts herein set forth, the Nation is ready to proceed to trial without reservation of any kind. If they are not it desires to reserve this privilege of hereafter, either tomorrow or otherwise, this case being set for to-day and tomorrow, of examining before the Commission, or its authorized officer, this witness as above set forth.

Mr. McKennon: Applicants object to the introduction of the paper presented and do not admit that the witness, Samuel H. Benge if present would testify to the facts therein stated. They consent and desire that the testimony of said Benge be taken before the Commission at its office in Muskogee but not elsewhere, and protest against it being taken at any other place, with the understanding, however, that when taken we have opportunity to introduce any evidence we may desire in rebuttal.

Mr. [illegible]:
The Nation will pay all the expenses of the opposing counsel, their client and Commission officers in taking the deposition at Fort Gibson.

Commissioner Breckinridge: The allegations of this witness are material in their character and are quite tangent. The Commission of its own volition would acquire information of that character if it knew of its existence anywhere. While the functions of the Commission, as well known are in many respects judicial, yet it is vested with numerous complex powers, such as Congress creates from time to time to do business of certain character, and it is ordered to make a correct roll, which is a duty largely independent of hearing simply what is brought before them: it must be the architect and commissioner of that roll and if evidence is not brought before before the Commission it must go out and get it, to be uniform on that consummation of the law. The Commission, therefore, declines this information independent of any counsel on either side both with respect to the applicant and to the Nation, and if this witness is

[illegible] not able to come one of the Commissioners will go to Fort Gibson and to his bed-side, or send a Master official, if necessary to take his testimony. The only matter to consider, therefore, is one of convenience with respect to getting this testimony. Now, I understand that this witness is an extreme sufferer from Bright Disease he is an old man and he may never be able to get out of the house, and it may be an injustice to him to subject him to a trip here, and therefore it seems to me better that counsel for [illegible] submit to some form of taking a deposition or else accompany an official of this Commission over to Fort Gibson and let the testimony be taken there.

After consultation with the attorneys upon the two sides, it is found to be agreeable that the parties meet at Fort Gibson tomorrow morning at half past eight o'clock, and it is agreed that [illegible] with an official of the Commission with a stenographer leave from the office of the Commission for Fort Gibson at eight o'clock to-morrow morning.

FRANCIS M. DAWSON, the applicant, re-called for additional cross-examination on part of the Cherokee Nation:

MR. HUTCHINGS:

Q What is your name? A Francis M. Dawson.
Q Where do you reside? A In Afton.
Q You have been examined in this case heretofore, have you?
A I don't know which case it is.
Q In your own case? A Yes, sir.
Q Are you the one that is commonly called Bud Dawson? A Yes, sir.
Q You made the original application for Dawson for his admission to citizenship in the Cherokee Nation, didn't you?
A [illegible] brother.
Q What was his name? A A. D. Dawson.
Q And Robert Dawson and Elbert Dawson and others [illegible] on March 24, '81, about that time? A Yes, sir.
Q And you were admitted about the 11th of January '83? A Yes, sir.
Q There were other members of your family that applied and were admitted after that time? A Yes, sir.
Q Do you or not remember the evidence offered in order to accomplish this purpose, the relationship between yourself and Dawson and others and the evidence of your admission by the Dawes Court. In all the subsequent admissions I mean the only evidence of [illegible] was the fact that you and your brothers had been admitted before and that they were kin to you; that was the only evidence of [illegible] any subsequent cases, wasn't it; so far as you [illegible] of?
A What is afterwards?
Q Yes, afterwards? A I think there was some other evidence introduced.
Q Don't you know that there was never any evidence of [illegible] in any other case except evidence of Dr. Miller of Atoka? [illegible], sir.
Q Who else? A Oliver Miller.
Q Who [illegible] Oliver Miller; the people in this case have been examined [illegible] A [illegible] Miller and Dawson.
Q [illegible] Yes, and that is [illegible].
Q Well, that petition in this [illegible]?
A Yes, sir, [illegible].
Q There you present [illegible] Yes, sir.
Q [illegible] present when Mr. [illegible] A Yes, sir.

Q Have you a fair recollection of the testimony of those two men?
A No, not at all.
Q You don't read do you, Mr. Dawson? A No, sir, I dont read nor write; I can barely write my name.
Q Do you think you would remember the testimony of Dr. Baker if your mind was refreshed on it? A Part of it I think.
Q Were you present when you were admitted? A I was not in the room.
Q You were in Tahlequah at the time? A I was in the town of Tahlequah at the time.
Q I will read this paer to you and desire for you ro say whether or not it was the testimony of Dr. Baker in your case:
(Affidavit of Dr. Arthur Baker read to witness, and asked to be copied in the record later.)
Q Is that the correct transcript of the testimony? A It has been so long ago, I could not say; a part of it is, I could not remember it all.
Q Does that state the facts as to the family history correctly so far as you know about it? A So far as I know.
Q Now, you were a son of what Dawson? A Robert Dawson.
Q How many children did Robert Dawson have, and give me their names? A Elbert Dawson, the oldest; Lila, Jesper, Francis Marion-
Q That is yourself? A Yes, sir: Elizabeth Dawson, Josephine Dawson, John Dawson, Joseph Dawson, Jane Dawson, James Dawson, Edna Dawson, Mollie Dawson, Wilburn Dawson.
Q Thirteen? (No response.)
Q Now, Rober Dawson's father was whom? A Sam Dawson.
Q Who was Sam Dawson's wife, your grandmother? A I have been told.
Q By family history is all you know? A She was called Polly Dawson.
Q Who was Anna Pruitt? A I don't know.
Q Never heard of anybody in the family by the name of Anna Pruitt? A No, sir, that was away back in the old country; I have heard talk about it, old Dr. Baker talked about it.
Q Your grand-mother's name was Polly Dawson? A Yes, sir; I don't remember seeing her but once, she died when I was small, died in Texas.
Q Pollie Dawson? A Yes, sir.
Q And she was known to be Pollie Rogers, her maiden name? A Yes, sir.
Q Daughter of Captain John Rogers? A Yes, sir.
Q Now, she died in Texas what time? A I don't remember.
Q Can't you guess at it? A Oh, I could guess.
Q Give your best recollection? A About '58 or '59, or no, '48 or '49; I don't say positive, just guessing at it.
Q How old a boy were you then? A I was born in '42.
Q Have you any distinct recollection of her? A No, sir.
Q Have you any recollection of all the children of Sam and Pollie Dawson; that is, your father, uncles and Aunts? I didn't see all of them.
Q Do you know by family history the names of all of them? A Yes, sir.
Q Will you give them to me?
A Betsy Ann Dawson, I believe her name was.
Q Did she marry a Petty? A Yes, sir; the next is Robert Dawson.
Q Your father? A Yes, sir.
Q Next one? A I think the next was James Dawson, and I think the next one was a girl, Edna Dawson.
Q Did he have two daughters? A Yes, sir.
Q Well sir? A The next one was Joe Dawson: I never saw him; Riley Dawson.

Q That is Samuel P. Dawson, Riley Dawson? A Yes, sir.
Q Any other one? A That is all I know anything about.
Q Did he have any child by the name of John? A Yes, Jack.
Q Didn't you get Jack misplaced with Joe? A No, it was Joe; I have heard my father speak of him.
Q Then they have seven children? A I never saw them all.
Q How many of them did you ever see? A I saw Uncle Riley Dawson and James Dawson and Jack Dawson and Betsy Ann Petty; I don't think I saw but one of Pa's sisters and brother, they went to Mississippi I think.
Q Do you know that your family history says that the mother of your grandmother, Pollie Rogers' name was? A We have no history.
Q Well, as it was brought down to you; did you ever hear anybody say what your great grandmother's name was? A No, I don't remember.
Q What is the other man, Oliver Millerthat testified in your case? A He testified in James Dawson's case; he never testified in my father's case.
Q Well, didn't anybody testify in your case but Dr. Baker? A Yes, sir, several other witnesses
Q Who were they? A I don't remember; my mother got them witnesses around Tahlequah, old people.
Q Were you present? A No, sir.
Q You were only present when Mr. Baker testified? A Yes, sir.
Q Now, do you find any mistakes in Mr. Baker's statement there? A I could not say all of that was correct or not, part of it is correct.
Q What part is correct? A Why about knowing the family over there.
Q Who is Buck Dawson? A My brother.
Q What is his name? A We always called him Buck, it is Elbert, E. Dawson.
Q Who went with you the first time you went up to make application for citizenship do you remember? A With my brother.
Q The first time? A I met my brother in Texas.
Q Which one? A E. Dawson.
Q That is Elbert or Buck? A Yes, sir.
Q You were living in Arkansas? A Yes, sir.
Q And he was living in Texas? A Yes, sir, and another one of little brothers, Dr. Dawson now:
Q Dr. Dawson now? A Yes, sir.
Q What is his name? A James.
Q And you three went there? A Yes, sir.

Mr. McKennon: Applicants by their counsel object to all the statement of this witness relating to the testimony introduced before the Cherokee Citizenship Commission, and the history of the family as detailed by him, because the same is incompetent and irrelevant, and cannot be used for the purpose of impeaching the integrity of the judgment of said Commission, or either of the Commissioners in admitting members of the Dawson family.

Commission: The objection of the Attorney for the applicants to the testimony above will be noted. The same will be filed and noted for what it is worth.

(Attorney for applicants waives examination.)

C. H. TAYLOR, being duly sworn, testified as follows on part of the Cherokee Nation:
MR. HUTCHINGS:

Q State your name? A C. R. Taylor.
Q Where do you reside, Mr. Taylor? A Near Coffeeville.
Q Were you an attorney before various citizenship Courts along in '01 to '8? in the Cherokee Nation at Tahlequah? A Yes, sir.
Q Were you attorney for F. M. Dawson commonly known as Bud Dawson? A Yes, sir.
Q Were you present at the taking of testimony in that case? A No, sir; I wasn't present.
Q Do you know who composed the court that decided the case at that time? A Yes, sir.
Q Who were they? A Tom Tehee and Alex Wolfe and Perry Thompson.
Q Do you know whether or not they were all there when the case was decided? A No, sir, there were only two of them present.
Q Which two? A Tehee and Wolfe.
Q Who was the Clerk of the Court at that time? A Mr. Duncan, D. W. C. Duncan.
Q Do you know what witnesses were used in the case of Bud Dawson? A No, sir; now I was the attorney in the case and the evidence had already been filed before the Court.
Q What were you made attorney? A I was only called in as an attorney at the-- Well, Mr. Duncan came down there, and Mr. Bryant had the case and several other attorneys had the case and he employed me.
Q Did you read the evidence in this case? A No, sir.
Q Did you deliver any money? A Now, I was the attorney in the case and I don't think it would be right for me to make any statement.
Q Now, you have claimed your privilege, I ask that you answer the question? Did Dawson ever hand you any money with the direction to pay it to either member of the Court or the Clerk of the Court, D. W. C. Duncan, and if so state the amount? A I had a heap of trouble over this matter.-

Commission: Just answer the question, Mr. Taylor.
A Being the attorney I don't believe it is right for me to answer that question.

Commission: Do you refuse to answer? A Yes, sir.
Q Did the matter to which you object to testifying occur prior to the rendition of the decision admitting to citizenship or afterwards? (No response)

COMMISSIONER BRECKINRIDGE:
Q Do you desire to reply to the last question? A I don't think it is right; I was attorney in the case.
Q Mr. Taylor, do you object to answering that question? A Yes, sir.
Q You refuse to answer that question, do you? A I had rather not answer it.

Q Either answer it or say you won't answer it? A I had rather not answer it.
Q Mr. Taylor, you have answered a number of questions down to this point, but it is at this point that you prefer to plead your privileges, as an attorney, do you? A Yes, sir.

Com'r Breckinridge: The power in regard to these matters is lodged in the United States. The Court is clothed with special power with reference to matters that arise through this Commission. Of course the Commission desires and the Government needs for the making of a correct roll the fullest information possible, but it is subject to the limitation of law, and it is not for this Commission to decide of the law in a matter of this character with any authority as I understand it at this time, but to report the matter to the United States Court and let the Court pass judgment.

Under Section 21 of the Curtis law as it is commonly called Act of June 28, 1898, the members of the Commission shall in performing all duties required of them by law, have authority to administer oaths, examine witnesses and send for papers and persons, and the court is clothed with authority to enforce obedience. The law having enumerated certain powers goes on to say so far as all others are concerned to enable said Commission to make rolls as herein required, and to punish anyone who may in any manner or by any means obstruct said work. Now, the Commission will report the facts to the United States Court and let the Court decide whether or not you are within your lawful privilege. It seems that you refuse to answer questions, or at least one question, which tends to establish as to whether or not you are claiming what what is commonly considered a matter of privilege--according to an authority referred to by an attorney, but the enforcement of an answer seems clearly to be a matter for the Court to deal with.

Q Now, Mr. Taylor, in regard to the last question asked you by Mr. Hutchings, one of the Counsel for the Cherokee Nation, I direct that you make answer, and if you refuse I shall report the matter to the United States Court. Do you refuse? A Yes, sir.
Q Now, you have read to you, Mr. Taylor, the first of the two questions propounded to you by Mr. Hutchings, and which you declined at the time to make answer; viz; as to whether Mr. Dawson sent you money to pay to the Court or to any officials of the Court, it seems to come to the question as to whether there was any collusion between you and Mr. Dawson and any member of the Court; now, I understand that you refuse to answer that question upon the grounds that you were Mr. Dawson's attorney? A Yes, sir.
Q Now, I require that you ans or that question, do you refuse?
A Yes, sir.
Q I shall also report that refusal to the United States Court as it seems to come under the provision of law, relating to conspiracy between you and Mr. Dawson which apparently considered a privilege matter, and you base your refusal now, not upon the ground that you are incriminating yourself, but that you were counsel for Mr. Dawson. I will report the matter to the Court and you will be informed at the time of any proceedings in the matter I caution you not to talk with Mr. Dawson or any of the applicants in this case.

Mr. McKennon: Applicants do not object and have not objected to the witness answering on account of his privilege as an attorney or for any other cause whatever, they only want to object to the incompetence and irrelevancy of the testimony, with the privilege of cross-examining upon any testimony given by the witness.

COM'R BRECKINRIDGE:
Q You still refuse having the consent of the attorneys in the case to make answer? A I will just ask your Honor to let the matter go over until morning.

Commissioner Breckinridge: It will rest until in the morning at its present status; if it is after business hours now.

As for the objection made by Captain McKennon, Counsel for the applicant, it will be taken into consideration, but will not be granted at the present.
(The Commission adjourns until 1:00 P. M. to-morrow afternoon, March 13, 1900.)

Supl.-C. D. #324.

Department of the Interior,
Commission to the Five Civilized Tribes,
Fort Gibson, I. T., March 18, 1902.

SUPPLEMENTAL TESTIMONY in the matter of the enrollment of FRANCIS H. DAWSON ET AL., as citizens of the Cherokee Nation:

Appearances:
Mr. A. S. McKennon, of Counsel for applicants.
Mr. W. T. Hutchings, of Counsel for Cherokee Nation.

SAMUEL H. BENGE, being duly sworn, testified as follows on part of the Cherokee Nation:
MR. HUTCHINGS:

Q State your name? A Samuel H. Benge.
Q Where do you reside? A Fort Gibson.
Q How old are you? A I am 70 years old, going in 71.
Q Are you a citizen of the Cherokee Nation? A Yes, sir; Cherokee by blood.
Q State what official position you have held in the Cherokee Nation and what your general connection with the Nation officially in the last 40 years? A Well, I have several; I have been Sheriff, Councilman, Senator, Delegate to Washington; had a hand in making the treaty of 1866, I am the only one living that signed that treaty; President of the National Council of different tribes of Indians.
Q Were you acquainted with F. H. Dawson, commonly called Ned Dawson? A Yes, sir; I knew him.
Q State you connection with and what you know about his citizenship case before what is known as the Thomas Tehee Citizenship Court? A Mr. Dawson came down, I was living down below here, he come and employed me to tend to his case and we went to Tahlequah, I believe if I ain't mistaken in holding and filed his case there; we went several times and continued his case on for the want of evidence, and finally while we was up there we run across one old darkey by the name of Tosh Rogers; we got his testimony and after we got that testimony we concluded that it was sufficient to go into the trial with. Tosh lived here at Fort Gibson, he was a horse trainer down here and stayed here; he claimed that he knew the Rogers and belonged to one of them and after that we thought we had sufficient evidence we submitted our case to the Court for trial, and the Court went to work and rendered a decision against Mr. Dawson.
I told Mr. Dawson right there that "our cake is dough", just made that remark, and he just made the remark "never mind", and next morning they taken up his case again and they rendered a decision in his favor. I filed no motion nor any evidence at all whatever; I give the case up right there and the decision was then given in his favor, and on our way back from Tahlequah, why we got to talking about the case and I told him: "it was a pretty hard blow when they rendered that decision against us." He said: "yes, but Duncan was the man to reach", but he reached him with five hundred dollars.
Q What position did Duncan occupy? A He was Clerk of the Court.
Q Duncan an educated man or—? Yes, sir; he was an educated man.
Q Who were the members of the Court? A Tom Tehee, Alex Wolfe and Tom Thompson.
Q How many of these could speak English at all? A One.
Q Which one? A Thompson.
Q Who was the Attorney that represented the Nation in those cases? A Ezekiel Sanders.

Q What was his given name? A Wilson Saunders; was it Wilson Sanders?
A Wilson Sanders.
Q Was he an educated man, or could speak English well? A No, sir.
Q [illegible] anything about the matters having cost him a good [illegible] money? A He said it had cost him a right smart.
Q [illegible] remark made on the way back about the opening up of the case [illegible] what? A He asked me if I thought the case was ever [illegible] eventually and I told him I didn't know.

Q [illegible] witness in the Dawson case, Judge, in any of the [illegible] negotiations in I have been made since that time? A I don't [illegible] that you might call it a witness; that young man came to me [illegible] woman, and asked me to help him up there that the [illegible] going against him, him and his mother and all was about [illegible] and I interceded and done what I could there before the Committee. I was not a witness but that is at I don't for him.
Q That was Mr. Graham, wasn't it? A Yes, sir.
Q Have you had conversations with Mr. Graham since that time about it? A Why, I might, I don't recollect, I might have had conversations with him.
Q Well, after the Dawes Commission began taking a census of the Cherokees and when they were about Sallisaw down here, did you have a conversation with him here in Fort Gibson about the matter?
A Now, I just can't tell you; I have seen him on several occasions, but the conversations we might have had I can't state.
Q To refresh your memory I will ask you if he did not tell you that they were making a fight on the Dawson family and he wanted to know of you whether that judgment in favor of Robert Dawson's family was fairly rendered, and did you not then tell him that it was all right, that it was fairly obtained? A Not as I recollect of; all he said that is as I have stated he talked to me in regard to his mother, himself and probably his brothers and sisters, I don't recollect how many there were, but he told me they were rejected, that is just the words he used.
Q [illegible] A [illegible] has been heretofore gone.
Q [illegible] Fort Gibson? A Well, that is I saw him here in Fort [illegible] I saw him in Tahlequah.
Q [illegible] here in Fort Gibson ask you particularly about the [illegible] as to whether it was fairly obtained or not?
A [illegible] claiming a claim on the Dawson case, that is the [illegible]
Q [illegible] is the principal Dawson family? A Yes.
Q [illegible] was this other written statement here made, when was this [illegible] (referring to affidavit heretofore referred to.)
A Monday I reckon.
Q Who came to take this? A Mr. Starr.
Q Was anyone present when this was taken? A No, sir.
Q From had you told about this matter, Judge? A No one as I know of.
Q Do you know how it was that they knew that you knew this?
A No, sir.
Q You never made any statement? A Never made any statement that I recollect of except I might have talked with Scales, he and him talked about these cases a good many times; if I ever made a statement it was to Joe Ab Scales.
Q How did Mr. Starr know? A I could not tell you how Mr. Starr knew.

Q He came alone here as a Notary Public? A He came alone here as a Notary Public. All he said when he come, he says "we understand that you know something in regard to these cases", I said " what case," and he went to work and named Shoemake case and Dawson case.
Q And thereupon you made this tatement? A He said he wanted to qualify me.
Q Are you certain Judge that after the rendition of tat judgment Mr. Dawson came back here to Fort Gibson with you?
A Yes, sir; we was together.
Q Let me ask you if it was not a very cold day when he came here and he went over ahead of you and you went over to Tahlequah the next day or two after he left? A My recollection was he and I went together.
Q And returned here together? A Yes, sir.
Q And he not leave you there and go back direct to Arkansas?
A No, sir; he came here together. If my memory serves me right, I might be mistaken but then I don't believe I am, he came from Tahlequah calls up here to my house, that is according to his statement.
Q What amount of fee did they pay you? A I don't know as that is in connection with the case whatever the money they paid me.
Q How did they pay you? A Paid me the money.
Q Who paid it to you? A Dawson there and that fellow, young fellow paid me some.
Q Mr. Graham? A Yes.
Q At the same time? A Oh, no, he wanted me to intercede for him at Tahlequah and paid me to do something for him which I did.
Q I will ask you if Mr. F. M. Dawson here did not obtain two copies of the judgment one of which you sent in a letter in which you wrote to his brother living in Texas and that brother in Texas, the one they called Buck, didn't send you $50 that they paid you? A No, if I ever got a letter of Buck whatever you might call him, I don't recollect it and if I ever got a nickel from him I don't recollect it. Old man paid me what money I got from it. I don't know nothing about his brothers; he told me he had an uncle living over in Arkansas, but not living down in Texas, I don't know about it.
Q Where did he pay you the money? A Paid it here at home.
Q Before you went out? A He paid me fifty dollars before we went up and when we went up yonder he paid me fifty dollars more; if you want to know what I got, I got one hundredn dollars.
Q You were acting as his attorney in the case? A Yes, sir.
Q How many judges were there present when the judgment was rendered? A In his case?
Q Yes, sir. A Well, according to my recollect there was all there, but if they were not all there, Tom Thompson was sick. Tehee and Wolfe.
Q Don't you remember that they were all present? A No, I think they were present though.
Q Who else was present at the ime? A Oh, I could not tell you, there were several people in the house; could not tell you at all.
Q Were there several in the house the evening before the judgment was rendered against them as you say? A Yes, there were several in the house.
Q And several in the house when the judgment was rendered the next day? A I don't know how many there was.
Q Do you remember the names of any of them? A Why not exactly, mostly full bloods.
Q How long didyou remain out at Tahlequah on that trip?
A I guess I was there about three days.

Q Tending to this case alone, or did you have other cases? A no, sir.
Q Do you know of your own knowledge that the judges received any money (this question asked at the instance of Mr. Graham present) A I don't know whether the judges received nay or not.

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I, J. O. Rosson, do hereby certify upon my official oath as stenographer to the Commission to the Five Civilized Tribes that I correctly recorded the testimony had this day in the above case, and that the foregoing is a true and complete transcript of my stenographic notes thereof.

(Signed) J. O. Rosson.

March 18, 1902. Commission convened pursuant to adjournment.

Appearances:
Mr. A. S. McKennon, of counsel for applicants.
Mr. W. T. Hutchings, of Counsel for Cherokee Nation.

C. H. TAYLOR takes the stand and continues his testimony.
BY MR. HUTCHINGS:

Q Mr. Taylor, you said you would consider the matter yesterday and let us know whether you would answer those questions today; have you decided what you would do about the matter? A Well, it is like this, of course I don't want to be held as in contempt of the Court.
Q You would be held in contempt and the other Court would make you answer? A That being the case of course I would make a statement.
Q Are you acquainted with D. W. C. Duncan, the Clerk of what is known as the Tehee Citizenship Commission Court? A Yes, sir.
Q Did you ever have any conversation with him about letting him know of the different character of cases that would come up before the Court that you knew of, whether they were good ones or bad ones? A No, the only thi g that ever come up in that respect; he asked me if whatever large cases that would come up before the Court to let him know.
Q Did you have any talk with him about the Dawson case during the progress of its trial or before and ever introduced Mr. F. M. Dawson to him, or carry him to him? A I spoke to him when Mr. Dawson came to Tahlequah to see about his case, and he said that he would take the papers over to his room, the Dawson papers.
Q Did you see him again that night? A Yes, sir; after supper I went down to his room.
Q Did he ask you about the Dawsons or Dawson case? A He asked me where Dawson was.
Q Which Dawson are you referring to now, F. M. Dawson, known as Bud Dawson? A Bud Dawson.
Q Well, what didyou reply to him? A I told him that I thought he had gone to church.
Q Did you find Dawson after church? A Yes, sir, he told me to come and bring Dawson down and I did so; Dawson was in church.
Q You carried Dawson to him? A Yes, sir.

Q Did you remain during the conversation? A Only a minute.
Q What was said if anything while you were present? A Mr. Duncan spoke to Mr. Dawson and says "there is a hitch in your evidence."
Q Go ahead and state what else he said? A He said "if that was straightened out it would be all right," and I turned and went away, I says, "gentlemen, I will go home."
Q Did you know of the[illegible] having any other conversation or communication after that? A No, sir.
Q You left them there together yourself? A Yes, sir.
Q Did Mr. Dawson give you any directions the next morning about [illegible] the case? A Yes, sir, he asked me to call it up the case.
Q The next morning? A Yes, sir.
Q Had there been any additional evidence offered? A No, sir; there was not additional testimony offered.
Q He [illegible] the next morning to call up the case? A Yes, sir.
Q And it was heard and submitted the next morning? A Yes, sir.
Q Now, how many of the members of the Court were there present that [illegible]? A There were only two, two full-blood Indians.
Q [illegible] speak English at all? A Tehee could talk a little, [illegible]
Q [illegible] executive sessions all the time or what is called [illegible] sometimes? A Well, I don't remember about [illegible] generally when the case was submitted the attorneys would [illegible] and the Judges would go out and they would determine the case.
Q Well, did they go out into that sort of executive session the next morning on the Dawson case? A Well, we went out when the case was submitted.
Q And was the decision rendered that morning in their favor?
A Yes, sir.
Q Who notified you of the decision of the Court? A Why, Mr. Dawson.
Q Do you remember whether he went out with you or was in there during the consideration of the case? A I think he went out with me.
Q Did you at any time thereafter receive any money, checks or other evidence money from Mr. Dawson with direction to turn it in part over to D. W. C. Duncan, the Clerk of that Court? A Mr. Dawson gave me 50 dollars and said he would send the balance in a short time, said he would send some more money in a short time.
Q Well, did he send any money afterwards? A Yes, sir, in the course of ten days or two weeks he send a hundred dollar check, draft.
Q What did he direct you to do with it? A He directed me to give D. W. C. Duncan half of it.
Q Did you give him half of it? A Yes, sir.
Q Did he send you any at any other time after that? A Well, in the course of a couple of weeks he sent me a hundred dollars more.
Q Did he direct you to turn any of that and if so how much, to D. W. C. Duncan? A He told me to give him half of it.
Q Did you give him half of it? A I did, sir.
Q Do you remember whether on Dr. Arthur Baker was the principal witness in behalf of the Dawson case? A No, sir, I don't because I never had any connection with the case, but I heard that he was a witness in the case.
Q No argument was made when you submitted the case? A No, sir.
Q Just submitted it on the testimony? A Yes, sir.

MR. McKENNON:

Q Are you a citizen of the Cherokee Nation? A Yes, sir.
Q Were you born and reared in the Cherokee Nation? A No, sir; I was born in the old Nation.

Q When did you come to the Cherokee Nation? A Come here in 1887.
Q How long have you been practicing law in the Cherokee Nation?
A I think since '88.
Q You have done a great deal of citizenship business haven't you?
A Yes, sir.
Q You were in the United States Court at Fort Smith on charges in regard to the citizenship business? A Yes, sir.
Q Were you convicted there? A Yes, sir; I was convicted there on this very case
Q And served a term of what length? A I was sent to the jail hospital for sixty days and I stayed in about 37 or 39 days, and I was released.
Q When was that? A I don't remember how long ago it has been.
Q You say it was in regard to this case? A Yes, sir; this case was the bone of contention; Clem Rogers and the Chief, they are the ones that had me arrested, carried to Fort Smith.
Q Well, now, were you charged with an offense against the law in this case, or was it in regard to some other case? A Well, it was in regard to using the mail for fraudulent purposes.
Q Sending out propositions and obtaining case for citizenship for people [illegible] Cherokee Nation? A No, sir, it was for answering correspondence.
Q Not relating to this case at all? A Well, this was the main charge. Clem Rogers went before the Court there and stated that I had got in at least three hundred Dawsons, that they were white people and not entitled to citizenship and that was the main trouble.
Q Well, now, was the charge based upon that or was it based upon your letters you sent out to other people? A That was the charge for using the mail for fraudulent purposes.
Q The use of the mails for fraudulent purposes not in connection of this case was it? A Not particular of this case.
Q Then the trouble you had was the prejudice of Clem Rogers and others caused by your connection with the Dawson case; that is what you mean to say? A Yes, sir.
Q Why did you say because you were charged with an offense based upon this case? A Well, the prejudice grew out of this case.
Q Now, then, you had full conversation with the representatives of the Cherokee Nation as to your testimony in this case, did you not before you came on the stand? A Yes, sir.
Q You had told them of these particulars before you came on the witness stand did you not? A Yes, sir.
Q Yet when you came on the stand you assumed to have conscientious scruples as to answering as to matters which occured between you and your client, Bud Dawson, in relation to this matter and declined to answer claiming your privilege as an attorney did you not? A Yes, sir; I didn't want to make a statement at all in the matter.
Q You had voluntarily made a statement to the representatives of the Cherokee Nation? A Yes, sir; I had stated to Mr. Hastings; he summoned me and I come down here and I didn't want to make a statement to him but he insisted.
Q He had no power to compel you to make a statement? A No, sir.
Q You could then make it very freely and your conscience did not hurt you, but when you came on the stand you were very conscientious about it? A I didn't want to make a statement at all unless I would be put in jail here if I didn't.
Q But you had armed them with information by which they could ask you these questions when you came on the stand? A I had told Mr. Hastings.

Q You knew when you gave him that information that you would be brought on the stand as a witness, did you not, by reason of that?
A No, I didn't know that I would be compelled to make a statement in the matter, a sworn statement.
Q You thought you would not be compelled to answer?
A I didn't think the law would compel me to make a statement.
Q Why then did you make a statement to him about it? A Oh, he was asking me about it, and I told him that I didn't want to make a statement, and I didn't for quite a while after I came down here.
Q When the enrollment division of the Dawes Commission was in Tahlequah, in the winter of 1900, did you not there meet F. M. Dawson and did you not then and there say to him "I told Shoemake I would be for him if he would employ me in his case and if he didn't I would be against him, and the same to you?" A No, sir; I said to him this; I says that if there is not something done that I will likely be summoned against you and Mr. Shoemake both.
Q What did you mean by that? A Well, I just meant this, I just left the matter with him to say what he wanted to do in the matter; I only spoke a word or two about it. I was going out of town just as he came in.
Q When you told him if something was not done you would be summoned as a witness against him; what did you mean by that? A Well, I just meant that the chances were that the Nation would summon me against him.
Q What did you mean by the expression "if there was not something done" that you would be summoned as a witness?
A Well, I meant this, if I was re-employed in the matter if he was to have a case and I was re-employed I would not be required.

Q You could be required to make a statement as to declarations made to you by your client to you in one instance, but if a little more money was put up you could not be required to make a statement; is that what you mean? A I didn't think I could be forced to make a statement at all in the matter.
Q Why didyou make that expression to him "if something wasn't done you might be summoned as a witness" if you believed you could not be made to make a statement? A I meant if I was employed in the case.
Q If he would put up you would not testify? A That they could not force me to testify.
Q About the month of February, 1901, in the town of Vagoner, Indian Territory, did you not send your son to get Graham to come to the hotel at night, and did you not then and there say to Sid Graham; "you people are on the doubtful list and if you will give me $500. I will make it all right and see that you are enrolled and if you don't I will se that you don't get on"? A No, sir; I got a letter from Sid Graham in which he asked me to certify that the case was all right and after I met him I told him that I could not do it, that the case was crooked, he then said to me, he says, "I will give you a hundred dollars", he says "will you take a hundred dollars," I said "no, sir." I didn't make any bid, that is I dddn't set no price with him.
Q You did not say to him then what I have embraced in that question there? A No, sir.
Q You did have a conversation with him about that time and at that place, did you not? A Yes, sir.
Q You say you didn't make any bid or set any price? A No, sir; he offered me a hundred dollars.
Q Why did you send for him to come to the hotel? A In answer to his letter.

A Did you not on yesterday morning on the street in Muskogee, Indian Territory, in a conversation with W. M. Shoemake say to him: "You have made a great mistake in not keeping in your employment and so have the Dawsons and it will go hard with you and you will see it"? No, sir; I says to Mr. Shoemake, I says: "Who have you employed in your case," and he says "Judge Thomas and Mr. Owen." I said "It might have been a advantage to you if you had retained me in your matter;" Well, he says "there was nothing wrong in my case" and I says "no, there is nothing wrong on earth in your case that I know of." He said all he wanted was justice and I said "I don't know a thing on earth against you," and I says "there is not a thing on earth wrong in your case as I know it came up fairly and squarely and decided in your favor."

Q You said nothing to him about the Dawson case? A Yes, I said to him "it might have been well if the Dawsons had retained me in their case." I said "I am summoned on the part of the Nation and I don't want to make a statement and I won't if I can possible avoid it."

Q Was that before or after you talked with Mr. Hastings, the representative of the Nation? A It was afterwards.

Q You meant by that if you had not been called to answer you would have gone to jail? A No, sir; if they had employed me before, and I meant not now.

Q You mean that if they had employed you before hand you would not have given this information to Mr. Hastings? A I would not be required, being the attorney.

Q Were you required to give him the information; did you tell him that you had to give him any information? A Who do you mean.

Q Mr. Hastings. A I did refuse him and he insisted.

Q Well, he no authority to compel you to do it? A No, sir; I don't know whether he did or not.

Q As a lawyer you knew that he did not have authority to compel you to make a statement to him? A I told him that I was an attorney in the case and I didn't want to make any statement at all.

Q Why did you do it? A Well, he intimated to me it would go any further. He said to me "I will not make this matter — I will not use it;" that is, what I stated to him was part in confidence.

Q And he pledged you his word that it would not be used? A Well, told him I could make a statement in confidence, and that I didn't want to make a statement before the Court.

Q Well, what did he reply, as you said just now? A Oh, he says make the statement and then I told him--I regretted very much to do it, and I regret very much to make a statement here. I tried to avoid it yesterday.

Q You stated just now that he said it would not be used; did he say that or not? A Well, something to that amount; oh, he says it won't make any difference or something to that effect.

Q Now, don't you know that Mr. Hastings did not intimate to you that the statement he was asking you to make would not be used? A Well, I didn't think that I could be forced to make a qualified statement before the Court here, because I thought my license would protect me in that matter.

Q Yet it did not protect you or prevent you from making a statement to the attorneys for the Nation? A No, sir.

Q Now, in this conversation with Shoemake to which I before referred did you not ask him to again employ you and tell him if he would you would make it all right for him? A No, sir; I didn't say that; no, I said if he had employed me in the matter "maybe it would have been better for you." Now, he offered me when I was down here last week, he offered me five dollars to go down and talk with his lawyers on the matter, I didn't do it, I refused it.

Q That was not your price? A No, no, I had nothing to say in his case that would be to his advantage; I knew nothing against him.
Q Now, then, you say that your were present on the morning that the judgment was rendered in favor of the Dawsons? A I was not in the Court house.
Q You were present in Tahlequah? A Yes, sir.
Q How long had you been at Tahlequah? A I was living there at that time.
Q When were you first employed by them? A By Dawsons?
Q Yes, sir. A The evening before the case was tried.
Q You say that after he judgment was rendered Dawson handed you $20? A Yes, sir.
Q And told you to hand to Duncan? A No, sir.
Q What was your statement? A That he paid me $20 and says "I will send you some more in a short time, week or so.
Q And then he sent you $100? A Yes, sir.
Q And wrote you to give D. W. C. Duncan $50 of it? A Yes, sir.
Q And then sent you another $100 and told you to give him half of it? A Yes, sir.
Q How much did they pay you? A Well, that was the agreement, was that he would pay me $50 a family.
Q How much did he pay you? A I think there was $250; now I am not sure about the $50, but it appears to me like there was a $50 sent, and Mr. Duncan asked me, as well as I remember, says "have you got a letter from Dawson," I told him "yes, sir." It was either that or the $100, and he says "I would like to have some money", and I went to Stapler's and got it changed-- I won't be sure about it being $50 or $100--I went to Stapler's and got him to cash the check and give him his part of it.
Q How much did they pay you for your services? A That is all I got.
Q How much? A I think it was $100, $120.
Q What did you do for them? A Didn't do a thing only called up the case and submitted it; never read the evidence.
Q Submitted it without remarks? A Yes, sir.
Q And for that you say they paid you $120? A Yes, sir; $120.
Q Was Houston Benge present when that was done? A No, sir; I don't think he was.
Q Did you see him then at that time in Tahlequah? A I don't remember.
Q Were you associated with him in any manner in connection with the case? A No, sir.
Q You had a great deal of business of that character, have you before the Courts? A Yes, sir.
Q Were you paid like fees in other cases for like services? A Yes, sir.
Q In many of them? A Yes, sir, good many.
Q All like cases? A Oh, citizenship cases.
Q When was it you were in jail at Fort Smith? A I don't remember; Mr. Mellette can remember, he was there, he was my attorney.
Q Was it about 1883? A It was somewhere along there, along in 1890 somewhere.
Q That has been your principal business as a lawyer, has it not? A Yes, sir.
Q You have never practiced much in any other way have you? A Very little.
Q Were you in the habit of working your cases through in the same manner in which you state you worked this through? A No, sir.

Q This was an exception was it? A I never worked this case through. I simply called the case up by request of Mr. Dawson. I read the evidence; don't know what proof there was in it; he just asked me to call the case up.
Q And he agreed to pay you $50 a family for doing that? A Yes, sir.
Q Was that what you required of him? A That is what he agreed to pay. I says "What will you give?" He says "I will give you $50 a family.

MR. HUTCHINGS:

Q At the same time that the attorney for the Nation was talking to you about the Dawson case he also made inquiries about the Shoemake case didn't he? A Yes, sir.
Q And you told him at that time before you knew anything about whether you would be made or compelled to testify that so far as you knew there was nothing you knew detrimental to the Shoemake case? A Yes, sir; that is what I said.
Q You told him at the same time that you not only expected to claim you privilege as an attorney in the case, but that you told him, Mr. Hastings, with the full belief that the Court would sustain your position? A Yes, sir.

Mr. McKennon: That is very leading.

Q Now, did you think that the re-employment, being the attorney in the pending case would strenthen your position or weaken it, when you spoke to Mr. Dawson? A What I thought in the matter was before ever I would be summoned in the matter, a long time ago, that if I had been employed in the matter of course my position would have been such that I would not have been required or could not have been forced.
Q Did you think under these circumstances that Mr. Hastings would approach you about the subject? A No, sir; I don't think I would be forced to, having license to practice law.
Q Did Mr. Hastings tell you at the time that he was going to put you on the stand? A Yes, sir.
Q And let the Court decide? A Yes, sir.

MR. McKENNON:

Q Now, have you a license to practice in the United States Courts? A Yes, sir.
Q In the Territory? A Yes, sir.
Q And also in the Indian Courts? A Yes, sir; do you want to see them?

JAMES W. LEWIS, being duly sworn, testified as follows on part of the Cherokee Nation:

MR. HUTCHINGS:

Q State your anem please? A J. W. Lewis.
Q James W. Lewis? A Yes, sir.
Q Where is your postoffice, Mr. Lewis? A Afton.
Q How old are you? A 73 years old.
Q What is your business ? A I work at the tin business and gun work.
Q Do you know one James Dawson, the brother of F. M. Dawson and the other Dawsons? A I know old man James Dawson.
Q That is the one, I mean old man James Dawson? A Yes, sir; I know him.
Q How long have you known him? A Well, some four or five years, I guess.
Q How long? A Four or five years I think.

Q When did you come to the country? A I have been in the country 30 odd years.
Q Well, when did he come to the country, do you know? A Along about somewheres in eighty if I recollect right, might have been later than that.
Q How did you happen to get acquainted with? A He lived right close by me and I built a house for him.
Q Did you have any conversation with him at the time you built that house? A Yes, several different times.
Q About how he became a citizen of the Cherokee Nation, about the circumstances? A Yes, sir.
Q Did he make any statement to you about the use of money in getting his citizenship, and if so, state what he said?
A Well, he told me that it cost him $700 to get his rights.
Q Didn't tell you to whom he paid it? A No, he didn't and I didn't ask any questions.

LR. McKENNON:

Q How old was he at that time, do you know? A I do not know exactly, must have been somewheres near about 70 years old, he might have been older than that, I don't know.
Q He was a very old and feeble man? A Yes, he was old and feeble.
Q He seldom ever got out away from his house? A No, sir, only short distance.
Q When you first knew him he was that kind of man? A Yes, sir.

J. L. CLINKENBEARD, being duly sworn, testified as follows on part of the Cherokee Nation:

LR. HUTCHINGS:

Q State your name? A J. L. Clinkenbeard.
Q What is your post office address? A Vinita.
Q How old are you? A 58.
Q Were you ever an applicant for citizenship before the Tehee citizenship Court in Tahlequah? A Yes, sir.
Q About what time was that? A September '81, I think.
Q Did you meet there about that time, one Elbert or Buck Dawson?
A Yes, sir.
Q How did you happen to meet him? A He and I stopped at the same place, man's by the name of Sherbow.
Q You and he stopped there, did you, board there? A Yes, sir.
Q Well, did you have any talk about citizenship cases, yours and his? A
A Yes, sir.
Q There did he state that he was from? A Texas.
Q Well, state what you can remember of the conversation between you from time to time about citizenship in the Cherokee Nation?
A Well, we were there on the same business and we talked about it at different times, and in talking about the evidence we had there I, of course, told him how many witnesses I had and what I could prove and so on, and he said that he didn't have but one witness, Dr. Baker from Arkansas, a man that was 85 or 90 years old, he said, and he hadn't come and said he was to have met him there, but he hadn't come.
Q Well, what did he say about the doctor's knowing anything?
A Well, he said he was 85 or 90 years old and didn't know straight up.
Q Well, did he say anything about giving him whisky?
A Well, he said he could give him four drinks of Arkansas whiskey and he would swear that black was white.

Q Did he say anything about what money would do in Texas or Indian Territory? A Well, in talking about the evidence, he said that money was what made the wars go down in Texas and he said "I come to get the law of the land" and he says "I found out it goes here," or words to that effect.
Q Did he say what he had to spend on the question? A Well, he said that he could stand a thousand dollars on it and not be hurt very much; finally he said he could stand more than that.
Q What did he tell you what he thought about the necessity of witnesses anyhow? A Well, I don't know as he said as to that, but I understood from what he said that he thought money would beat witnesses.
Q Well, where did he go from there? A He and I left there together; he came to Muskogee by way of Fort Gibson and there we parted.
Q Did you ever see him after that? A I saw him about two years or something like that afterwards.
Q Where? A Vinita.
Q Did you refer to the citizenship matter? A I asked him how he come out and he said all right.
Q Was he deformed in any way this man? A He had a crippled hand or stiff finger; I don't remember just what it was now.

J.R. McKENNON:

Q Your first conversation with him was in '01 was it? A Yes, sir.
Q What time in '01? A September.
Q You were then an applicant for citizenship? A Yes, sir.
Q Were you admitted? A No, sir.
Q You are still an applicant? A No, sir.
Q You are still working to get in as a citizen of the Cherokee Nation? A No, sir; haven't quit it entirely.
Q What business are you in now? A I am running a dairy in Vinita.
Q When did you make these statements now to the representative of the Cherokee Nation? A Well, sir, I haven't; I saw Mr. Hastings I believe here last Saturday the first time.
Q How did they ever know that you had had these conversations with Mr. Dawson? A I don't know.
Q You don't know how they found that out? A No, sir.
Q You say you saw Mr. Hastings here last Saturday? A Yes, sir.
Q Now, did you approach him or did he approach you? A He approached me.
Q You know why? A No, sir; I suppose somebody I have told something at some time about this. I don't know how of one. I don't remember of having talked to anyone about it. I have seen Mr. Hastings for years.
Q Now, you say—how was that expression about him giving Dr. Baker three or four drinks of liquor? A He said the old man; he said that Dr. Baker, he was expecting him there and he didn't come, and he said he didn't care where he didor not; he said he was 85 or 90 years old; he said he didn't know straight up; said he could give him three or four drinks of Arkansas whiskey and he would not know black or white.
Q Now, he said that did he? A Yes, sir.
Q You are just as positive of that as you are of any other statement he made are you? A Yes, sir.
Q You say you next saw Dawson at Vinita? A Yes, sir.
Q How long afterwards was that? A About two years, I think something like that.
Q Did he move to the Territory? A Yes, sir; he lived at Vinita at one time.

Q You speak about having a dairy business there at Vinita, to what extent? A I am only milking about four cows now, I sent the others to the country.
Q Do you run a dairy wagon there? A No, sir.
Q You serve on the jury a good deal? A I have been serving on the Petit jury there this winter.
Q Generally? No, sir.
Q Are you a kind of a professional juror? A No, sir; I was on the regular petit jury, I was on the regular panel and served.

C. G. BRAUGHT, being duly sworn, testified as follows on part of the Cherokee Nation:

MR. HUTCHINGS:

Q State your name? A C. G. Braught.
Q What is your age? A 62 29th day of last January.
Q What is your post office? A Fairland.
Q How long have you been living in the neighborhood of Fairland?
A Been living there 19 years.
Q Do you know one Bud Dawson or F. M. Dawson as his name is?
A I do.
Q How long have you known him? A About 18 years.
Q How close do you live from him? A Half a mile of him.
Q Does he still own that place? A I think he does.
Q Were you an applicant for citizenship along about '81 or '2 at Tahlequah? A Yes, sir.
Q Did you have at any time a conversation with Bud Dawson about his and your citizenship cases? A Yes, sir.
Q State what he stated to you of citizenship cases in general and about his own in particular, you can state the time that you had these conversations as near as you can? A Well, I think it was in '83, he told me if I ever got in I would have to put up; he said it cost him $700 to get in; he said he paid one witness three hundred dollars.
Q Did he state the name of that witness? A No, he did not.
Q Whom did he say he made arrangements with? A He said he made arrangements with the Court; that is, heads of families to get them in at one hundred dollars apiece.
Q Do you know what time of the year tht was, whether it was in the summer or not? A I think it was in June.
Q Did he make any other statements to you at any other time?
A No, sir, I don't think he has in regards to that matter.
Q You have been living neighbors with him? A Yes, sir.

MR. McKENNON:

Q You say this was about June of '83? A I think it was in June, 1883, I won't be positive whether it was June or not.
Q You were an applicant; were you admitted? A No, sir.
Q Have you been admitted? A No, sir.
Q You are still an applicant? A Yes, sir.
Q Still trying to get in? A Yes, sir.
Q Where was this conversation had? A Had at Bud Dawson's house.
Q What part of the premises? that is, in his residence?
A Yes, sir.
Q In the house? A Yes, sir.
Q Who was present? A There wasn't anybody present; he just built the house and there wasn't anybody there.
Q Was there more than one room? A I won't be positive but I don't think there was but one room, log house.
Q Just one room? A Yes, sir.

Q And in that room he made this statement to you? A Yes, sir.
Q He and you are enemies are you not? A No, I don't think we are enemies.
Q You are not friendly at all? A Friendly part of the time, and part of the time we ain't.
Q Haven't you had considerable trouble about he lands between your farms? A No, sir; we ain't had any trouble.
Q Didn't you have his little boy arrested recently for a difficulty? A Yes, sir.
Q And you say that you are not on bad terms with him? A Why we speak, have conversation, have right right along all the time.
Q Is it not a fact now that you and he have been all the while at outs? A No, sir.
Q You don't have any unkind feeling towards him? A No, sir.
Q What were your other remarks? A I said no, sir, I didn't have any unkind feeling towards him.

(It being 5 o'clock, the Commission adjourns until 8:30 o'clock to-morrow morning.)

March 19, 1902.
Commission convened pursuant to adjournment.

Appearances:
Mr. A. S. McKennon, of Counsel for Applicants.
Mr. W. T. Hutchings, of Counsel for Cherokee Nation.

C. C. BRAUGH, re-called, further testified:

MR. McKENNON:

Q Mr. Braught, you were a claimant under the Watts family are you not? A Yes, sir.
(witness excused.)

CHARLES D. KENNEY, being duly sworn, testified as follows on part of the Cherokee Nation:
MR. HUTCHINGS:

Q State your name? A Charles D. Kenney.
Q What is your post-office? A Braymow.
Q Are you a citizen of the Cherokee Nation? A Yes, sir; supposed to be.
Q Recognized as such are you? A Yes, sir.
Q How old are you? A There is no family record, my parents died when I was young, I just guess at my age, I am somewheres between 44 and 45 years old.
Q Were you personally acquainted with one Elbert or Buck Dawson? A I knew Buck Dawson when I saw him.
Q Did you know him in the state of Texas, if so state what time? A I knew Buck Dawson, knew him and saw him at different dates in Texas.
Q Well, in the year '81 in Clay County, Texas, did you ever see him? A It was in '81 or 82, I think I know him in both years.
Q Did you ever have any conversation with him in the presence of Bill Smith, Miles Flippin and Joe Preston about his application for citizenship in the Cherokee Nation? A Mr. Dawson and Flippin were talking in regard to grass down there before we got there

it was mentioned, I was going up on the strip and Buck Dawson says "he and Indian" and Jiles said "yes, he is an Indian", and "by God," I believe is the way he spoke, "if I was an Indian I would not be punching cattle, I would have stock eating my grass."
Q What did he say about making application? A He said he was going to the Chickasaw Nation and prove up and get him some grass.
Q Who was that? A Buck Dawson.
Q Well, di anybody suggest about his going to the Cherokee Nation? A Yes, sir, I told him, I says "why don't you go to the Cherokee Nation, why don't you go up home" I believe is the way he spoke it, "up amongst Gods people;" and he says "are they all white like you?" and Jiles spoke up and says "majority of them."
Q Well, what did he say to Jiles then? A He says "let's go up Jiles", just in a whole crowd of cow punchers, and Mr. Flippin says "Hell, I am going; brother John is getting ready to go now."
Q Well, then what did he say to you? A He says "Who are your best lawyers up there, Kenney," and I told him "Hooley Bell was counted the brainiest man in our country."
Q Well, do you know whether he claimed to have any Indian blood or what he was claiming in that country, whether white man or Indian? A No, sir, I could not say what he was; he was generally known down there as Buck Dawson, a citizen of the State of Texas, that is all I know of him.

Mr. McKennon: The applicants object to all of the testimony of this witness because it is wholly incompetent and irrelevant.

Mr. McKennon:
Q Were you born and reared in the Cherokee Nation? A I can't tell you where I was born; I was raised here part of the time and in Ruse County, Texas, B. W. Alberty was my guardian.
Q Were you admitted to citizenship by the Council or Court? A I think both of them passed on me; I can't tell you the date.
Q About what time? A It was sometime in '80 though.
Q What tribunal first? A I don't know; I don't know either when I was admitted, I was re-instated at Council.
Q When? A I think it was in '87 or 88.
Q Haven't you been arrested for crime and charged with crime? A Well, I don't know that I was on trial; I have been arrested a hundred time, I guess from here to the Rio Grande.
Q For what offense? A For gambling, stealing; if I am on trial I have had lots of them, I have been on the road.
MR. HASTINGS: of Counsel for Cherokee Nation,
Q Were you ever convicted? A No, sir.
MR. McKENNON: Applicant makes further objection to the testimony of this witness on account of his original character stated by him.

THOMAS B. BABEART, being duly sworn, testified as follows on part of the Cherokee Nation:
MR. [illegible]:

Q State your name, please? A Thomas B. Babeart.
Q What is your post office? A Melvin.
Q What is your age? A 49.
Q Are you a Cherokee by blood? A Yes, sir.

Q Did you know one James Dawson? A Well, yes; I did; I have seen him time or two.
Q Were you in Tahlequah about the time he had an application before the Spears or Snake Puppy Citizenship Court? A Yes, sir; I was there about the time the case was settled.
Q Did you know Aaron Butler? A Yes, sir.
Q Who was he? A He was a Cherokee Interpreter for the Court.
Q Do you know James Smith? A Yes, sir.
Q Who was he? A He was the Nation's attorney before the Court.
Q Were you about that time have a conversation with either Aaron Butler or Jim Smith in company with Mr. James Dawson? A Yes.
Q State the full particulars of it? A About that time this man Dawson and Butler come to me while they were all together, all three of them, and Butler come and called me off to one side, that was down at a colored church, it was after dark, and they called me off there and this man Dawson borrowed some money from me, he said he had to have it that night, his case was going to be submitted the next morning.
Q Well, did he say anything about whether he could get his case submitted if he had some more? A Well, from the language to me and Butler, he wanted this money: Smith had agreed to submit the case without further evidence in the matter.
Q Well, did you let him have the ten dollars? A Yes, sir.
Q Where did they go then? A They walked off up towards town.
Q Did they go together, those three? A Yes, sir.

MR. McKENNON:

Q Was that James Dawson, the leading applicant in that case?
A Yes, best of my recollection that was.
Q How old a man was he? A I don't know; I could not tell you; he looked, I don't know, he might have been—could not tell you just about how old he was.
Q Well, about how old was he, 25, 30 or 40? A Yes, he was older than that, from my judgment I guess he must have been 45 or 50 years old.
Q Is he living or dead? A I don't know.
Q Where have you been living? A I have been living down here near Tahlequah.
Q What was the man's name, Dawson's name? A Jim Dawson I think.
Q You are certain of that? A Yes, sir; I am pretty certain.
Q They came to you with Smith, the Prosecuting Attorney, and Butler, the Interpreter? A Yes, sir.
Q Dawson took you off to one side? A Butler took me to where Dawson was and introduced me to Dawson and vouched for Dawson being all right for the money.
Q When did you first make a statement of this matter to anybody?
A I guess—I don't remember when.
Q How long have you been in Muskogee this time?
A I have been here since, I was summoned here last Friday.
Q Did you ever make any statement to anybody about this before that time? A Yes, I talked to Butler about it.
Q When? A Oh, about, first I remember it has been about two years ago, and Butler was talking to me about it; it was at my house.
Q Were you born a citizen? A Yes, sir.
Q You weren't admitted to citizenship by the Courts or Council?
A No, sir.
Q You have been living in the Cherokee Nation all your life?
A Well, I was born and raised here; I haven't been here all the time; I have been out and in.

Q You have never seen that man Dawson since? A If I have I have never known it, but I seen him the next day.
Q You saw him and took a good look at him, and know about what kind of man he was? I saw him around there about several times.
Q You think he was about 35 or 40 years old? A That would be my guess at it, my recollection.

Mr. McKennon: Applicants object to the testimony of this witness, all of it, because it is wholly incompetent and irrelevant.

DELIA A. BREWER, being duly sworn, testified as follows on part of the Cherokee Nation:
MR. HUTCHINGS:

Q State your full name? A My husband's name was C. P. Brewer, but generally I sign my name Mrs. D. A. Brewer.
Q What was your full maiden name? A Delia A. Vann; well it was really Delilah but I never was called by that name, it was De altogether in my young days.
Q What was your father's name? A His name was Joseph Vann.
Q Was he called by any nicknames and if so how many, and what?
A None but the Cherokees, the Full-bloods called him Joe Aney.
Q What does that name mean when you talk English? A Rich Joe.
Q Did any of them call him Big Joe Vann? A I don't know; he was a large man; larger than the other Joe Vann.
Q There was another Joe Vann? A Yes, sir.
Q Did your father have any sisters and brothers? A He had quite a number of sisters.
Q Did he have a half sister? A Had two half brothers.
Q Did he have a half sister? A Had several half sisters.
Q Who did they marry? A Different persons; I knew the names of all of them but I have a bad memory, but I know that there was one, a Mrs. Ibbie Wolfe, and Mrs. Lamar, she was first a Mrs. Nicholson and she became a Mrs. Lamar and lived in Alabama and never come to this country, but she has grandchildren in this country.
Q Well, did any of your father's sisters or half sisters ever marry a Rogers? A No, sir.
Q Never had any Rogers kin-folks? A No, sir, I certainly would have heard of them through my family, there was a great many of the kin-folks I never saw, but I heard of them.
Q The Dawson case was talked of here for many years, they claiming kin?
A I never knew until I understood they claimed to be kin to the Vanns, and I flatter myself that my family was prominent enough that they never claimed kin.
Q They never claimed kin at all? A No, sir.
Q Did your father ever had a sister or half sister by the name of Annie, Anna or Alsey? A No, sir.

Mr. McKennon: Applicants object to all the testimony of this witness because it is incompetent and irrelevant.

SAMUEL TOLLIVER DAWSON, being duly sworn, testified as follows on part of the Cherokee Nation:
MR. HUTCHINGS:

Q State your name? A Samuel Tolliver Dawson.

Q What relationare you to the Dawsons? A Well, I am not acquainted with none of these Dawsons, I guess I am cousin, that is what he told me.
Q Who was your father? A Samuel Riley Dawson.
Q What did you say your father's name was? A Riley Dawson.
Q Do you know what his full name was? A Samuel Riley Dawson.
Q What children had your father? A Why, he has got, you mean his first children or his whole family?
Q I want all of his children? A I don't know, I will have to count a while on them, there was nine or ten of them.
Q Just one or two of them I care for; is Mrs. Lewis your sister?
A Yes, sir.
Q Your full sister? A Yes, sir.
Q Was she a daughter of S. R. Dawson, Jr.? A Yes, sir.
Q Now who were the parents of your father, , Samuel Dawson?
A Why Sam Dawson was his father.
Q Sam Dawson was his father? A Yes, sir.
Q What was Sam Dawson's wife, if you know their family history, what your father said or what your grandfather said? A I have heard that she was a Pruitt, my father said; of course I don't know.
Q What was her given name? A Annie.
Q Did you ever see your grandfather, Samuel Dawson? A Yes, sir.
Q Saw him? A Yes, sir.
Q Do you know about how old he was when he died? A He was somewhere up about 90.
Q About how old were you when your grandfather died? A I don't remember exactly how old I was, I must have been somewhere near 13 years old when my grandfather died.
Q Was your father his youngest child? A Yes, sir.
Q D you know about when your father was born? A Well, no, I don't, he died in '90 and he was 67 years old.
Q He died in about '90 and was about 67 years old when he died?
A Yes, sir.
Q And he was the youngest child? A Yes, sir.
Q Now, do you know how many children your grandfather had , that is brothers and sisters of your father? A I heard him say seven.
Q Well, did you ever hear your father or grandfather speak of whether or not your grandmother was a white woman or an Indian?
A Well, I heard my father speak about it, I don't know that I ever heard my grandmother say anything about it.
Q Well, what did he say about it? A I have heard him say his mother was not an Indian.
Q Did you fathercome here and apply once for citizenship?
A Yes, sir.
Q Was he admitted? A I think not.
Q Did you hear him make any statements about he ground he expected to get in? A He said his brothers had proved their rights here and if his brothers had any rights he did, but I don't know.
Q Well, in that connection did he say whether his mother was an Indian or white woman? A Never heard him say that his mother was a white woman in speaking about that, I don't know whether he said anything about that or not; I have heard him say his mother wasn't no Indian.

Mr. McKennon: Applicants object to the testimony of this witness because it is wholly irrelevant and incompetent.

---oOo---

(Taking of testimony continued by Stenographer M. D. Green)

I, J. O. Rosson, do hereby certify upon my official oath as stenographer to the Commission to the Five Civilized Tribes that I correctly recorded the testimony and proceedings in this case, and that the foregoing is a true and complete transcript of his stenographic notes thereof.

(Signed) J. O. Rosson.

---oooOOOooo---

(Continued from testimony taken by Steno. J. O. Rosson.)

March 18th, 1902, at Muskogee, I. T.

Appearances:
Mr. A. S. McKennon and Mr. Mellette, attorneys for the applicants.
Mr. G. T. Hutchings, and Mr. W. W. Hastings, attorneys for the Cherokee Nation.

EMMA BRASHIERS, being first duly sworn, and being examined testified as follows:
BY MR. HUTCHINGS:

Q State your name? A Emma Brashiers.
Q What was your maiden name? A Emma Dawson.
Q What was your father's name? A Samuel Riley Dawson.
Q What was his father's name? A Samuel.
Q What was your grandmother's name? So far as you know from family history? A Her maiden name was Annie Pruett.
Q Then your father, if I understand you, was the son of Samuel Dawson and Annie Dawson, nee Pruett? A Yes, sir.
Q Did your father have a brother named Robert, and a brother named James? A Yes, sir; that is what I was told.
Q And had a sister named Mrs. Petty? A Yes, sir.
Q And another one named Mrs. McGee? A Yes, sir.
Q And another brother named John? A Yes, sir.
Q What relation are you to Mrs. A. S. Lewis? A Sister.
Q Did you ever see your grandfather, Samuel Dawson? A Yes, sir.
Q You have a distinct recollection of him? A I, yes, I can remember him, but I was small.
Q About how old were you you suppose when your grandfather died? A About 6.
Q Was your father's birth recorded in the family Bible? A Yes, sir.
Q You know whether your grandfather's record of marriages and deaths were recorded in any Bible or not? A I was, but we haven't it.
Q What became of it? A Got burned.
Q Well, about what year do you remember that your father, Samuel Dawson was born? A I believe it was '23.
Q In 1823? A Yes, sir.
Q And how old was he when he died, if you recollect? A He was between 64 and '7.
Q Did you ever hear your father speak of his relations, his father and brother, as to whether they were white people or Indians? A Yes, sir, they were white people.

Q. You know whether in the family you grandmother was spoken of by the name of Annie, always? A Yes, sir.

BY MR. McKENNON: Applicants object to the testimony of this witness because it is wholly irrelevant and incompetent.

ALEX S. LEWIS, being first duly sworn and being examined, testified as follows.

BY MR. HUTCHINGS:

Q State your name? A Alex S. Lewis.
Q What is your post-office? A Dawson, Indian Territory.
Q How old are? A 59 years.
Q What was your wife's maiden name? A Elizabeth Paralee Dawson.
Q Who was your wife's father and mother? A Her father was Samuel R. Dawson and her mother was the wife of Samuel R. Dawson, did you want her maiden name?
Q Well, if you know the maiden name of your wife's mother, state how you know it? A Well she was called Margarett, Margarett Queen was her maiden name.
Q The maiden name now of your wife's father's mother? A Why the maiden name of my wife's father's mother?
Q Yes, sir? A From what her husband and my father-in-law told me it was Annie Pruett.
Q What was the name of your wife's father's father? A My wife's grandfather on her father's side, Samuel Dawson.
Q And his wife's maiden name was Annie Pruett? A Yes, sir.
Q Did you know the old gentleman, Samuel Dawson, you wife's grandfather? A Yes, sir.
Q Personally? A Yes, sir.
Q What opportunities had you to get acquainted with him? A He lived with his youngest son, my father-in-law, and visited us, my wife and I, after we were married, stayed with us quite a while; I lived near my father-in-law and we visited very often.
Q When did he die? A '74.
Q Have you any particular method of recalling that date? A Well, I was away from the house when he was taken sick, and they sent for my wife and myself, and so when I got home my wife had gone to her father's to see her grandfather, he was sick, and I remember my first wife was a baby at that time.
Q And when was your first child born? A He was born December, '73.
Q You know how old your wife's father was when he died? A Why he was up in 60, but I don't remember his age.
Q Did the old original Samuel Dawson ever tell you his age? A Yes, sir, several times.
Q How old was he at the time of his death? A He was passed 94.
Q Did he ever tell you whether or not his wife Annie Pruett had any sister or brother? A Told me she only had one brother named Bob Pruett.
Q Have any of the members of the family named their children after him? A Make it a little plain, it is a little long; my wife's oldest brother was a particular favorite of his grandfather, and he always took this boy with him everywhere, and he has named one of his,- oldest child for this brother-in-law who was a particular favorite of his grandfather; named it for him I understood.
Q Now, what is him name? A Of course I don't know why he named it, but he gave him the name of Robert Pruett, and I understand it was on account of his grandfather thinking so much of Robert Pruett.
Q Did you ever hear the old Samuel Dawson speak of his brother-in-law? A Yes, sir; I have heard him say that he wished he knew what had become of Bob Pruett, he never had heard of him for a long

time; didn't know where he was, or whether he was alive or not.
Q Now, I want the children of Samuel Dawson and Annie Pruett, how many of them did you know, first? A How many did I know personally?
Q Yes, sir? A John James, and Samuel R. Those were the only ones of his children that I remember personally.
Q Well, remember what you know of the family, what other children did he have? A Well he had two girls, as I understand the family history, he had two girls, first, and John Dawson was the third child, and the oldest boy was John Dawson.
Q Was John Dawson the oldest boy? A Yes, sir.
Q Which was the oldest girl? What is she known by now? A I think it was Mrs. Petty, nee Bettie Dawson.
Q And John Dawson was the oldest boy? A Yes, sir.
Q And Samuel R. Dawson was the youngest boy? A Yes, sir.
Q You know anything about the time John Dawson was born, have you any way of coming at it, the oldest boy? A Yes, sir, I know what the oldest son and his wife told me.
Q What was that? A They said he was born in 1811.
Q Who was his oldest son? A Toliver H. Dawson; told me his father was born in 1811.
Q Do you remember now whether the old man had occasion to say whether his wife, Annie Pruett was an Indian or White woman, or ever said anything about it? A I know what the old man said that she was, I don't know that I ever heard the question approached in that way, I have heard him speak as to her blood, but it was in a different way that he reached it.
Q What blood did he say she was? A Well he said that she was the daughter of Mrs. Pruett, a white woman; and that her father was Captain John Rogers, a white man who lived with the Cherokee Indians, and traded with them.
Q Did he say who Captain John Rogers afterwards married? A Said he had a wife in the Cherokee Nation.
Q But that Annie Pruett was not her child? A No, sir, she was the child of Mrs. Pruett.
Q A white woman? A Yes, sir, that was the half sister of Bob Pruett.

BY MR. McKENNON:

Applicants object to all of the testimony of this witness, because it is wholly incompetent and irrelevant.

Q Did ever you apply for citizenship here? A Yes, sir; for my wife.
Q When? A My father-in-law made the application, I don't know exactly when it was, I think probably about '86, I couldn't say as to the date.
Q Before the Cherokee authorities? A Yes, sir.
Q Did he file an application before the Dawes Commission in 1896 also? A Him.
Q Yes, sir? A I don't think he did, no sir.
Q Did you? A I did.
Q On account of your wife? A Yes, sir.
Q Did you make affidavit to that application? A No, sir.
Q Who did? A I don't know, don't remember now.
Q You applied for your wife as an Indian by blood didyou not?
A Yes, sir.
Q Are you still an applicant? A No, sir.
Q Is she? A No, sir.
Q She was denied was she? A Yes, sir.
Q Was there an appeal taken from that? A Application was filed if I remember, before the Dawes Commission, and they rejected the same, and then I appealed it to the District Court, and it was rejected there and then I stopped.

Q Have you ever been arrested for any crime? A Yes, sir.
Q What? A Charge of murder.
Q Anything else? A No, sir.
Q Committed on the train? A Yes, sir.
Q In a train robbery? A Yes, sir, in a train robbery.
Q How long did you remain in jail? A Appealed the case to the Supreme Court, and it was reversed and sent back, and I was acquitted on that charge.
Q That all the crime you were ever charged with? A Yes, sir.
Q Haven't you been having some trouble with the Dawson family?
A Well me personally I have no trouble with any of them, there is one of my boys and one of W. A. Dawson's sons-in-law had some trouble.
Q You are not friendly with the Dawson family? A That son-in-law Mr. Wooley, and myself, don't speak, and I don't think his wife speaks to me either.
Q Well you are claiming some sort of lease on the Wooley farm, aren't you? A No, sir, I don't claim any lease on the Wooley farm.

B. W. ALBERTY, being first duly sworn, and being examined, testified as follows:
BY MR. HUTCHINGS:
Q State your name? A B. W. Alberty.
Q What is your post-office? A Tahlequah.
Q What is your present official position in the Cherokee Nation?
A Assistant Executive Secretary of the Cherokee Nation.
Q As such have you charge of the citizenship records and books etc. of the Nation? A Yes, sir.
Q Have you made search recently for the original records in the various cases of the Dawson family before citizenship courts in Council? A Yes, sir.
Q Have you got what records you found with you? A I find what's supposed to be the original papers in the case, all that I could find. (Produces papers and hands to Nation's attorney.)
Q Where did you find these papers? A I found them in the desk in which papers of that character are filed away in the Executive Office at Tahlequah. (Applicant's attorneys examine papers produced by witness.)
BY MR. HUTCHINGS: The Nation here introduces in evidence an envelope marked No. 108, the names on the back of it are Robert, Elbert, Jasper, John, Frances, Marion, Josephine, Joseph, Jane, Mollie, Wilburn, James, Real Dawson, versus the Cherokee Nation; the envelope and its contents.

BY MR. McKENNON: To the introduction of all of which the applicants object, because it is wholly incompetent and irrelevant.

The envelope above introduced by the Cherokee Nation is indorsed as follows:
"No.108, Rob. Dawson, Elbert Dawson, Jasper Dawson, John Dawson, Francis Marion, Josephine Dawson, Joseph Dawson, Jane Dawson, Molly Dawson, Wilburn Dawson, James Dawson, Real Dawson, vs Cherokee Nation, Petition for citizenship, filed Sept. 24, 1881. Admitted Jan 11th, 1883, D. W. C. Duncan, Clerk."
In pencil: "Robt Dawson."

The said envelope contains a document as follows:

"Office of Commission on Citizenship,
Cherokee Nation, Tahlequah, January 19th, 1883.

No. 102 Robert Dawson, et al.
vs.
Cherokee Nation,

Testimony for Claimants.

Witness:

Dr. Baker sworn testified as follows. My name is Arthur Baker I reside at Berrivill, Arkansas, Carroll County, my age is 73 years, I am not a Cherokee, I lived in the Cherokee Nation about three years when I first came to Arkansas I have been acquainted with him since he became a citizen of Carroll County some thirty five years (line drawn through the last three words.) 35 years at my mother's house near Calhoun I became acquainted with the claimants Robt Dawsons grandmother on mother's side, she was frequently at my mother's house; though she Anna Pruit lived in the Nation side. She claimed to be a half sister to Big Joe Vann, also claimed to be half Cherokee; the first time she brought the claimant's mother to my mother's house she the claimant's mother was about grown, when I was a lit le boy she called her daughter Polly Rogers child Capt. John Rogers who ran a boat up the river was the father of the child; I saw the girl frequently there at my mother's and there at Louis Rogers Store I saw her occasionally until I was 15 or 16 years old and I think then Old Capt John Rogers took her off to school. I saw her no more from the time Old Capt. John Rogers took her off till I saw her here in Arkansas the wife of Old Samuel Dawson. I stayed all night there and saw and I had a talk over our old matters, and I asked her when she became acquainted with Dawson and she said at the time she was going to school. And she said after she left school that Dawson followed her home to the Nation and they were there married. I have told that precisely in the words she used.

Capt John Rogers claimed to be one fourth Cherokee, the claimant is the son of Polly Rogers and I know Polly Rogers to be the daughter of Anna Pruet, and I know the claimant to be the son of Polly Dawson Capt Rogers then resided in the Cherokee Country about twelve miles from Calhoun on the Hiwassee River.

Anna Pruet resided in the Cherokee Nation as long as I knew the Dawsons when I got acquainted with them Arkansas were recognized where they were as Cherokees, Robt Dawsons children is Buck, John, Marion, and two girls; the children named in the petition I recognize as being the claimants.

Question by Solicitor:
Ques. 1 How many children did Polly Rogers have?
Ans. 1 Five, I think that's all.
Ques. 2 Did you say something about someone being married twice?
Ans. 2 The claimant was married twice.
Ques. 3 Could Anna Pruet speak Cherokee?
Ans. 3 Yes she could speak it well
Ques. 4 Did Polly Rogers speak Cherokee?
Ans. 4 She could when she was young.
Ques. 5 How far did you live from Anna Pruet?
Ans. 5 Just across the river about 3/4 of a mile.
Ques. 6 Was Calhoun in the Cherokee Nation?
Ans. 6 It was on both sides of the river, part in the Nation and part out in the State.

Ques. 7 Which Marriage was it went to Texas?
Ans. 7 George went first then John went they were the sons of old man Marriage that lived up here near the line.
Ques. 8 Did the claimant go to Texas?
Ans.8 No the claimant didn't go to Texas.
Ques. 9 What connection was claimant and Polly Rogers?
Ans. 9 The claimant is the son of Polly Rogers Marion here is the grandson of Polly Rogers.
Ques. 10 Where does claimant now live?
Ans. 10 He lives in Carroll County, Arkansas.
Ques. 11 Do you know what relation old Captain John Rogers was to Charlotte Rogers here in Coowescoowee?
Ans. 11 They claimed kin but what kin I dont know there were two Capt. John Rogers' in the Nation I am speaking of the time when I first came to this 1830 Country about the year 1830.
Ques. 12 Was Anna Pruet the maiden name of Claimant's grandmother
Ans. 12 Yes that was her maiden name the Indians called her Since.

(signed) Arthur. A. x Baker.
his mark

Witness' hand paralyzed is the reason he signs by a mark thus "x". "

The above document is indorsed on back as follows:

"Certified copy of Affidavit, Arthur A. Baker in Dawson case, Robt," Decided by the Tahee Court in 1883. A. Riley Dawsons Step daughter a white woman married a white man, named August Bulaska."

BY MR. HUTCHINGS: We further introduce envelope No. 181, of E. Dawson for his grand-children, versus the Cherokee Nation, and its contents, to-wit: The Petition and affidavit of F. M. Dawson, and the testimony of Joseph Dawson.
(Hands papers referred to to applicant's attorneys.)

BY MR. McKENNON: To the introduction of all of which the applicants object, because it is wholly incompetent and irrelevant.

The envelope above introduced is endorsed as follows:
"No.181. E. Dawson vs the Cherokee Nation. For his grand children. Petition for citizenship. Filed Sept. 14th, 1883, D. W. C. Duncan, Clerk of Com. Decided Sept.13, to be Cherokees.

The contents of said envelope are as follows:

"Office of Commission on Citizenship.
Tahlequah, Cherokee Nation, Sept. 14, 1883.

E. Dawson,
No.181. vs for his grand children,-
Lulu Dauthett,
Dallas Dauthett,

F. M. Dawson for Claimant introduced sworn did in open Court testified as follows:
My name is F. M. Dawson. Am a Cherokee by blood reside in the Cherokee Nation am 35 (40 written over it) years old.

I saw the Claimants, Lulu Dauthet and Dallas Dauthet in Vinita, and know them to be the grandchildren of my brother E. Dawson who is a recognized Cherokee by blood. L. M. Dauthet, the father of the Claimants, Lulu and Dallas is a white man Dauthet's wife the mother of Lulu and Dallas was a Cherokee, the daughter of my brother E. Dawson, she is now dead. The oldest of these applicants is about 9 years old. I have known them about 8 years. These children is now living with their father. One is a girl and the other is a boy. I had been acquainted with her mother all her life. If she had been now living she would have been about 25 years old -- She has been dead about 4 years as well as I can recollect, She was about 17 ye rs old when she was married.

his
(signed) F. E. x Dawson,
mark

Office of Co mission on Citizenship,
Tahlequah, Cherokee Nation, Sept. 14, 1903.

No.181 E. Dawson
for his grand children
Lulu Dauthett
Dallas Dauthett

Joseph Dawson introduced for Claimants, sworn in open Court testified as follows:

Jos. Dawson, am a Cherokee live in the Cherokee Nation, am 31 years old.

Lulu Dauthett and Dallas Dauthett, the Claimants are Cherokees. Fannie Dawson was their mother. Fannie Dawson was a Cherokee, that is what I was always told. Her father was E. Dawson. E. Dawson was my brother. Mrs. Dauthett is not living now: the last time I saw Lula, and Dallas Dauthett, they were in Texas. But I have heard since that they are in the Cherokee Nation. E. Dawson recognizes them as his grandchildren and I have known them ever since they were born.

By Solicitor:

Lula is about 10 years old. The Dallas is about 5 or 6 years old. I heard that their father is now at Vinita Cherokee Nation, E. Dawson is Elbert Dawson. The applicants' mother has been dead about three or four years. She died at Hillsboro, Texas.

I was not present when their mother and E. Dawson had eight children to the best of my recollection, or 9. Fannie, Francis, Cartenas, Manie, Bob, Smith, Worsh, Bert, Ella, All living but two, Fannie and Smith. They are all living in Texas when I left there. I am a brother to F. E. Dawson, we are full brothers. My father has been admitted to Cherokee Citizenship by this Court.

his
(signed) Joseph x Dawson,
mark

To the Commission on Citizenship,
Tahlequah, C. N. Sept. 12, 1903.

E. Dawson for grandchildren,
Lulu Dauthett,
Dallas Dauthett,
vs
Cherokee Nation.

Now comes E. Dawson petitioning for the Cherokee rights of his grandchildren, Lulu Dauthett & Dallas Dauthett, by virtue of their Cherokee blood, which was derived from the

Dawson family, who is acknowledged Cherokees by admission of your Hon. Court, at its last session in January, 1893, in view of the facts ask your Hon for a speedy and favorable consideration of our claims.

(signed) E. Dawson for grand children,
By C. H. Taylor."

This last document is indorsed on back as follows:
"No. 181, Petition of Lula, Douthett & Dallas Douthitt, for Citizenship Filed Sept 14, 1893, D. W. C. Duncan, Clerk."

BY MR. HUTCHINGS: Now we desire to introduce the judgment in the case of S. R. Dawson, and others, of the Commission on Citizenship, found on page 20, of Record Book B, of the Citizenship cases in the Cherokee Nation, said book having been turned over to and now in the custody of the Commission; the judgment being dated April 26th, 1889.

BY MR. McKENNON: To the introduction of which the applicants object, because it is wholly incompetent, immaterial and irrelevant.

Record above introduced is as follows:

"Office of Commission on Citizenship,
Tahlequah, C. N. August 11th, 1887.

Docket No.		Names,	Age	Sex	Post Office,	Attorney
	1	S. R. Dawson,	68		Catoosa,	
	2	Parlee Dawson,	44	female		
307	3	Amerion J. Dawson,	35	"		
	4	Katharine J. Dawson,	33	"		
	5	J. G. Dawson,	31	male		Bell &
	6	Eliza F. Dawson,	29	"	Applicant for	Bryant.
	7	Toliver Dawson,	27	"	Cherokee Nation.	
	8	Dora Dawson,	20	female		
	9	Fanny Dawson,	18	"		
	10	John Riley Dawson,	11	male	R.	
	11	Robert E. Dawson,	9	"		
	12	Claud Dawson,	7		Ancestor	
	13	Cleveland Dawson,	3		John Rogers	

— filed August 11th, 1887."

In red ink written along Age column is the following: "Rejected April 26, 1889."

"Now this day comes the above case for final hearing, Samuel R. Dawson, bases his application for readmission to citizenship in the Cherokee Nation upon the ground that he is the son of Samuel Dawson a white man, Polly Rogers the alleged daughter of Captain John Rogers and Chilsey Pruitt, said to be a half sister of Joseph Vann, commonly known as Rich and who was of Cherokee blood. It is admitted that John Rogers and Chilsey Pruitt died before the roll upon which their names would appear if living at the time and specified in the 7th section of the Act of Dec. 8th, 1893, creating the Commission on Citizenship, were made but in support of the application it is urged that certain members of the Dawson family and full brothers of the applicant were re-admitted to citizenship by the Commission on Citizenship certainly known as

"The Tehee Court", and the "Spears Court", and are now residing as citizens in the Cherokee Nation. In the opinion of this Commission the sufficiency of the considerations which determined the decision of those Commissions of the testimony now introduced to authorize the admission of the present applicant is not relivent to the issue now pending. The 7th section of the Act of December 8th, 1886, before named provides, that "The Commission shall give a hearing to any paerson applying for citizenship in the Cherokee Nation upon the ground of Cherokee blood or descent, but such applicant must be a person, or the lineal descendant of a person whose name appears upon the census rolls of Cherokees taken by the United States," As are hereafter enumerated. Neither the name of the applicant nor that of the person of whom he claims to be a lineal descendant appearing upon eitherof said rolls the Commission adjudge and decree that Samuel R. Dawson and family are not entitled to re-admission to citizenship in the Cherokee Nation as Cherokees by blood. This opinion includes the cases of Andrew J. Dawson, James K. P. Dawson, Jounnah Barber nee Jounnah Dawson and Jane Queen, nee Jane Dawson, and their families, as enumerated in their respective applications.

(signed) Will P. Ross,
Chairman.
(signed) R. Bunch, Commissioner,
John E. Gunter, Com'nr.

This April 26th, 1889.
(signed) D. L. Williams,
Cl'k Com'n."

BY MR. HUTCHINGS: The Nation now introduces the envelope in the case of James K. P. Dawson, and the contents, being the original testimony in the case of E. Dawson; also the judgment in said case, found on page 116, in book C., containing the records of the Citizenship Commission of the Cherokee Nation, the date of said Judgment being April 26th, 1889; this book being also in the custody of this Commission.

BY MR. McKENNON: To the introduction of all of which the applicants object, because it is wholly incompetent, immaterial and irrelevant.

The envelope above introduced is indorsed on back as follows:

"Hare, James K. P. Dawson, APPLICANT FOR CHEROKEE CITIZENSHIP. Address, - - - Age, - - Years, - - Roll of 1835, Ancestor, Riley Dawson, filed the 5 day of Oct. 1887, Docket 989, Book C Page 116, Testimony on Journal - - Page - - - Decision of Commission Rejected 26 day of April 1889
Rejected."

The contents of said envelope are as follows:

"A. J. Dawson, et al.,) Office Com. On Citizenship,
(vs) (Tahlequah, I. T. Sept. 27th, 1888.
Cherokee Nation.)

E. Dawson, who being duly sworn, upon his oath, deposes and says as follows, to wit:

I am a citizen of the Cherokee Nation and reside in Canadagoonee Dist. and am 53 years old. I am acquainted with the applicant, Andrew J. Dawson, he claims to be a relation of mine. I have known him personally about three (3) years. He said his father was Joe Dawson. I knew the party, the applicant, from circumstances, and have no doubt but that he is a realtion of mine.

Joe Dawson, the father of the applicant was my father's brother. Joe Dawson was considered to be a Cherokee, I think he died on the Hiwassee river in Tenn. I think he had four (4) children. I never saw any of them but Andrew J. Dawson, and Jim Dawson.

-Cross Ex.-

Joe Dawson has been dead about 35 years he lived west of the Mississippi River, I understand. My father had four brothers. I don't know how long Jou Dawson had been living in Tenn. before he died. All that I know of the applicant being the son of my Uncle Jou Dawson, is from what he himself has told me. - My grandfather, Sam Dawson was a white man. The applicant could be of the Dawson name and not be related to me- My grandfather being a Dawson and a white man.

Attest

Connell Rogers,
Clk. Cor. on Citizenship."

This document is indorsed on back as follows:
"Testimony of E. Dawson in case A. J. Dawson."

The judgment above introduced, and found on page 116 of Book C of the Dockets of Cherokee Citizenship Corrission, is as follows:

"James K. P. Dawson,
OFFICE COMMISSION ON CITIZENSHIP.

Tahlequah, Ind, Ter., Oct. 5, 1887.

Docket No.	Names	Age	Sex	Post Office	Attorney
1	James K. P. Dawson,-		male		
2	William A. Dawson,				
3	Richard A. Dawson,				

909

C. H. Taylor.

Applicant for
Cherokee Citizenship,
Census Roll 1835
Ancestor,
Riley Dawson.

vs.

Cherokee Nation.

In red ink along age column are the words: "Rejected April 26, 1889."

- - - - - - - - - - - - - -

"Adverse to Claimant.
See decision in this case in the case of S. E. Dawson in Book (B) Page 20.
This April 26, 1889.
D. S. Williams,
Clk Com.

Will P. Ross,
Chairman.
J. E. Carter, Com."

BY MR. HUTCHINGS:

The Nation desires to introduce the original envelope and its contents in the case 196, of Rebecca Dawson, being the application and judgment in the case, also the judgment as copied into the record, Book C, on page 144, the date of said judgment being August 28th, 1889.

BY MR. McKENNON: To all of which the applicants object, because it is wholly incompetent, immaterial and irrelevant.

The envelope just introduced is indorsed on the back as follows:

"196, 1, Name Rebecca Dawson, APPLICANT FOR CHEROKEE CITIZENSHIP. Address Emmet, I. T., Age 48 years, 1835, to 1852, Roll of 18-- Ancestor Maton, Filed the 5 day of Oct 1887, Docket 1017 Book C Page 144, Testimony on Journal- Page - - Decision of Commission, Rejected 28 day of August 1889. Submitted by Mr. Rasmus, Aug. 28, 1889." R"

The contents of said envelope are as follows:

"APPLICATION FOR CITIZENSHIP.

To the Honorable Commission on Citizenship:
Gentlemen:- The undersigned, your petitioner, this day makes this her application for re-admission to citizenship in the Cherokee Nation, in accordance with the Consittution, and with an act of the National Council approved December 8th, 1886, creating your Commission, And respectfully makes the following statement of the grounds for this, her application, to-wit:

That Rebecca Dawson is the Grand Daughter of one Maton, who the undersigned firmly believes was enrolled upon the Census Rolls of Cherokees by blood, citizens of the Cherokee Nation, taken and made in the years 1835,-48 - 51 - 52.

The undersigned hereby presents the above facts as the lawful grounds for this application for Cherokee citizenship by blood, and respectfully awaits the time when Applic tion shall be truly heard and tried in accordance with he aforesaid law.

Age, 48 years; Postoffice, Emmett, Chic. Na. family with their relationship attached is as follows:

No Name Sex Age Relationship.

In witness o which application I hereto set my hand on this the 4- day of October 1887.

(signed) Rebecca Dawson,

Doudinot & Rasmus,
Attorneys."

- - - - - - - - - - -

"COMMISSION ON CITIZENSHIP.
Cherokee Nation, Ind. Ter.
Tahlequah, August 28th, 1889.

Rebecca Dawson)
V. S.
Cherokee Nation.) The above case was called and submitted by

Rasmus without evidence the Commission decide that Rebecca Dawson, Age 48 yrs is not a Cherokee by blood a d are not entitled to citizenship in the CherokeeNation Post Office Emmet Texas - - I. T.

(signed) WILL P. ROSS,
Chairman,
J. E. Gunter, Com."

- - - - - - - -

The judgment found in Book C, Records of Commission on Citizenship, Cherokee Nation, Page 144, is as follows:

"Rebecca Dawson.
OFFICE COMMISSION ON CITIZE SHIP.
Tahlequah, Ind. Ter., Oct. 5th, 1897.

Docket No	Names	Age	Sex	Post Office	Attorney.
1	Rebecca Dawson	48	female	Emmett, I. T.	

1017

Boudinot & R.
Applicant for
Cherokee Citizenship.

Census Rolls, 1835,
to 1852.
Ancestor,
Moton.

V. S.
Cherokee Nation.

- - - - - - -

Office Commission Citizenship,
Cherokee Nation, Ind. Ter.,
Tahlequah, Aug. 23th, 1899.

The above case was called and submitted by Attorney Rasmus without evidence. The Commission decide that Rebecca Dawson, aged 48 years is not a Cherokee by blodd and not entitled to Citizenship in the Cherokee Nation.

Attest:
E. C. Ross,
Clerk Commission.

Will P. Ross,
Chairman.
J. E. Gunter, Com."

BY MR. HUTCHINGS: The Nat on next introduces t e iriginal envelope and contents in the case 198, of Mary Dawson, the contents being the application for citizenship, and the judgmeny as written up by the Court; also the judgment of the Court as copied in Book C, Page 145,- said judg ent being rendered August 28th, 1899.

BY MR. McKENNON: To all of which the applicants object, because the same is immaterial, irrelevant and incompetent.

The envelope just introduced is indorsed on back as follows:

"198, 2, Mary, Mary Dawson, APPLICANT FOR CHEROKEE CITIZENSHIP. Address, Bowie, Texas, Aged 54, years, 1835 to 1852 Roll of 18- Ancestor, Moton, Filed the — day of S 18— Docket 1018, Book C Page 145, Testimony on Journal— Page— Decision of Commission Rejected 28th day of August 1899. Submitted by Mr. Rasmus, Aug. 23, 1899."

"APPLICATION FOR CITIZENSHIP".

[illegible] Citizenship:

Gentlemen:- The undersigned, your petitioner, this day makes this proper Application for re-admission to citizenship in the Cherokee Nation in accordance with the Constitution, and with an Act of the National Council, approved December 8th, 1896, creating your Commission. And respectfully makes the following statement of the grounds of this her application, to-wit:

That Mary Dawson is the Grand Daughter of one Noton who the undersigned firmly believe was duly enrolled upon the Census Rolls of Cherokees by blood, citizens of the Cherokee Nation, taken and made in the years 1835,-48 - 51 - 52.

The undersigned hereby presents the above facts as the lawful grounds of this her application for Cherokee Citizenship by blood, and respectfully asking the time when her Application shall be truly heard and tried in accordance with the aforesaid law.

Age, 54, years; Postoffice, Bowie, Texas, family with their relationship attached is as follows:

No.	Name	Sex	Age	Relationship.
1	Walter Dawson	M	16	Son.

In witness of which application I hereunto set my hand on this the 4 day of October 1897.

Mary Dawson,

Boudinot & Reynus,
Attorneys."

- - - - - - -

COMMISSION CITIZENSHIP,
Cherokee Nation, Ind. Ter.,
Tahlequah, August 20th, 1898.

Mary Dawson,)
vs { Application for Cherokee
The Cherokee Nation) Citizenship.

The above case having been submitted by W. F. Reynus, Attorney for claimant, without evidence, the Commission decide that Mary Dawson age 54 yrs, and her son Walter Dawson, age 16 yrs, are not of Cherokee blood, P. O. Bowie, Texas.

Will P. Ross,
Chairman,
J. T. Carter, Com."

- - - - - - -

Said envelope also containing the following:

APPLICATION FOR CITIZENSHIP
TO THE HONORABLE COMMISSION ON CITIZENSHIP: Gentlemen:- The undersigned, your petitioner, this day makes this his application for re-admission to citizenship in the Cherokee Nation, in accordance with the Constitution and with an act of the National Council, approved December 8th, 1896, creating your Commission. And, respectfully [illegible] following statement of the grounds of this [illegible] application, to-wit: That James K. P. Dawson is the son of one Mary Dawson who the undersigned firmly believe was duly enrolled upon the - - - Rolls of Cherokees by blood, citizens of the Cherokee Nation, taken and made in the year 1835, the undersigned hereby [illegible] the above facts as the lawful grounds for this his application for Cherokee Citizenship by blood, and respectfully asking [illegible] when his application shall be duly heard and tried

In accordance with the aforesaid law.
Age - - years; Post-office - - -; Family with whom relationship attached is as follows:

Names,	Sex	Age	Relationship.
Willia A. Dawson	Male		Son.
Richard A. Dawson,	"		"

In witness of which application I hereto set my hand on this the 4th day of Oct 1867.

(signed) James K. P. Dawson,

C. H. Taylor, Attorney."

- - - - - -

The judgment as recorded in Book C, page 148, of the records of the Cherokee Commission on Citizenship, is as follows:

"Mary Dawson,

Office of Commission Citizenship.

Tahlequah, Ind. Ter., Oct. 5th, 1867.

Docket No.	Names	Age	Sex	Post Office	Attorney
1	Mary Dawson,	54	female	Bowie, Texas.	
8	Walter Dawson,	18	male		Boudinot & R.

Applicant for Cherokee Citizenship.

Census Rolls 1835 to 1852
Ancestor
- - - - - -

vs,
Cherokee Nation.

- - - - - -

Office Commission on Citizenship,
Cherokee Nation, Ind. Ter.,
Tahlequah, Aug 28th, 1869.

The above case having been submitted by W. P. Ross, attorney for applicant, without evidence, the Commission decide that Mary Dawson aged 54 years, and her son Walter Dawson aged 18 years are not of Cherokee blood. Post office Bowie Texas.

Attest:
R. B. Ross,
Clerk Commission.

Will P. Ross,
Chairman.
J. M. Grant Jr, Com."

- - - - - -

BY MR. HUTCHINGS: The Nation further introduces the original envelope in the case of Andrew J. Dawson, which said envelope contains the original application, also the judgment in said case as recorded on page 50, of Book A, of the records of the Citizenship Commission of the Cherokee Nation, which said documents are now in the custody of the Commission: the judgment is dated April 30th, 1868.

BY MR. McKENNON: To all of which the applicants object, because the same is immaterial, irrelevant and incompetent.

The envelope just introduced above, is endorsed as follows:

"Name, Andrew J. Dawson, APPLICANT FOR CHEROKEE CITIZENSHIP. Address, Nevada, Mo. Age 44 years, - - 1835, Roll of 1835, Ancestor, - - Filed the 11 day of February 1887, Docket 37 Book A, Page 38 Testimony on Journal - - Page, Decision of Commission, Rejected, 26 day of April, 1889. Rejected."

The contents of said envelope are as follows:

"To the Commission on Citizenship.

Tahlequah, I. T.,
January 27, 1887.

	Age		
Andrew J. Dawson,	44	years	Male
E. E. Dawson,	16	"	"
Olive M. Dawson,	14	"	female
William H. Dawson,	11	"	Male
Jessy K. Dawson,	9	"	"
Glennie D. Dawson,	8	"	female.

V.S.
Cherokee Nation.

Know comes Andrew J. Dawson, and five children claiming his right to Cherokee Citizenship by virtue of his Cherokee blood, he being a cousin of E. Dawson ad others of the same name admitted to Citizenship by the Tom Tehee Court on Citizenship, which is a matter of record, we submit that as proof of the Justness of his claim, his ancestors will be found on the roll of 1835.

Respectfully,

Post-office, (signed) A. J. Dawson &
Nevada, Mo. five children,
by C. H. Taylor,
Attorney."

" " " "

The judgment just introduced and found on page 38 of Book A, Records of Cherokee Commission on Citizenship, is as follows:

"Andrew J. Dawson,
Office Commission Citizenship,
Tahlequah, C. N., Feby 11, 1887.

Docket No	Family	Name	Age	Sex	
	1	Andrew J. Dawson,	44	Male	Nevada, Mo.
	2	E. E. Dawson,	16	"	
77	3	Olive M. Dawson,	14	female	
	4	William H. Dawson,	11	Male	Applicants for
	5	Jessie K. Dawson,	9	"	Cherokee citizenship.
	6	Glennie D. Dawson,	8	female	C. H. Taylor.
					Wells Logo,

Rejected April 26, 1889, (red ink.)

V.S.
Cherokee Nation.

Ancestors,

Filed Feby 11, 1897.

Adverse.

See decision in this case in that of L. R. Dawson, Book P.30,
rendered April 26- 1899.

D. S. Williams,
Clk Com.*

- - -

BY MR. HUTCHINGS: We next desire to introduce the records in the case of this same Andrew J. Dawson, before the Commission to the Five Civilized Tribes, filed September 7th, 1896, and the judgment of the Commission thereon. Number of said case being 4,694. And the judgment of said case on Page 294, Book B., Dawes Commission Record, 1896. Judgment was rendered November 17th, 1896, denying the application.

BY MR. McKENNON: To all of which the applicants object, because the same is immaterial, irrelevant and incompetent.

The records just introduced, being those filed before Dawes Commission, 1896, in Andrew J. Dawson, et al., are as follows:

Registry Receipt,
Post Office at Vinita, Sep. 7, 1896, Cherokee Nation, Ind Ter., Registered Letter, No. 409, Rec'd, of A. J. Dawson, addressed to S. H. Mayes, Tahlequah, I. T., (signed) D. A. Frayser, L.-P. M.

- - -

"Commission to the Five Civilized Tribes,
Vinita, Ind. Ter., Sept. 7, 1896.

Sen that you swear to your petition.

Evidence of service of copies of Chief or Governor may be secured as follows: If convenient get his receipt to file with your papers. If you cannot do this, register to him, and have some interested person to make affidavit in form about as follows:

I, S. H. Davidson, do solemnly swear that on the 7th day of September, 1896, I saw a package registered at the Post office at Vinita, Indian Territory, addressed to Hon. S. H. Mayes, Chief of the Cherokee Nation, Tahlequah, Ind. Ter., that registry receipt no.409, received from postmaster, hereto attached, is a receipt for said package, which contained true copies of the application of Andrew J. Dawson, and of the affidavits of E. Dawson and F. M. Dawson in support of same.

(signed) S. H. Davidson.

Subscribed and sworn to before me, on this 7th day of September, 1896.

(seal) (signed) F. H. Kornegay,

Notary Public, First Judicial Division, of the Indian Territory.

Attach receipt to this affidavit and send with papers to the Commission at Vinita, Indian Territory. This takes the place of the former instructions, as we understand that packages are not promptly receipted for by the Chiefs and Governors.

xxx _____
For the Commission."

APPLICATION FOR ENROLLMENT.

To the Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss and Alexander B. Montgomery, United States Commissioners, authorized by an Act of Congress of June 4th, 1890, to hear and determine claims for citizenship in the Cherokee Nation:-

Gentlemen:-

The undersigned, your petitioner, Andrew J. Dawson, ~~Willia- H.- T.- Dawson- Jesse K.- D.~~ (Line in ink drawn through these names) for and on behalf of Bonnie E. F. Dawson, Olive Maud Dawson, William H. T. Dawson, Jesse K. Dawson, Glen Dale Dawson, James K. P. Dawson, William A. Dawson, Maggie E. Dawson, Richard A. Dawson and Mary E. Dawson and heirs, this day make their application to you for the purpose being placed on the revised roll of Cherokee Indians and of those entitled to share in the distribution of the funds and allotments of lands in the Cherokee Nation by virtue of their Cherokee blood, and petitioners state that they are Cherokee Indians by blood, deriving the same from Captain John Rogers, Polly Rogers, Daughter of Captain John Rogers, married Samuel Dawson, whose name will be found on the authenticated rolls of the Cherokees by blood, taken in the years 1817, 1818, 1819 and 1835 & 1838 the same to be submitted to your Honorable Commission for a full and complete investigation, and if found correct as stated, to be granted all the rights, privileges and immunities of other Cherokee citizens, and petitioner herewith files his proof in support of said claim, and respectfully awaits the time when his application shall be heard and tried.

Respectfully submitted,
Andrew J. Dawson,

Enrollment of family, with relationship attached, as follows:

Names.	Ages.	Relationship.
Minnie E. F. Dawson,	25	Daughter,
Olive Maud Dawson,	23	Daughter
William H. T. Dawson,	20	son,
Jesse K. Dawson,	18	son.
Glen Dale Dawson,	16	daughter.
James K. P. Dawson,	7	brother.
William A. Dawson,	13	Nephew.
Maggie E. Dawson,	8	Neice.
Richard A. Dawson,	17	Nephew.
Mary E. Dawson,	6	Neice.

IN WITNESS WHEREOF, I hereunto set my hand this Third day September 1890.

(signed) Andrew J. Dawson."

Jurat on back as follows:

United States of America,
Indian Territory,
Northern District.

Andrew J. Dawson, of lawful age, being duly sworn states that he knows the facts set forth in the above and foregoing application and that the same are true as he verily believes.

(signed) Andrew J. Dawson,

Subscribed and sworn to before me on this the 3rd day of September 1896.

(signed) J. A. Tillotson,
Notary Public.

(Seal)
My Commission expires June 8th 1898.

Indian Territory,
Northern Judicial District } SS.

Andrew J. Dawson, of lawful age, being by me first duly sworn on oath says that he is 52 years old that his post office address is Afton, I. T. Affidavit further says that he is a citizen of the Cherokee Nation and a Cherokee Indian by blood deriving his Indian blood from Polly Rogers daughter of Captain John Rogers, that Polly Rogers, a daughter of Captain John Rogers married Samuel Dawson near Calhoun, Tenn. on the Hiawathia river while emigrating to the west.

Affidavit further says that Samuel Dawson and Polly Rogers are his GrandFather and Grandmother and that Captain John Rogers was recognized by the NationalCouncil of the Cherokee Nation as a Cherokee citizen in the laws of the Cherokee Nation of 1852 as follows: An act of the Council of 1848 page 66, an act of Nov. 17th 1843, page 96. also an act of Nov. 16 1849 page 204.

Affidavit further says that he is a blood relation of E. Dawson, T. J. Dawson, Joseph Dawson, and John Dawson who were admitted to citizenship by the Cherokee Nation and whose names appear upon the authenticated rolls of 1893.

(signed) Andrew J. Dawson.

Subscribed and sworn to before me this 3rd day of September A. D. 1896.

(signed) J. A. Tillotson,
Notary Public.

(Seal)
My Commission expires June 8th 1898.

Indian Territory,
Judicial Dist. } S.S.

F. M. Dawson, of lawful age, being by me first duly sworn on oath says that he is 54 years old; that his post office address is Afton, Indian Territory, Affidavit further says I have known Andrew J. Dawson for the past 10 years and have known him and recognized him as a Cherokee Indian and a cousin of mine, he claims to have originated from the family of Sam Dawson and he was a brother of Robert Dawson my father, and he being an offspring of Sam Dawson, who married Polly Rogers, a daughter of Captain John Rogers, who was a recognized Cherokee Indian.

(signed) P. E. his X Dawson mark

Subscribed and sworn to before me this the 4th day of Sept 1896."

(signed) Frank L. Sharp
Notary Public. (Seal)"

- - - - - - -

"Ind Ter
Northern Dist

This affidavit made this 4th day of Sept 1896 by E. Dawson of this Dist in the Cherokee Nation I have known A. J. Dawson 10 years and have known him and recognized him as a Cherokee Ind and a cousin of mine, he claims to originate from the family of Joe Dawson and he was a brother of Robert Dawson and being an offspring of Sal Dawson who was (line in ink drawn through word was)married Pollie Rogers a daughter of Captain John Rogers who was a recognized Cherokee Indian.

(signed) E. Dawson.

Subscribed and sworn to before me this 4th day of Sept 1896.

(signed) J. Barricklaw,
Notary Public,

My commission expires June 8, 1899.
(Seal)"

Indorsed on back: "No. 1508, A. J. Dawson vs Cherokee Nation Filed Sept 4-1896 A. S. McKennon, Com'r."

- - - - - - -

Before the Honorable Henry L. Dawes, Frank C. Armstrong, A. S. McKennon, T. B. Cabaniss, A. B. Montgomery, Commissioners.
In the matter of the application of
Andrew J. Dawson, Nation's No.....
Commission's No.....
for citizenship in the Cherokee Nation.

Your respondent, S. H. Mayes, Principal Chief of the Cherokee Nation, comes now and demurs the said application, and for the grounds thereof says:

1st. That this Commission has not jurisdiction over the parties or subject matter of this controversy.

2nd. That the application does not state facts sufficient if true, to show that the applicant . . . entitled to citizenship.

Respondent not waiving his aforesaid demurrer, but insisting upon the same for answer to said application, says that John Rogers through whom the petitioner claims to derive right to citizenship in the Cherokee Nation, is not now, - . . and has not been a citizen of the Cherokee Nation, since the removal of said Nation, west to the Indian Territory, as at present located and defined; that his name does not appear on any of the authenticated rolls of said nation; that neither any of his ancestors now remain, or ever have resided in the Cherokee Nation and Indian Territory, as citizens thereof.

See case Nation's No. 1573.

Having fully answered, your respondent asks to be hence dismissed.

S. H. Mayes, Principal Chief Cherokee Nation.

B. Hutchings, Hastings & Boudinot, Attorneys.

John L. Adair, Executive Secretary, Cherokee Nation, having been first duly sworn, states that the matters contained in the foregoing answers are true, to the best of his knowledge and belief.

(signed) John L. Adair,

Subscribed and sworn to before me this the 5 day of Oct 1896.

(signed) D. J. Ball,
Notary Public.

(Seal)"

Indorsed as follows: "Nation's No. 4679. Commission's No. 4694, In re application of Andrew J. Dawson, DEMURRER AND ANSWER. Filed Oct 21 H. M. Jacoway, Sec."

The foregoing documents, comprising the 1896 papers as above set forth, are inclosed in envelope indorsed:

"No. 4694, Petition of Andrew J. Dawson, and heirs, Cherokee, 9-7-96. Rejected."

Which envelope is inclosed in jacket, marked "No.4694."

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BY MR. HUTCHINGS: Now we desire to introduce the records in the case of Joanna Barber, et als., No. 1864, the United States Court number being 90, and the Nation desires to call especial attention to the testimony of W. C. Rogers and Sarah Carter as set forth in this case.

BY MR. McKENNON: To all of which applicants object, because it is wholly irrelevant, immaterial and incompetent.

Records in said case are as follows:

blood is shown by proof here-
with filed.

APPLICATION FOR ENROLLMENT.

To the Honorable Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss and Alexander B. Montgomery, United States Commissioners authorized by an act of Congress of June 4, 1896, to hear and determine claims for citizenship in the Cherokee Nation:

Gentlemen:- The undersigned, your petitioner, Joanna Barber, for and on behalf of himself and heirs, this day files this his application to you for the purpose of being placed on the revised roll of Cherokee Indians and of those entitled to

shares in the distribution of funds and allotments of land in Cherokee Nation, by virtue of their Cherokee blood, and I herewith submit the affidavits of E. Dawson, [illegible] F. A. Dawson & F. M. Dawson in support of said claim, and respectfully await the time when our application shall be heard and tried.

Respectfully submitted,
(signed) Joanah Barber.

Enrollment of family, with relationship attached, as follows:

Names		Age	Relationship.
Joanah Barber,		60	Daughter of Elizabeth or Betty
Isaac J. "	Husbd	65	Petty, ne Dawson, who was a
Onis E. "		26	daughter of Polly Dawson, nee
W. R. "		24	Rogers who was a daughter of
James E. "		18	Chief Jno Rogers and Ailey Rogers
[illegible] "		6	nee Vann, a Cherokee Indian by
Joel A. Barber		29	blood as is shown by proof here-
			with filed.

In witness of which I hereto set my hand on this 6 day of August 1896.

(Signed) Joanah Barber."

Indorsed as follows: "Pd $2.50 No.... Petition of Joanah Barber for and on behalf of herself and heirs."

TO THE HONORABLE HENRY L. DAWES AND OTHERS COMPOSING THE COMMISSION TO THE FIVE CIVILIZED TRIBES:

Your petitioner, Joanah Barber, would state that she is a Cherokee by descent and by blood having been born in Carroll County, State of Ark. on the 5 day of Dec 1836. My father's name was John Petty. My mothers name was Elizabeth Petty, ne Dawson. That I now reside in the Cherokee Nation, and have resided there for 10 years. And she avers these facts can be established by proof to the satisfaction of the Commission under such rules and regulations as it may prescribe. And she [illegible] the Constitution and laws of the United States and the treaties of such Nation with the United States, a citizen of such Nation, with all the rights, privileges and protection of citizenship in such Nation. Wherefore she herewith respectfully submit it to the consideration of the Honorable Commission such proof and on the hearing she be adjudged entitled to such citizenship and her name be placed upon the proper roll as a citizen of such Nation.

(signature) Joanah Barber.

INDIAN TERRITORY,)
(ss
PARKE JUDICIAL DISTRICT)

Before me, this 6 day of Aug personally appeared before me F. L. [illegible] a Notary Public in and for said District, Joanah Barber, who being by me first duly sworn upon her oath states that the facts set forth in the foregoing petition are correct and true.

Subscribed and sworn to before me this 6 day Of August 1896.

(signed) W. J. Potts,
(Seal)" Notary Public.

- - -

"(COPY)
In the matter of the claim of Joanah Barber nee Joanah Petty to Cherokee Indian Citizenship in the Cherokee Nation , Indian Territory.

Affidavit of S. R. Dawson.

Delaware District,
Cherokee Nation,
First Judicial Division,
U.S. Court, Indian Territory. SS

S. R. Dawson, to me well known to be reliable and respectable, after being duly sworn according to law states on oath, that he is a bona-fide citizen of the Cherokee Nation by blood- that he is a resident of said Nation- that his post-office address is Afton, I. T.; that he is fifty-one years of age- that he is well acquainted with the claimant Joanah Barber and has as long as he has known any person- that she is of Cherokee Indian descent- that her maiden name was Joanah Petty- that she was the daughter of one Elizabeth Petty, a person of Cherokee Indian descent- that Elizabeth Petty's maiden name was Elizabeth Dawson- that said Elizabeth Dawson was the daughter of Polly Rogers, a person of Cherokee Indian descent, who intermarried with Samuel Dawson, a white man- that he said Polly Rogers was the daughter of Captain John Rogers and Ailsey Vann both well known Cherokee Indians.

Affiant is not directly nor indirectly interested in the result of this application.

(Impress of National Seal) (signed) S. R. Dawson.

Subscribed & Sworn to before June 6 1892
(signed) W. P. [illegible],
Notary Public."

"United States of America,
Indian Territory, (ss
First Judicial Division.

I, William F. Semmes, a Notary Public within and for the Judicial Division aforesaid, do hereby certify that the next above in the within one page of an affidavit is a true and literal copy of the original as the same is now to me at Tahlequah, Ind. Terry, this the Third day of July A.D. 1897.

(signed) William F. Semmes,
Notary Public, First Judicial Division, Indian Territory.
(seal) My Commission expires Feby 3, 1897."

(A copy)

In the matter of the claim of Joanah Barber (nee Joanah Petty)

to Cherokee Indian Citizenship in the Cherokee Nation, Ind Ter.

Affidavit of E. Dawson.

Coowescoowee District,)
Cherokee Nation,)
First Judicial Division,) ss
U. S. Court, Ind. Ter.)

E. Dawson, to me well known to be reliable and responsible after being duly sworn according to law to the on oath that he is a Bonified Citizen of the Cherokee Nation by blood- that he is a resident in said Nation that his Post office address is Talala, Ind Ter.-that he is 38 years of age- that he is well acquainted with the claimant Joanah Barker and has been as long as he can know any person- that she is a person of Cherokee Indian descent the her maiden name was Joanah Petty- that she was the daughter of one Elizabeth Petty, a person of Cherokee Indian descent- that Elizabeth Petty's maiden name was Elizabeth Dawson- that said Elizabeth Dawson was the daughter of one Polly Rogers a person of Cherokee descent, who intermarried with Samuel Dawson, a white man, that the said Polly Rogers was the daughter of Captain John Rogers a well known Cherokee Indian.

Affiant is not directly nor indirectly interested in the result of this application.

(signed) E. Dawson.

Subscribed and sworn to before me this the 24th day of Febry 1893

(signed) A. E. Williams,
Notary Public.

(Impress of
National Seal
here.)
Com. Expr. Sept. 26/96.

United States of America,
Indian Territory, S S
First Judicial Division.

I, William P. Rasmus, a Notary Public within and for the First Judicial Division, Indian Territory, do hereby certify that the next above and the within one page of an Affidavit [illegible] and literal copy of the original presented to me at Tahlequah, Ind Ter. this 2nd day of July A.D.1897.

(signed) Wm. P. Rasmus.

(Seal) Notary Public, first Judicial Division: Indian Territory, My Commission expires Febry 3, 1897.)

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United States of America,
Western District of Arkansas. ss.

In the case of Mrs Joanah Barker claimant for citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before Cherokee Indian Authority at Tahlequah, Cherokee Nation, Indian Territory.

Personally came this day before me William P. Rasmus, a Commissioner U. S. Court within and for the District aforesaid duly authorized to administer oaths W. A. Dawson, to me personally well known to be reputable and entitled to credit, and who being by me first duly sworn according to law, deposes and

and says: My name is F. A. Dawson, my age is 52; years; my post-office address Tulsa, Ind. Terry. I am a farmer by occupation, I am a citizen of the Cherokee Nation, I. T. by virtue of Cherokee Indian blood.

And affiant declares in relation to the above named case as follows, to-wit: That he is personally well acquainted with the claimant, Joanah Barber- whose mother's name was Elizabeth (commonly called Betty) Petty, Dec'd nee Elizabeth Dawson, - a Cherokee Indian by blood, and the said the sister of his father; James Dawson, Dec'd, a recognized and acknowledged Cherokee Indian by blood- she was also a sister of Robert Dawson Dec'd a recognized and acknowledged Cherokee Indian by blood- said Robert Dawson having been a full brother to said James Dawson- that therefore the said claimant, Joanah Barber is his (affiant's) first cousin by Cherokee Indian blood and that he so recognized and acknowledged her.

(signed) F. A. Dawson.

Subscribed and sworn to before me at Tahlequah, Ind. Terry this third day of December A.D.1894.

(seal) (signed) Wm. F. Beamus,
United States Commissioner."

- - - - - -

"UNITED STATES OF AMERICA.)
Western District of Arkansas.)ss

In the case of Joanah Barber claimant for citizenship in the Cherokee Nation, Indian Territory, as a Cherokee Indian by blood, before Cherokee Indian authority at Tahlequah, Cherokee Nation, Indian Territory.

Personally came this day before me William F. Beamus, a Commissioner of the U. S. Dist. Court within and for the District aforenamed duly authorized to administer oaths Francis M. Dawson, to me made personally well known to be reputable and entitled to - - and who - - duly sworn according to law deposes and says: My name is Francis M. Dawson my age is about 57 years, my post-office address is Afton, Ind. Terry, I am a farmer by occupation, I am a citizen of the Cherokee Nation, by virtue of Cherokee Indian blood.

And affiant declares in relation to the above named case as follows, to-wit: I am personally well acquainted with the claimant Joanah Barber, whose mother's name was Elizabeth (commonly called "Betty") Petty, nee Elizabeth Dawson, a Cherokee Indian by blood, said Elizabeth Petty was a full sister of my father Robert Dawson Dec'd, a Cherokee Indian by blood- and I acknowledge the relationship by Cherokee Indian blood of Joanah Barber to me as first cousin- and I know that the said Joanah Barber therefore is of Cherokee Indian blood.

(signed) F. A. Dawson.

Subscribed and sworn to before me at Tahlequah, Ind. Terry- this 17th day of November A.D.1893.

(seal) (signed) Wm. F. Beamus,
United States Commissioner.

Indorsed on back as follows: "No. 2 filed Feb 24 1897, Jas. A. Pinston, Clerk."

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"Page 2., Docket "B"
Joannah Barber.
Office Commission on Citizenship,
Tahlequah, C. N. August, 1897.

Docket. No.	Names	Age.	Sex.	Post Office,	Attn.
1	Joannah Barber	51	female	Vinita, I. T.	
2	Ailcy J. Barber	34	female		
3	Irena Barber	24	female		
4	Etta Barber	22	female		
5	Atta Barber	20	female		
6	Mary Barber	13	female	applicant for	
7	Onice Barber	17	female	Cherokee Citizenship	
8	Joel Barber	31	male	Rolls 1835	
9	Calaway Barber	27	male		
10	Toliver Barber	50	male	Ancestor	
11	Riley Barber	15	male		
12	Edgar Barber	9	male		
	V.S.			John Rogers &	
	Filed Aug. 12, 1897.			Alcy Pruett	

See decision this case in that of L. P. Dawson, adverse to claimant in this Book page 20.
This April 26th, 1899.
E. S. Fillians, Clerk com.
Will. P. Ross, Chairman,
J. E. Gunter, Com."

"S. F. Dawson.
Office Commission on Citizenship,
Tahlequah, C. N. Aug. 11th, 1897.

Docket. No.	Names.	Age.	Sex.	Post Office	Attn.
1	S. F. Dawson,	50		Catoosa, I. T.	
2	Parlee Dawson,	44	female		
3	America J. Dawson,	25	female		
4	Katherine J. "	25	female		
5	J. C. Dawson,	21	male		
6	Eliza F. Dawson,	29	male		
7	Toliver Dawson,	27	male	Applicant for	
8	Erma Dawson,	20	female	Cherokee	
9	Fanny Dawson,	18	female	Nation	
10	John Riley Dawson	11	male		
11	Robt. E. Dawson,	9	male	R	
12	Clara Dawson,	7	female		
13	Cleveland Dawson	3		Ancestor	
	Filed Aug. 11, 1897.			John Rogers	
	Rejected April 26, 1899.				

Now this day comes the above case for final hearing. Samuel F. Dawson bases his application for re-admission to Citizenship in the Cherokee Nation upon the ground that he is the son of Samuel Dawson, a white man, Polly Rogers, the alleged daughter of Captain John Rogers, and Alcy Pruett said to be half sister of Joseph Vann and known as Indian and who was of Cherokee blood. It is admitted that John Rogers was

Chilsey Pruett died before they could be made. That their names would appear if living at the time, as specified in the 7th Section of the Act of December 8th, 1898, creating the Commission on Citizenship were made, but in support of the application it is urged that certain members of the Dawson family the full brothers of the applicant were admitted to citizenship by the Commission on Citizenship commonly known as the "Tehee Court" and "Spears Court" and are now residing as citizens in the Cherokee Nation. In the opinion of this Commission the sufficiency of the commission which determined the decisions of such Commissions or the testimony now introduced to authorize the admission of the present applicant is not relevant in the issue now pending. The 7th Section of the Act of December 8th, 1898, does not provide that the Commission examine into any person applying for citizenship in the Cherokee Nation upon the grounds of Cherokee blood or descent, but such applicant must be a person, or the lineal descendant of a person whose name appears upon the census rolls of Cherokees taken by the United States, hereinafter mentioned, neither the name of the applicant nor that of the person of whom he claims to be a lineal descendant appearing upon either of said rolls, the Commission adjudge and decree that Samuel P. Dawson and family are not entitled to re-admission of citizenship in the Cherokee Nation as Cherokees by blood. This opinion includes the cases of Andrew J. Dawson, James M. P. Dawson, Jonathan Barber, nee Jonathan Dawson, and Jane Queen, nee Jane Dawson and their families as enumerated in their respective applications.

Wm. P. Ross, Chairman,
T. Bunch, Commissioner,
John E. Hunter, Commissioner.

This April 26th, 1899,
D. H. Williams, Clerk Com."

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United States of America,)
Indian Territory, (ss.
Northern District.)

W. C. Rogers being duly sworn on oath deposes and says: that he is a citizen and resident of the Cherokee Nation, Indian Territory. That his post-office address is Skiatook, Ind. Ter. that he was born and raised in the above said Nation and Territory; that he is 46 years of age:

Affiant further states that he is slightly acquainted with Irena J. House, an applicant for admission to citizenship in the Cherokee Nation as shown by copy of her application.

Affiant further states that his father's name was Charlie Rogers- who was a son of Captain John Rogers and the said Capt. John Rogers was the only man of that name that ever lived in the Cherokee Nation that this affiant ever heard of; that the said Capt. John Rogers this affiants grandfather lived at Grand Saline, I. T. and died in Washington, D. C.

This affiant states that his father Charlie Rogers had one sister and five brothers viz. Smith Rogers, Lewis Rogers, George Rogers, Nelson Rogers, Granvil Rogers and Randolph Rogers; that he (this affiant) was well and personally acquainted with the above said parties- except Granvil and Randolph Rogers, who were killed when this affiant was quite a lit-

This affiant [illegible] 24 years [illegible], that his father, Charlie Rogers [illegible], that affiant never [illegible] or sisters by the name of Dancy; that the said Polly Rogers never [illegible] that Charlie J. Rogers, was not a [illegible] that his father never had any brother viz. Cynthia Crum [illegible] and [illegible]

Just below the above is inserted on each patent form:

"EXPOSITION [illegible]

[illegible] I, John L. Adair, Executive [illegible], do hereby certify that I have [illegible] the original [illegible] and [illegible] correct in [illegible] thereof.

In [illegible] I have [illegible] and affixed the great seal of said Choctaw Nation, at Tuskahoma, this, the 5th day of Feb. 1900.

(Seal) (Signed) John L. Adair,
Executive Secretary."

The above affidavit continues:

"(he) learned that Cynthia Crum [illegible] Polly Rogers [illegible] Charlie Rogers [illegible] Cynthia Crum died [illegible] (words "never was" [illegible]) father never had any other daughter or [illegible] other than Cynthia Rogers.

Affiant states that his father told him a number of times, that affiants grandfather Capt John Rogers never had any other child other than the one above mentioned: that affiant never heard his father Charlie Rogers or any of his relatives speak of his grandfather Capt John Rogers owning or running a boat up any river.

Affiant states his father Charlie Rogers was born at Big Mulberry, South-east of Van Buren, Arkansas, in the year of 1817.

Further affiant saith not.

[illegible] Rogers.

Subscribed and sworn to before me on this the first day of October, 1900.

(signed) William J. Hall,
Notary Public,

(seal) My Commission expires January 16th, 1903."

United States of America,)
Indian Territory,) SS
Northern District.)

[illegible] Polly Rogers, duly sworn [illegible]; that she is [illegible] of the Choctaw Nation, Ind. Ter. and [illegible] Tuskahoma, I. T., that she is 65 years of age.

Affiant states that she is a [illegible] of Chapin Reynolds that her [illegible] and that [illegible] is true, and that [illegible] contains true statements of the facts therein set forth are true as she verily believes.

(signed) [illegible]

Subscribed and sworn to before me this [illegible] day of October, 1909.

William H. Hall,
Notary Public.

My Commission expires January 15th 1909."
(seal)

- - - - - -

[illegible] the Honorable Henry L. Wyse, Frank C. Armstrong, A. S. Holcombe, T. B. - (name illegible) A. B. Hood, Esquire, Counsel [illegible].

In the matter of the [illegible] of [illegible] Indian's Reservation [illegible] Jackson Parker [illegible] for citizenship in the Choctaw Nation.

Your respondent, S. K. [illegible], Principal Chief of the Choctaw Nation, [illegible] said application, and for [illegible] answer:

1st. That the Choctaw Nation has jurisdiction over the parties and subject matter of this controversy, and not [illegible] in law, however, to hear [illegible].

2nd. That the applicants have not been [illegible] in time, to show [illegible] applications are invalid to citizenship.

Respondent now [illegible] and [illegible] applications, but insisting upon the [illegible] for answer to said applications. [illegible] Jackson Parker [illegible] citizenship claim to derive [illegible] right to citizenship in the Choctaw Nation, is not now and has not been a citizen of the Choctaw Nation, since the [illegible] of said Nation, [illegible] Treaty of [illegible] provided and defined; and [illegible] does not [illegible] any of the [illegible] of said Treaty [illegible] they are [illegible] in accordance [illegible] provided in the Choctaw Nation and Indian Territory, [illegible] of Congress.

Having fully answered, your respondent asks to be hence dismissed.

S. K. [illegible], Principal Chief Choctaw Nation.

[illegible], Hastings & Gruber, Attorneys.

John L. Adair, [illegible] duly sworn, [illegible] the foregoing [illegible].

(signed) John L. Adair.

Subscribed and sworn to before me this [illegible] Dec. 1909.

(signed) W. J. [illegible]
Notary Public.

(seal)

Indorsed on back as follows: " 1814 96 Docket No. 1572, Commission's No..... In the application of No 8 Joanna Barber Demurrer and Answer Filed Mar 13 1897 Jos. A. Winston, Clerk/ Filed Oct 7 1898 W. M. Jacoway, Secy."

"BRIEF.

BEFORE THE HONORABLE COMMISSION OF THE UNITED STATES OF AMERICA,

duly appointed and empowered by Act, under and by virtue of the Act of Congress of June 4th 1898, to hear and determine all claims for citizenship of the Five Civilized Tribes of Indians, to-wit:
Cherokee, Creek, Choctaw, Chickasaw and Seminole Indians.

In the matter of the application for citizenship in the Cherokee Nation, of Joanna Barber and her children, to-wit:

Otis F. Barber, William L. Barber, James D. Barber, Johnnie Barber and Joel A. Barber.

In the matter of the application for citizenship in the Cherokee Nation of Joel A. Barber and his children, to-wit: Lottie Barber, Oliver Barber, George A. Barber, Ira Rip O. Barber, Jesse Barber and Ethel Barber.

In the matter of the application for citizenship in the Cherokee Nation of Mary A. Baker and her child, to-wit: Ima Baker.

In the matter of the application for citizenship in the Cherokee Nation of Etta L. Burris and her child, to-wit: Claude H. Murphy.

In the matter of the application for Citizenship in the Cherokee Nation of Ella Moore and her children, to-wit: Anna J. Moore, Jackson D. Moore, Hamby Moore and Clady Moore.

In the matter of the application for Citizenship in the Cherokee Nation of Attie L. Hunt and her child, to-wit: Duran Hunt.

In the matter of the application for Citizenship in the Cherokee Nation of Alcey J. Smart and her children, to-wit: Georgia A. Smart and Erzy L. Smart.

In the matter of the application for Citizenship in the Cherokee Nation of Josiah J. Garlinghouse and her children, to-wit: Myrtle O. Garlinghouse, Cora L. Garlinghouse and Birtha L. Garlinghouse.

In order that the Honorable Commission may clearly understand the proof and merits of the Claim of the aforesaid Claimants, we deem it necessary to present to the Honorable Commission, the genealogy of said Claimants, to-wit:

Joanna Barber, whose maiden name was Joanna Polly, is a daughter of Elizabeth Polly, by Dawson and a granddaughter of Polly Dawson, nee Rogers and a great granddaughter of Sarah Rogers, who was a Cherokee Indian by Blood as more fully appears from the proof herein submitted.

Joel A. Barber is a son of Joanna Barber, nee Petty and grand son of Elizabeth Petty, nee Dawson and a great grand son of Polly Dawson nee Rogers and a great great grand son of Captain John Rogers, who was a Cherokee Indian by blood as shown by the proof herein submitted. Mary A. Boyer, whose maiden name was Mary A. Barber, is a daughter of Joanna Barber and a grand daughter of Elizabeth Petty, nee Dawson and a great grand daughter of Polly Dawson nee Rogers and a great great grand daughter of Captain John Rogers, who was a Cherokee Indian by blood, as shown by the proof herein submitted.

Ella Murray, whose maiden name was Ella Boyer, is a daughter of Joanna Barber, nee Petty and a grand daughter of Elizabethe Petty, nee Dawson and a great grand daughter of Polly Dawson nee Rogers and a great great grand daughter of Captain John Rogers, who was a Cherokee Indian by blood, as shown by the submitted proof.

Ella Moore, whose maiden name was Ella Boyer, is a daughter of Joanna Barber, nee Petty and a grand daughter of Elizabeth Petty nee Dawson and a great grand daughter of Polly Dawson, nee Rogers and a great great grand daughter of Captain John Rogers, who was a Cherokee Indian by blood as shown by the submitted proof.

Attie L. Hunt, whose maiden name was Attie L. Barber, is a daughter of Joanna Barber, ne Petty and a grand daughter of Elizabeth Petty, nee Dawson and a great grand daughter of Polly Dawson, ne Rogers and a great great grand daughter of Captain John Rogers, who was a Cherokee Indian by blodd, as shown by the submitted proof.

Alcey J. Smart, whose maiden name was Alcey J. Barber, is a daughter of Joanna Barber, nee Petty and a grand daughter of Elizabeth Petty, nee Dawson, and a great grand daughter of Polly Dawson, ne Rogers, and a great great grand daughter of Captain John Rogers, who was a Cherokee Indian by blood as shown by the proof herein submitted.

Joanna J. Garlinghouse, whose maiden name was Joanna J. Smart, is a daughter of Alcey J. Smart, ne Barber, and a grand daughter of Joanna Barber, nee Petty and a great grand daughter of Elizabeth Petty, nee Dawson and a great great grand daughter of Polly Dawson, ne Rogers, and a great great great grand daughter of Captain John Rogers, who was a Cherokee Indian by blood as shown by the proof herein submitted.

Therefore, the Claimants pray the Honorable Commission, that after a careful examination of their application and an impartial investigation of the proof herein submitted, you will adjudge each of said Claimants, together with their aforementioned Children, entitled to citizenship in the Cherokee Nation, and that you place the name of each Claimant, together with the names of their aforementioned Children, upon the Cherokee roll, and that you grant to them all the rights, privileges and immunities of citizens of the said Cherokee Nation.

(signed) Hubbard, Carland & Watts,
Council for Petitioners."

Indorsed on back as follows: "No 3 Filed Feb 24 1897, Jas. A. Pinkston, Clerk."

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Commissioners,
Henry L. Dawes, Frank C. Armstrong, Archibald S. McKennon, Thomas B. Cabaniss, Alexander B. Montgomery--H. M. Jacoway, Secretary.

DEPARTMENT OF THE INTERIOR,

Commission to the Five Civilized Tribes,
Vinita, Indian Territory, Oct 8, 1896.
Filed Sept. 8, Answer filed,
Application denied.

Joe Barber,
vs.
Cherokee Nation.

I, H. M. Jacoway, Jr., Secretary, do hereby certify that the above and foregoing is a true and correct copy of Cherokee Record A. page 207 of the Commission to the Five Civilized Tribes.

Given under my hand and official signature this 18 day of Feb. 1897.

H. M. Jacoway, Jr.,
Secretary."

Indorsed as follows: "1804 No. 4 Filed Feb 24 1897 Jas. A. Pinkston, Clerk."

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"BEFORE THE HONORABLE COMMISSION TO THE FIVE CIVILIZED TRIBES.

Joe Barber et al,
vs.
Cherokee Nation. No.1804.

AFFIDAVIT FOR APPEAL.

Now come the said Joe Barber et al applicants for citizenship in this cause by W. B. Fatta, one of their attorneys, and pray an appeal from the decision of the Honorable Commission to the United States District Court as provided by the Act of Congress approved June the 10th, 1896.

And the said W. B. Fatta, being duly sworn and acting in behalf of said applicants on oath says that the appeal prayed for in this case is not asked for the purpose of delay but that justice may be done the applicants.

(sig. ed) W. B. Fatta,

Sworn and subscribed to before me this 22nd day of Dec 1896. (sig. ed) J. C. Lindsey,
(SEAL) Notary Public.
My Commission expires March 4th 1897."

Indorsed: "Court 90."

- - - - - - -

"Received of E. B. Lacey, Jr., Secretary of the Commission to the Five Civilized Tribes, the original papers, in the case of - - - - vs - - - - Nation, as follows:

/ / / / / / /

Witness my hand and official seal at Muskogee this the 7th day of Feby 1897.
(SEAL) (signed) J. Q. Tinsley, Clk."

Indorsed: "Court No. 864. Receipt for original papers in the case of Joe [illegible] et al vs. Cherokee Nation. Received and filed this . . . day of . . . 189. . Secretary."

- - - - - - - - - - - - - -

"IN THE UNITED STATES COURT IN THE INDIAN TERRITORY,
NORTH ERN JUDICIAL DIVISION, AT MUSKOGEE, I.T.

Joe [illegible] Ohio E. Dawson, William H. Dawson, J. [illegible] Dawson, Joel [illegible] Dawson, Joel A. Dawson, [illegible] A. Dawson, Minnie [illegible] Dawson, Attie L. Dawson, Alsey J. Stark, Ruth Allen.

VS

[illegible] NATION, APPELLEE.

PETITION FOR APPEAL FROM THE DECISION OF THE COMMISSION TO THE FIVE CIVILIZED TRIBES.

- - - - - - - - - - - - - -

Come the appellants in the above entitled cause and petition the Court to grant an appeal in said cause from the decision of the Commission, known as the Dawes Commission, created and empowered to treat with the Five Civilized Tribes of Indians, to-wit: the Cherokee, Creek, Choctaw, Chickasaw, and Seminole Indians, and to make up and decide applications for citizenship in the said Five Civilized Tribes, which decision by said Commission was rendered by authority of, but not in accordance with, an Act of Congress passed and approved June 10th, 1896, and by which decision on the 29 day of October, 1896 the aforesaid appellants were denied their rights to citizenship in the Cherokee Nation, Indian Territory.

The facts relied upon by the appellants to establish their rights to citizenship in the Cherokee Nation, as aforesaid are as follows: to-wit: The affidavits of E. Dawson, S. F. Dawson [illegible]. A. Dawson, F. M. Dawson.

Said affidavits fully and conclusively establishing the fact that said applicants are Cherokee Indians, by blood and descent, and entitled to rights of citizenship in the Cherokee Nation.

Said affidavits, together with the application, of said appellants, were, prior to September the 10th, 1896, filed with and submitted to said Commission for its investigation, consideration and decision.

That a certified copy of said application, together with the accompanying affidavits, was served upon the Chief, or Attorney General, of said Nation, prior to September the 10th, 1896.

The errors of the Commission in rejecting the claims for citizenship of said appellants are the grounds for appeal to the Court, to-wit:

FIRST. The Commission erred in rejecting the testimony on said claims adversely to the appellants and against the proof submitted by said appellants.

SECOND. The Commission erred in sustaining the claims of appellants and denying the same by the vote of a majority of the members of the Commission.

THIRD. The Commission erred in rejecting the said claims the right and privilege of examining the proof submitted by appellee in support of the claims filed by appellants and of cross-examining the witnesses testifying in behalf of said appellee and of giving the appellants the right of filing objections to appellee's answer or proof in support thereof, at a trial of said cause.

FOURTH. The Commission erred in denying the claimants the right of a trial of said claims by a competent jury, as provided for by the laws controlling the Commission in the matter.

FIFTH. The Commission erred in refusing to allow the claimants to be present in person, or by attorney, upon the trial and determination of their claims by said Commission.

SIXTH. The Commission erred in refusing to issue process for witnesses and [illegible] requested by the appellants to be sworn in the cause.

SEVENTH. The Commission erred in deciding against the right of these appellants to be enrolled as citizens of the Cherokee Nation.

EIGHTH. The Commission erred in deciding against the claimants, [illegible] basis for the establishment of citizenship in the Cherokee Nation.

NINTH. The Commission erred in deciding against the claimants upon the ground, [illegible] that by reason of the fact of citizenship in the Creek Nation they were not entitled to citizenship in the Cherokee Nation.

TENTH. The Commission erred in not entering upon their docket or record the [illegible] claims of appellants were denied [illegible] upon the grounds of denial or rejection.

ELEVENTH. The Commission erred in examining the claims, proof of appellants and denying the same while the Commission was not clothed with any legal authority, nor had jurisdiction, to render decision on said claims and deny the same.

TWELFTH. That the Act of Congress of June 10th 1896, was unconstitutional and void in so far as it attempted to confer jurisdiction on said Commission to determine the rights to citizenship of said appellants, and said Commission erred in determining the rights of appellants to said appellants.

THIRTEENTH. That Congress had no power by any act or treaty, agreement or compact to authorize, or empower a judiciary, or said Commission, to deny the claims of said appellants without due legal authority to do so.

Wherefore, the appellants pray that an appeal be granted to this court from said decision, and that said claims be certified [illegible] to the Secretary of the Interior, and that said decision be reversed, and that said claims be allowed, and for [illegible] proper in the premises.

at this Court ... plead and defend against the ... appeal ... may the appellants should not by the rules, orders and decisions of this Court be adjudged entitled to citizenship in the said Cherokee Nation, and the appellants will ever pray.

(Signed)

W. P. Watts,
A. H. Garland,
T. J. Watts,
Attorneys for Appellants."

Indorsed on back: "Cherokee Citizenship Case, No. 99 ... Jones A Barber et al vs Cherokee Nation filed Dec 23 ... Jas A Winston Clerk Watts, Garland & Watts, Attorneys for Appellants."

"SUMMONS.

... Territory, (SS.

THE PRESIDENT OF THE UNITED STATES OF AMERICA,

To the Marshal for the Northern District, Indian Territory:

You are hereby ordered to summon the Principal Chief of the Cherokee Nation, or the Attorney General of said Nation, ... now or on the first day of the next May term of the United States Court for the Northern District, Indian Territory, at Muskogee, Indian Territory, which ... 4th day of May, 1897, A.D. ... a petition praying an appeal from the decision of the Commission to the Five Civilized Tribes duly filed in said Court by Jones A. Barber, Onie K. Barber, T. P. Barber, Jas E. Barber, Jennie Barber, Joel A. Barber, Mary A. Barber, Lena Moore, Attie L. Hunt, Alcey J. Starr, ... claiming to be entitled to be enrolled as citizens of said Nation, to the United States Court for the Northern District, Indian Territory, which petition is now pending in said Court, and you are required to answer said petition within thirty days from the date of the service of this writ, the same will be taken for confessed, and you will make due return of this summons within ten days after the actual service of this writ.

Witness the Honorable Phillip ... Starr, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, this ... day of Dec. 1896 A.D.

(Signed) J. A. Winston, Clerk.

(Seal)"

"MARSHAL'S RETURN.

I received this summons ... day of ... A.D. 1896 and served ... on the ... day of ... 1896 by delivering to ... Attorney ... of the Cherokee Nation ... a true and correct copy ... Muskogee ... Dec. ... A.D. 1896.

(Signed) W. ... Talbot

Deputy Marshal

By ..... Deputy."

[illegible]

"Joanna Bowers et al.
vs. No.90.
Cherokee Nation.

[illegible]

I. [illegible] I have examined the petition, [illegible] I have found [illegible]

I

[illegible] Bowers, and Isaac [illegible], as [illegible] children, Ouis D., [illegible], James E., Johnnie [illegible] Joel A. Bowers. That Joel A. Bowers [illegible] Mattie Poliver. George A., Frankie C., [illegible] Bowers. That the application includes [illegible] Child Inez Bowers, Anna L. [illegible] Bowers and her children Anna J., [illegible] Gladys, Attie L. Hunt and her [illegible], Alvey J. [illegible] and her children George A. and Suzon[illegible] Hunt, Joe [illegible] J. Bowers, Jesse and her children Cyril C., John L. and Bessie [illegible]. Cyril Jesse. That [illegible] tried and rejected on October 20th, 1[illegible], [illegible] to Cherokee. For the decision, and to subsequently on petition of, [illegible], the claimants appealed to this Court. That [illegible] alive in the Cherokee Nation, I [illegible] Petitions.

II

[illegible] articles [illegible] to be admitted to citizenship in the Cherokee Nation by reason of their descent from Polly Bowers, who is claimed to be a Cherokee Indian by blood. That the [illegible] in support of their [illegible] affidavits of S. P. Dawson, E. Dawson, Francis M. Benson, and F. A. Dawson, who testify that Joanna Bowers is the daughter of Elizabeth Reed, [illegible] Polly Bowers, who married [illegible] Samuel Bowers, and that Polly Bowers [illegible] Captain John Bowers and Kilsey Vann. That [illegible] are all Cherokee citizens by blood, [illegible]

claimants, and according to the testimony, I later to the
blood.

The case is introduced to controvert this testimony
the decision [illegible] rendered in the year 1[illegible]7, in which there appears the
rejected by this Committee [illegible] the affidavits of [illegible]
[illegible] a member of Captain John Rogers, and [illegible] Sarah Carter,
[illegible] of Captain John Ridge, both of whom have
[illegible] never heard of any daughter of said Captain John
Rogers [illegible] the name of Polly Rogers, and the Cherokee Nation
[illegible].

III

[illegible] the records [illegible] the Cherokee Nation by blood, in
order to be entitled to the Cherokee Nation of Indians
by blood, [illegible] I contend that John Rogers, upon the
[illegible] roll, is not now [illegible] the
[illegible] the Cherokee Nation since the removal West; that
[illegible] can not appear on the rolls of the Cherokee Nation,
[illegible] nor his ancestors ever resided in the Cherokee
Nation [illegible] thereof.

The premises considered, in view of the recorded position
of affairs in the Cherokee Nation at the time when Captain
John Rogers, the ancestors through whom these claimants
their Cherokee blood, lived, and especially in view of the
absence of a mention in the list of records pertaining to
Polly, I am of the opinion that these claimants have not
[illegible] are descended from Capt. John Rogers, who resided in
the Cherokee Nation, nor [illegible] a recognized citizen, though
they do not show that he was ever enrolled as such, and I
therefore find that the claimants are not residents of the
Cherokee Nation, Indian Territory, and that they are not
Cherokee Indians by blood. That the ancestors resided in the
Cherokee Nation since 1[illegible]7, and probably longer, which is the
time when they are definitely known to have resided.

I [illegible] the fee of Attorney [illegible] for
services rendered [illegible].

Respectfully submitted this 1st day of August, 1[illegible].

(Signed) J. A. Gibson,
Special Agent.

[illegible]

[illegible].

[illegible] appears that they are the descendants of
Cherokee Indians by blood, but their ancestors through whom
they claim have never resided in the Cherokee Nation.
[illegible]. It appears that they have resided in the
Cherokee Nation since 18[illegible], and probably longer, but the
proof does not [illegible] definitely how long they have resided.
[illegible] claimants or any of their
ancestors [illegible] enrolled as members of the Cherokee
Nation.

[illegible] United States Court in the Cherokee
[illegible], the [illegible]

[illegible] enrollee as citizen of the Cherokee Nation."

Indorsed on back: "No. [illegible] Jo[illegible] et al vs Cherokee Nation. Final Report of Special Master, Filed August 17, 1897, J. A. Pinkston, Clerk."

[illegible] of Jo[illegible] Barber et al enclosed in [illegible]: "In Joshua Barber et al vs Cherokee Nation."

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"NOTICE.

"IN THE UNITED STATES OF AMERICA) In the United States Court for
IN INDIAN TERRITORY (SEAL) said District.
SOUTHERN DISTRICT.) In the matter of the application
of Joshua Barber et al to be
enrolled as citizens of the Cherokee Nation.

To the Commissioner to the Five Civilized Tribes.

You are hereby notified that a certified copy of the testimony taken in the matter of the application of Joshua Barber et al to be enrolled as citizens of the Cherokee Nation, before the Dawes Commission, to the United States Court for the Southern District of the Indian Territory, and that your tribunal is requested by said Court to transmit at the earliest practicable moment to said Court, at Muskogee, Indian Territory, a transcript of all entries made in the docket of your tribunal relating to said cause, together with the petition and testimony taken before said tribunal; the decision thereof on the application, and all original papers filed therewith or thereto.

Witness the Honorable William H. Clayton, Judge of said Court, and the seal thereof, at Muskogee, Indian Territory, this 27th day of December, 1897. A.D. 189--.

(SEAL) (signed) J. A. Pinkston, Clerk."

Indorsed: "No. 1654 Joshua Barber et al vs Cherokee Nation, Ap. Bill [illegible] U. S. Court."

[illegible] indorsed: "No. 1654."

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BY MR. WOOLLEY:

We now introduce the original report of the citizenship [illegible] Irene J. Rouse, et al., before the Commission in 1896, the court number of [illegible], said case being finally decided by the Commission; appealed to the United States Court, and the decision of the Commission affirmed.

In this case I desire to call especial attention to the certified copy filed therein of the testimony of Arthur Miller, the certified copy having been made in 1894, being the testimony of Mr. Miller in the case of Robert Lawson against the Nation, [illegible], the citizenship of which Lawson, and which was made January 1, 1882.

BY MR. MAYES: We all objection the applicants object, because the same is immaterial, irrelevant and incompetent.

The papers in Case No. 288, just introduced above, are as follows:

"Office of Commission on Citizenship,
Cherokee Nation, Tahlequah, January 19, 1882.

No. 108.
Robert Dawson et al) Docket C.
vs)
Cherokee Nation.)

Testimony for Claimants.

Witness, Mr. Arthur Fuller sworn examined as follows:
My name is Arthur A. Fuller I live at Berryville Arkansas Carroll County I am a citizen of the U.S. I am not a Cherokee. I lived in the Cherokee Nation about three years then I first came to Arkansas I have been acquainted with Mr since he became a citizen of Carrolls former more 20 years - at my Fathers house near Calhoun I became acquainted with the claimants Robt Dawson grandfather on mother's side she was frequently at my Fathers house the time she Anna Pruett lived in the Nation side; She claimed to be a half sister to Bi; Joe Vann, also claimed to be half Cherokee, the first time she brought the claimants mother to my fathers house she the mothers mother was about grown when I was a little boy. She called her daughter Polly Rogers, Said Captain John Rogers who ran a boat up the River was the father of the child; I saw the girl frequently there at my fathers and there at Louis Ramses Store.

I saw her occasionally until I was 15 or 16 years of old and I think then Old Capt. John Rogers took her off to school, I saw her no more from the time Old Capt. John Rogers took her off till I saw her here in Arkansas the wife of old Samuel Dawson, I stayed all night there and I had a talk over our old fathers and I asked her where she became acquainted with Dawson and she said at the time she was going to school and she said after she left school that Dawson followed her home, to the Nation and they were there married. I have told that precisely in the words that were used, Capt John Rogers claimed to be one fourth Cherokee. The claimant is the son of Polly Rogers, and I know Polly Rogers to be the daughter of Anna Pruett and I know the old man to be the son of Polly Dawson.

Capt. Rogers took position in the Cherokee Country about twenty (Word "twenty" scratched out) twelve miles below Calhoun on the Hiwassee River. Anna Pruett resided in the Cherokee Nation as long as I stayed there then I left the Nation when I got acquainted with her Arkansas her residence there they were as Cherokees. Robert Dawson's children is Nick, John, Marian and the girls, the ones named in the petition I recognized as being the children.

Question by Solicitor:

No. 1 How many children did Polly Rogers have?
Ans. 1 Five I think that's all.
No. 2 Did you ever see that man Dawson who is claimed to be a Cherokee twice?
Ans. 2 The claimant was there at twice.
No. 3 Could Anna Pruett speak English?
Ans. 3 Yes, she could speak it well.

Ques 4 Did Polly Rogers speak Cherokee?
Ans. 4 She did when I was young.
Ques 5 How far did you live from Ft Gibson?
Ans. 5 Just across the river about 3/4 of a mile.
Ques 6 Was Calhoun in the Cherokee Nation?
Ans. 6 It was on both sides of the river part in the Nation and part out in the state.
Ques 7 Which Harnage was it went to Texas?
7 George went first, then John went, they were the sons of old man Harnage, that lived up near the line.
Ques 8 Did the Claimant go to Texas?
Ans. 8 No the Claimant did not go to Texas.
9 What connection was claimant and Polly Rogers?
The Claimant is the son of Polly Rogers
Claimants home is the grandson of Polly Rogers.
10 Where does claimant now live?
Claimant lives in Carroll Co Arkansas.
11 Do you know what relation old Capt John Rogers was to Elias Rogers here in Coowescoowee?
Elias claimed him but what Kin I dont know there were two Capt John Rogers in the Nation I am speaking of the time when I first come to this country about the year 1836.
12 Was Mary Pruet the maiden name of claimants grandmother
12 Yes that was her maiden name the Indian called her
Since

his
(signed) Arthur x Baker
mark

Witness hand paralyzed is the reason why he signed by a mark
his x

I R T Hanks Assistant Executive Secretary do hereby certify that the foregoing document is a true and correct of the original as appears of record in the Executive Department of the Cherokee Nation.
Given under my hand and the seal of the Cherokee Nation at Tahlequah this 28th day of December 1894.
(Seal) (signed) R. T. Hanks,
Asst Exec Sec. "

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...the Dawes Commission on Citizenship in the Five Civilized Tribes in the Indian Territory:

Your petitioner, Irena J. House, undersigned, respectfully represents that she is a Cherokee Indian by blood, as asks to be enrolled as a member of the Cherokee Nation of Indians in the Indian Territory. That she derives her said Indian blood from her mother, who is a Cherokee Indian by blood. The said Irena Barber being a daughter of Elizabeth Petty who was a daughter of Polly Rogers and Samuel Dawson, the said Polly Rogers being the daughter of Captain John Rogers and Anna (Mary Vann) Pruet, Cherokee Indians, as shown by a certified copy of the affidavit of Dr. Arthur A. Baker, which is hereto attached as Exhibit A also affidavits marked exhibits B- C- D- and E.

Your petitioner states the above facts as the lawful grounds for her application for citizenship in the Cherokee

Nation, and prays that her claim may be fully investigated by your Honorable Commission and that she be adjudged to be a citizen of said Cherokee Nation of Indians and entitled to all the rights and privileges pertaining to such citizenship in accordance with the laws and treaties with said Nation of Indians.

My age is 34 years. My Post Office address is Talala, Ind. Ter. My family consists of the following named persons: My husband and children as follows:
W. J. House, aged 34 years; Chas. C. House, aged 9 years; Vinson T. House, aged 8 years, Anny W. House, aged 6 years.

WITNESS my hand this 19 day of August 1896.
(signed) Irene J. House.

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Northern Judicial
District, Ind. Ter. ss.

Personally appeared before me, the undersigned authority, Irene J. House, to me known to be the petitioner in the above petition, who being by me first duly sworn upon her oath says that she is the petitioner in the above petition, that she has read (or heard read) the said petition and that the facts stated therein are true, as she verily believes.
(signed) Irene J. House.
Subscribed and sworn to before me at Talala, Ind. Ter. this 19 day of August A.D.1896.
(signed) J. Carrichle,
Notary Public, My commission expires
(seal) June 8 1899."

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"Exhibit A.
Northern Judicial Division,
Indian Territory.
Joanah Barber being duly sworn according to law, on oath states that my name is Joanah Barber I am 61 sixty one years old. My Post office address is Watova Ind Ter- My husband occupation is Farmer I am a Cherokee in Coowescoowe dist. I am a Cherokee Indian by blood my mother being Elizabeth Petty (nee Dawson) Daughter of Samuel Dawson and Polly Dawson (nee Rogers) and said Polly Rogers is a daughter of Coot Rogers and A[illegible] Vann (now only called Alsey Vann) the following Irene J. [illegible] my daughter; she was born in Williamson County, Tex[illegible] May 1st 1865, moved with her husband children to the I[illegible] Terry and settled near Talala I Tery
(signed) Joanah Barber
Subscribed and sworn to before me this 19 day of Aug. [illegible].
(signed) J. Carrichle,
Notary Public, My commission [illegible]
(seal) June 8 1899

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"EXHIBIT.

Indian Territory,
Northern Judicial District ss.
I, [illegible] personally appeared before me, a notary public according to law
[illegible] and say:

My name is F. M. Dawson; I am 54 years of age; my post-office address is Afton Indian Territory I am a farmer by occupation and reside in the Cherokee Nation.

I am a recognized Cherokee citizen by blood. I am born in Carroll County Arkansas near Berryville. I derived my Cherokee Indian blood from my grandmother whose maiden name was Polly Rogers through my father Robert Dawson, My grandmother Polly Rogers was a Cherokee Indian and was married to Samuel Dawson by grand father in the old Cherokee Nation in Tennessee. My grand parents Samuel Dawson and his wife Polly came west over the Old Cherokee Country in about 1[illegible] and settled in Western Arkansas and later came on to the Indian Territory and the father of this affiant Robert Dawson and family settled in the Cherokee Nation, Indian Territory, Robert Dawson, the father of the affiant was also a recognized citizen of the present Cherokee Nation by reason of his more Indian blood.

The said Robert Dawson father of this affiant and Elizabeth Dawson who married John Petty were full brother and sister by blood, both being children of said Samuel Dawson and his wife Polly Dawson whose maiden name was Polly Rogers The said Elizabeth Petty was the mother of Joanna Barber who is a full cousin by blood of this affiant in the Indian side. The said Joanna Barber is the mother of Irene J. House nee Barber who is a second cousin of this affiant in the Indian side.

This affiant further states that he has seventy five to a hundred blood relatives who reside in the Cherokee Nation and are recognized Cherokee Indians by blood and draw their per capita money all the last payment; said citizens and relatives derived their Indian blood from the same source that the above named Irene J. House, derives her Indian blood and right.

This statement I have made to John H. Koehler, a Notary Public in Muskogee Indian Territory and it has been written down by him at my dictation. Such part of this testimony which refers to matters occuring previous to my recollection I know by means of family history and traditions which facts I have always been taught and told of by my parents and grand parents from childhood up, the facts stated as occuring since my childhood I know of my personal knowledge. Affiant further states that he is not personally interested in the prosecution of the application of said Irene J. House for citizenship in the Cherokee Nation.

(Signed) F. M. Dawson."

"Indian Territory,
Northern District.

I John H. Koehler, hereby certify that the annexed foregoing affidavit was sworn to by F. M. Dawson and was prepared and sworn to by me and was written by me and in my office in Muskogee Indian Territory this 14 day of August 1906, and I further certify that the said F. M. Dawson is personally known to me, and that he is a credible person and entitled to credit.

(Seal) (Signed) John H. Koehler,
Notary Public."

Northern Judicial District,
Indian Territory. EXHIBIT D.

E. Dawson, being duly sworn according to law on oath states: My name is E. Dawson; I am 61 years old; my post office address is Talala, Ind. Ter. I am a farmer by occupation, and reside in Coo-cooscoo-e District- Cherokee Nation. I am a recognized Cherokee Indian by blood, and exercise all the rights and immunities of a Cherokee citizen now living in the present Cherokee Nation. I was born in Carrol County Arkansas near Berryville. I derive my Cherokee Indian blood from my grandmother Polly Rogers through my father, Robert Dawson. My grandmother Polly Rogers was a Cherokee Indian, and she married to my grandfather Samuel Dawson in the old Cherokee Nation in Tennessee. My Grand Parents, Samuel Dawson and his wife Polly Dawson (nee Polly Rogers) left the old Cherokee Country in about the year 1828, and settled in Western Arkansas, and later on moved to the Cherokee Nation. My father Robert Dawson was a recognized member of the Cherokee Nation when he died, by reason of his Cherokee Indian blood.

The said Robert Dawson, the father of this affiant, and Elizabeth Dawson who married John Petty were full brother and sister by blood, both being children of the said Samuel Dawson and Polly Dawson his wife she being the same Polly Rogers as aforesaid. The said Elizabeth Petty was the mother of Joanah Barber who is a full cousin by blood of this affiant on the Indian side, the said Joanah Barber is the mother of Irene J. House, whose maiden name was Irene J. Barber and a second cousin of this affiant on the Cherokee Indian side. This affiant further states that he has seventy five to a hundred blood relatives who reside in the Cherokee Nation and are recognized Cherokee Indians of the present Cherokee Nation and exercise all the rights and privileges of such Cherokee citizens, they having drawn their shares of the strip money at the last per capita payment made by the Cherokee Nation.

Said citizens and relatives derived their Cherokee Indian blood from the same source, as did the above named Irene J. House.

I have made this statement before J. Berrickler, Notary Public at Talala, Ind. Ter, and affiant further states that he has no personal interest in the prosecution of the claim for citizenship in the Cherokee Nation of the said Irene J. House.

That the above facts given are within the personal knowledge of the affiant or within his years of discretion he knew personally, and that the facts were secured before the recollection of affiant he testifies to the facts that he knows to be true of his family history and blood.

That the relationship existing between his people in the Cherokee Nation he knows from his personal knowledge and that they are related to the Cherokee Indian side.

(signed) E. Dawson.

Subscribed and sworn to before me this the 10 day of August 1896

(signed) J. Berrickler,

Notary Public, My commission expires June 2, 1898.
(Seal)." Notary Public.

"Cherokee Nation,
Coowescoowee District. EXHIBIT E.

Before me the und rsigned authority this day, personally appeared W. A. Dawson who is to me well and personally acquainted, and after being duly Sworen; deposes and says, that he is well acquainted with Irena J. House and knows she is a Cherokee Indian, and that he knows she is the daughter of Joana Barber, who is a neice of Robt. & James Dawson, who are both Cherokee Indians and recognized citizens of the Cherokee Nation.

Affiant further states that Irena House is the [illegible] daughter of Mrs. Petty, who was a full sister of Robt & James Dawson.

Affiant further says that he knows that Irena House is a lineal descendant of Annie Dawson whose ~~children~~ (line drawn through word "children") sons, Robt & James before spoken are recognized citizens.

Affiant further says he has no interest in this suit.

(signed) W. A. Dawson.

Sworn and subscribed to before me this 17 day of August 1896.

(signed) William Lynch
Notary Public.

(Seal) My term expires Feb 6 1900."

Foregoing indorsed on cover as follows:
"No: 3099 5464 Before the Dawes Commission on Citizenship in the Five Tribes. Irene J. House V.S. The Cherokee Nation. Petition and Proof, Will E. Linton, for Petitioner. Filed Sept 8 1896 A. S. McKennon, Com'r. Denied. Filed Feb 20 1897 Jas A. Winston clerk."

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"Received of W. M. Jacoway, jr., Secretary to the Commission to the Five Civilized Tribes the original papers in the cause of .... vs..... Nation, as follows..... Witness my hand and of icial seal at Muskogee this the 26 day of Feb' 1897 J. A. Winston, Clerk."
(Seal)"

Indorsed: "Court No.338 No. 5464 Receipt for original papers in the case of Irena J. House vs. Cheroke Nation, Received and filed this ..... day of..... 189..."

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"Irene J. House et al,
vs. No. 338
Cherokee Nation.

Mr. W. A. Gibson, Special Master to whom this case was referred, submits the following report: (Insert report)

IN THE UNITED STATES COURT IN THE INDIAN TERRITORY.

NORTHERN DISTRICT AT MUSCOGEE.

IRENE J. HOUSE ET AL

VS

THE CHEROKEE NATION.

) 33% REPORT OF SPECIAL MASTER.

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I, M. A. Gibson, Special Master herein, sho[illegible] the Court [illegible] under the general order herein, I have examined the proof and pleadings on file in this case which are [illegible] part of this report, [illegible] I find as follows:-

I

That this case is in reality a branch of Case No. 86, Joanna Barber vs Cherokee Nation, the principal claimant herein being Irene J. House a daughter of Joanna Barber.

That this case was instituted on September [illegible], 1896 at which time application was made to the Commission to the Five Civilized Tribes for citizenship by blood in the Cherokee Nation.

That this case was tried by the said Commission on November 24, 1896 and the applicants denied, no reasons being given for the decision, and that on January 26, 1897, the parties appealed from said decision to this Court.

That this application was made by Irene J. House, her husband, T. J. House, and their children Thos., S. Stanton T., and Henry V. House. That they filed in support of the application the affidavits of Joanna Barber, [illegible] Duncan, Arthur A. Baker, E. Dawson, and W. A. Dawson. That these Dawson witnesses are citizens by blood of the Cherokee Nation, and state that they are related by blood to the claimants herein on the Cherokee side. The claimants base their contention of a right to Cherokee citizenship upon the fact that the claimant Irene J. House is the daughter of Joanna Barber, who is the daughter of Elizabeth Petty, who was the daughter of

Polly Rogers, and that Polly Rogers was the daughter of Captain John Rogers and Ailsey Vann, who were recognized Cherokee citizens by blood. That the testimony shows that this Dawson family are recognized citizens of the Cherokee Nation, and that the claimants herein are cousins by blood upon the Indian side, and that they all claim through a common ancestor, Polly Rogers a d Captain John Rogers and Ailsey Vann, who were all recognized Cherokee Indians.

II

The appellee introduces in defense the record of the application of these claimants to the Cherokee Commission on citizenship in the year 1897, and the record of the rejection of the claimants, and the affidavits of T. J. Rogers, and Mrs. Sarah Carter, a granddaughter both of whom state that they never heard of any daughter of Captain John Rogers by the name of Polly Rogers, and that he had only one daughter, whose name was Cynthia.

III

The Claimants contend that they are recognized members of the Cherokee Nation and are relatives of the Rogers, who are

recognized citizens of the Cherokee Nation by blood, are entitled to be admitted to the Cherokee Nation as citizens by blood, while the appellee contends that John Rogers, through whom the petitioners claim, is not now and has not been a citizen of the Cherokee Nation since the removal west. That his name does not appear on the rolls of the Nation, and that neither he nor his ancestors ever resided in the Cherokee Nation after their removal.

IV

[illegible] ordered, I find that the claimants are [illegible] Captain John Rogers, and that it was [illegible] that in the condition of arrairs at that [illegible] Cherokee Nation, especially owing to the [illegible] of law and of records pertaining to marriage, [illegible] would be the descendants of Captain [illegible] daughter, Polly Rogers, of whom the affiants [illegible] may never have heard.

[illegible] claimants are residents of the Cherokee [illegible] Territory, where they have resided since 1887, [illegible] they are Cherokee Indians by blood.

[illegible] court allow me a reasonable fee for my services as Special Master.

[illegible] submitted, this 9 day of Nov 1897.

(signed) H. A. Gibson,
Special Master.

[illegible] Sealed."

[illegible] papers indorsed on cover as follows: "238, In the [illegible] et al V Cherokee Nation Final Report of Special Master. Filed Nov 10 1897 Jas A. Pinaton, Clerk."

[illegible] papers enclosed in jacket indorsed as follows: "[illegible] Rogers, et al vs. Cherokee Nation."

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[illegible] close for the present.

[illegible] ON BEHALF OF THE APPLICANTS:

D. [illegible], being first duly sworn, and being examined, testified as follows:

By [illegible]:

Q Please state your name, age and residence? A My name is D. F. [illegible]. I am [illegible] years, my residence, Vinita, Indian Territory.
Q Are you [illegible] enrolled citizen of the Cherokee Nation by blood?
Q You [illegible] this case once before did you not, before the Dawes Commission? A I did.
Q Before this Commission I will say, this Commission? A The Dawes Commission? A Why I don't recollect who the Commissioner was, that was taken at Vinita, ex parte.
Q Were you in any way connected with the Cherokee Citizenship Commission of 1893 known as the "Tehee Commission"? A I was Clerk of that Commission.

Q [illegible] length of time? A I don't recollect the exact length of time, I think it was about thirty days, during the continuance of the Commission.
Q [illegible] during its existance were you?
A [illegible]
Q [illegible] Commission when it rendered a decision [illegible] Herbert Dawson et [illegible], as found on page 114, of its [illegible] (witness examines record referred to.) now [illegible] this Commission? A I was.
[illegible] of that Commission were the same as shown by the [illegible] this judgment were they? A The same, yes, sir.
[illegible] of the Commission, Alex Wolfe and F. [illegible] r., that is correct, is it? A That's correct.
[illegible] this case for consideration by that [illegible] before that time had went in the case? A I was.
[illegible] associated with F. M. Dawson, co[illegible] only [illegible] Taylor and Samuel H. Runyon, who were [illegible] attorneys at that time? A I might [illegible] know them. Mr. Runyon; all I know of him was I saw him [illegible] with the suit. I think Mr. Taylor and Mr. Runyon [illegible], I have known them a number of years.
[illegible] Oklahoma citizens were they? A They were.
[illegible] not known generally as a citizenship Attorney?
A I think he was.
Q Do you recollect of Mr. Taylor and Runyon present at the time this [illegible] consideration by the Court? A Why I do not recollect [illegible] Mr. Runyon, I cannot recollect, but I can recollect of seeing Mr. Taylor about the Court room now and then.
Q [illegible] who originally brought the case to the Court for the [illegible] A Let me understand the meaning of that; who brought the case?
Q Who filed up the case? A No, I don't recollect.
Q [illegible] whether that Commission rendered any other decision [illegible] upon this record in that case? A I never had any [illegible] decision.
Q [illegible] or against the applicants? A It was in [illegible] way this: that if there was another decision [illegible] records of the docket now before you, I [illegible] it.
Q [illegible] any journal entry of same ordered by you [illegible] I have [illegible] that it was? A That is the only one that
Q [illegible] you may have in connection with what case?
[illegible] may you may have for your information [illegible]
[illegible] or through any other [illegible]
Q [illegible] said to the Court [illegible] the purpose of the [illegible] however.
[illegible] conduct during [illegible] that I had was [illegible]
[illegible] in the docket toward that Court which [illegible] in securing that judg-

ment? A I never observed anything of the kind; nothing that awakened a suspicion in my mind that he was engaged in that kind of practice.

Q Did Campbell Taylor at any time after the rendition of that judgment pay to you any money as coming through him from Mr. Dawson for any services which you had rendered to him in that case?

A Yes, he paid me some.

Q What amount? A My recollection is that, I think it was a twenty dollar bill. I don't know but I had better go and state the transaction, all about it.

Q Yes, sir. A Mr. Dawson, Wad Dawson, during the trend of the case occasionally applied to me at my desk for writing papers, issuance of a subpoena or transcript, something of that kind. I always treated him with courtesy and proper official consideration. He seemed to appreciate it, and whenever I did anything of that kind for him, says he, I have no money, Mr. Dawson, but I will or I ought to pay you. I told him I made no charge for anything of that kind. And in passing I might state that I never received a cent for any kind of that work which I had been in the habit of doing for various parties before the Court.

After his trial was concluded, in the afternoon a little while before supper time I went to my hotel, The Tahlequah Brick Hotel in Tahlequah; went to my room, felt a little tired, laid down upon the bed to rest. I recollect Mr. Dawson stepped into the room, drew a chair up to the bedside and sat down and expressed himself to his gratification at the outcome of his case, dwelling mostly upon the testimony in the case being so satisfactorily, establishing his Cherokee blood, and that he thought that he was entitled and that he had received justice by the court. I listened to him, and we talked there I guess not ten or fifteen minutes; after a little he says, I must go to-morrow, I think he says to-morrow, I must go home, - he then lived down in Arkansas somewhere. Says he, Mr. Dawson, I believe I owe you something, ought to pay you something. Alluding, as I understood, to these little courtesies that I extended to him at my desk. Says I, I make no charges, Mr. Dawson, for services, if I have done you any good you are welcome. Well, says he, I feel [illegible] to you, I want to pay you. I says, it makes no difference, I will leave that to you. Says he, [illegible] to me, you back home. He shook my hand, [illegible] that I would not have reference to my services at the bank. That [illegible] Mr. Dawson, oh it must have been a year [illegible] a little while on the public domain up [illegible] stayed off that I intended to be a farmer, [illegible] make any other improvements, ever [illegible] in that part of the country to look [illegible] across Mr. Dawson, he had come [illegible] built him a little shanty and [illegible] he was very glad to see me; I [illegible] he said he had moved into the country, [illegible] you are encroaching upon me here [illegible] part of mine, mine had been [illegible] Cherokee law. Well, says Mr. Dawson, I don't [illegible] any wrong, I will pay you [illegible] matter in that way, that [illegible] together that we would [illegible] point. It ran on then for [illegible] think I met him in Vinita, [illegible] money that I owed to you? I [illegible] Taylor.

Well, says he, I gave him some money and told him to hand it to you for me, and, says he, you ask him and he will hand it over to you I guess. Well we parted then. Well, went on for some time, some months; I happened to meet Mr. Taylor in Tahlequah; I met him on the street I think, jocularly I slapped my hand on his shoulder, says I, look here, did Mr. Dawson any money to me by you? He says, yes, and he pulled out what I recollect to be a twenty dollar bill, and handed it to me; I received it, and I received it with the idea that he was compensating me for taking care of him, or something for having his those little services in the court. That is the sum and substance of the whole thing.

Q Was not that twenty-five dollars, Mr. Duncan? A It might possibly have been, my recollection does not serve me exactly, it might have been 25 dollars.

Q Did Campbell Taylor pay you any other money in addition from Mr. Dawson? A Never a cent.

Q Did he on one time pay you fifty dollars out of a hundred dollars which he had received from Mr. Dawson? A Never.

Q Did he on a second occasion pay you fifty dollars out of one hundred dollars which he claimed to have received from Mr. Dawson? A None at all.

Q He paid you no other money than that you have already stated, from Mr. Dawson? A Not a cent.

BY MR. McKENNON: We offer in evidence the judgment of the Cherokee Citizenship Commission before referred to, and ask that it be filed in evidence in the case of every application made by the heirs of Robert Dawson, deceased, or through Robert Dawson, a citizen of the Cherokee Nation, said judgment being found on page 114, Records of the Tahlequah Court, 1890 to 1894, cause number 108, judgment dated January 11th, 1893, signed by T. M. Buffington, President, Alex Wolfe, T. F. Thompson, Willis Adams, [illegible] Duncan, Clerk Commission.

The said judgment is recorded in the following words:

"Office Commission to the Five Civilized Tribes,
Tahlequah, I. T., September 24th, 1894.
No. 108
Robt Dawson,
Albert Dawson,
Jasper Dawson,
John Dawson,
Josephine Dawson,
Joseph Dawson,
Jane Dawson,
Molly Dawson,
Tilbert Dawson,
Jones Dawson,
Phil Dawson,
vs.
Cherokee Nation.

Continued by the Commission, Sept. 7, 1894.

[illegible], I. T.

The above case coming on to be heard this day, [illegible]

term. Agreed by the parties that the above shall set on the docket up for final determination before the [illegible] Court, [illegible]

It is agreed by the parties that this shall be finally disposed of at the next January term if the Court is in session present regarding the same, if not, the case shall be continued to the September term, 1883.

On this agreement Commission continues the case till the next January term to-wit, January [illegible] 83.

And now this the 11th day of January A.D. 1883 this case coming on for final hearing, and all the evidence produced in the case being carefully read and duly considered by the Commission it was adjudged and determined by the Commission on citizenship that the claimants, Robert Dawson, F. M. Dawson, Elbert Dawson, Jasper Dawson, John Dawson, Joe[illegible] Dawson, Joseph Dawson, Jane Dawson, Molly Dawson, Filbron Dawson, James Dawson, and Rial Dawson, are Cherokees by blood; and that they were entitled to all the rights and privileges of Cherokee Citizenship within the Cherokee Nation, and that they should be, and they are, hereby admitted to the full and complete enjoyment of the same in all respects as native Cherokees.

(signed) Thos. Tehee,
President of Com.

D. W. C. Duncan,
Clerk of Commission.

Alex Wolfe, } Commission,
T. M. Thompson, } Cmrs.

Transcript issued to Claimants, January 11th, 1883,
(signed.) D. W. C. Duncan, Clerk."

Marginal Notes: "Case submitted by claimant January 11th 1883. Case submitted by Solicitor January 11th, 1883."

Q Do you remember how many members of the Court were present when this judgment was rendered, or were all of them? A My recollection upon that point is not positive, but it is my duty to testify upon that I know to be the practice of the Court at the time, seeing the names of all these Commissioners there, I can say with a great deal of positiveness that they were all present, because I never signed the name of one of the Commissioners unless he was present, assenting to it or directing it.

Q The rendition of that judgment was concurred in by all of the three judges? A It was.

Q Mr. Duncan, if there had been a decision rendered the day before in this case while the Court was in session, adverse to these claimants, would you have known it? A I certainly should have known it.

Q Was there any such decision of the Court? A None to my recollection. I can say positively there was not.

Q How many of those judges are now living? A Only one.

Q Who? A Mr. Thompson.

Q Tehee and Wolfe are dead? A Tehee and Wolfe are dead.

Q How long have they been dead, do you know? A I do not know, quite a number of years, I haven't lived where I could know when their death occured, and their death occured perhaps a few days before I got knowledge of it. It is generally understood that they are dead.

Q Do you remember to have seen any other suit of the Duncan family about the Court at that time than this present? A I have been thinking, and I can't call to mind that I ever saw any other Duncan except you, until after there was talk of the case coming up to the rendition of the judgment.

(At this point a party who has been sitting in the room in which the examination is being held, is called forward, sworn on behalf of applicants, and asked to retire until called.)

BY MR. HUTCHINGS:

Q Mr. Duncan, when did you become clerk of the Texas Commission Court? A It must have been somewhere in December, 1884, at the time the Commission was organized immediately at the close of the Council in which they were appointed.

Q December 1884? A I think so.

Q Were you doing rendering judgments here in your handwriting in 1883? A The Commission held its Court after they were elected sometime.

Q The Court was elected in 1881 wasn't it? A Well, I say, at the time, I don't pretend to say when the Court was elected, I would have said at the time I was chosen clerk. I was chosen clerk just at the close of the session of the National Council of that year.

Q '84? A I think it was '84.

Q You entered up this judgment rendered January, 1883? A Yes, that was the session of the Commission.

Q That was before you were clerk of it? A Well I held the relationship for some time you know continuously.

Q Well but then you were not the man that you were clerk when the law on these was passed on? A No, I don't mean to say that.

Q How could you be clerk when the law on these was passed on in 1883 when you were not elected until 1884? A I am mistaken in that, '84 came after '83,- it was the year preceding 1883, it must have been '82.

Q Your first entry in the Duncan case is January 16, 1883, isn't it?

Q I don't recollect what my first entry was. (Attorneys show the record to witness) Yes, that is the entry there on the 16th.

Q And that was shortly after you became clerk wasn't it? A Yes, shortly after I became clerk.

Q The case had been entered upon the docket before you became clerk? A I think so, yes; It was entered at the previous term of the session of the Commission.

Q In whose handwriting was the names of the three Commissioners signed to that judgment? A Duncan Judgment?

(Attorney shows record to witness) A That is my handwriting.

Q All three names? A All three names.

Q The record there shows that you immediately gave them that day a transcript of the judgment, do you know who signed that? A Signed the transcript?

Q Yes, sir. A I do not recollect now, this is, did I write?

Q Signed the names to it? A Yes, that's it.

Q You always signed the names of Texas and Waite didn't you?

A I think I did pretty generally; I don't know of their undertaking to write their own names.

Q When Mr. Thurman was there didn't he sign his own name? A Sometimes he did, sometimes he simply authorized me to do it.

Q Have you any recollection of his authorizing you to do it except from the fact ... A you have done it on that score frequently?

A I can't recall the particular instance of authorization, but I can say positively that, consulting the record, I was authorized to put his name there.

Q Will you look at the [illegible] Harvey shows you and
referred to [illegible] the names of the
Commissioners there? [illegible] these) A I signed
that there.

Q You recognize that as your handwriting? A I do.

Q What made you [illegible] you [illegible] Mr. Martin, on looking at the [illegible], and being cross-examined by me, say that it was not your signature and that the signature thereto attached was a forgery of Mr. Thompson? A Occurred in this way: I had no [illegible] it occurs in the case for about nine years. The matter is mentioned in the court [illegible] and quite [illegible] recollected at that time, however, when I gave it [illegible] before the Commissioner, Martin, that that was a correct statement at the time I served by which I signed the names of the [illegible] members of the Commission, [illegible]. The reason either myself or occasionally signed his own name. I based my statement [illegible] upon my knowledge of the rule or practice in [illegible] without comparing the [illegible] and remarks; in answer [illegible] incorrect statement when I said that that was not [illegible] convinced now that it is [illegible] the way it was done.

[illegible] Thompson [illegible] and it himself, but [illegible] handwriting?

A No, I didn't so [illegible] without advisement when I gave in that testimony I subsequently have a better informed and said that it was [illegible] and not entered by Mr. Thompson in the rule, and that [illegible] sees it [illegible] authorized me to [illegible] myself, and I did it.

Q Then you have [illegible] you testified [illegible] you think you have a better [illegible] the signature [illegible] down you did then, and not from [illegible] of your handwriting at present? A I still correct my testimony in reference to my statement in regard to this [illegible], this case.

Q And you would not know [illegible] examine you whether or not that is your handwriting, it was not refreshed by what you consider to be [illegible] I should know it by examining and thinking over the [illegible], I think I should recognize your handwriting, it [illegible] I should be propounded instantaneously without any advisement or reconsideration I might have a mistake.

Q You did recognize the names of Thomas Tyler and Alexander Wolfe as being in your handwriting, is that it? A I was very clear and positive, and so stated, that the rest of those Commissioners were in my handwriting, and I was not certain by reflecting on the rule that they [illegible] given with their own hand, it always attempted me to do it. Hence there is no question in my mind in me and to be handwriting in their signatures.

Q And then the third name, right under it, as compared with your admitted handwriting, you had to wait and learn the facts afterwards to determine whether that is your signature or not? A No, I don't think that [illegible] the circumstances, I know [illegible] and I [illegible] that that [illegible] I [illegible] that [illegible] I [illegible] signing his own name, and I will [illegible] do not [illegible] much deceive [illegible] it [illegible] to [illegible] that [illegible] on that [illegible].

Q You were under an impression at the time you testified in the [illegible] case that you were [illegible] and not yours, didn't you? A Mr. [illegible] I stated that I was very embarrassed at the time I was testifying in regard to the matter I was not certain or not, and after reading it I could see that I was.

Q As he stated, and you too didn't you, that he always [illegible] the original himself when he was present? A I do not recollect what I stated, that I used the word "always", at that time, but at the time I was examined that the deposition was taken by me or not that he did, but when I was called to examine it I was convinced that I was wrong, and personally I am sorry for it.

Q Then you never found out that your testimony [illegible] like a year and a half ago was wrong; until you examined the [illegible] only before yesterday, and even now you're not sure of matters? A I don't know that I have thought of it since that time until yesterday or day before the exhibit.

Q So the only recollection that you have got and the only aid to your recollection that Thompson was present when the judgment was rendered was the fact that you see the name signed to it, in your handwriting, is it? A As a fact,-

Q You can answer that yes or no? A That recalls the matter to my recollection and I recollect now that the court is [illegible] all present at the time that I signed it, I didn't [illegible] their names out of court at all.

Q Was it in the forenoon now or in the afternoon? A I don't recollect whether it was in the forenoon or afternoon.

Q In recollecting that they were all present when the record was signed, do you mean to say that they were all present when the judgment was rendered? A Yes, that is, you mean when the question of admission or rejection was voted upon?

A Yes. A They were present.

Q Did you make up the record at the time that they rendered the judgment, or make a memorandum of it, and then write up the judgment some days afterward? A The record was not written up immediately upon the decision of any case, but I wrote up the record after adjournment, generally in the evening, and presented it next day or when the next session was had, for signature that was the practice.

Q But in this Dawson case you wrote it on the very day that it was rendered didn't you? A I didn't recollect as to that.

Q And gave them a transcript the very day it was rendered? A I don't recollect as to that.

Q And indicated the giving of the transcript on the bottom of the judgment the day it was rendered? A I should say it was given at the date of the transcript.

Q That was a very unusual thing, for you to do in entering up judgments? A To do what?

Q To notice the bottom that you had given a transcript the same day the judgment was rendered? A No, I don't know that there is anything unusual about that.

Q Any other places in that record or more than one in any event that you have ever done that? A I don't recollect, and as I don't recollect of giving anybody else a transcript.

Q That is what I am getting at, you have them a transcript and wrote up your judgment and everything right away? A Pretty promptly after the decision; whether it was the same day or the evening, and [illegible] next day, I don't recollect.

IT NOW BEING THE HOUR OF NOON, IT IS, THE COMMISSION
ADJOURNS UNTIL HALF PAST ONE P. M.

AFTERNOON, THIRTY-1:45, P. M.,-APPEARANCE,-and as in forenoon: D. F. C. BROOM again on the stand.
BY MR. HUTCHINGS:

Q Do you remember what witnesses were before the Court? A I don't recollect now distinctly except Dr. Baker, I remember him mainly because of the length of his testimony all the time it took to take it.
Q The Doctor was about the only distinct witness there was? A He is the only one now that I can call to mind.
Q There was probably another old darkey that testified was not there? A I have no recollection to that effect.
Q The case was just decided really on Doctor Baker's testimony, he is about the only man that knew anything about the case? A I am not certain that Dr. Baker was the only witness; might have been others that has now escaped my recollection.
Q Doctor Baker's testimony was taken down in writing? A Yes.
Q There was not anybody else taken down in writing was there? A All the testimony that was accepted in the case was taken down in writing.
Q Did you ever see anybody's else testimony in writing except Dr. Baker in that case? A That is not as I recollect, I don't recollect any other but Dr. Baker's.
Q You know whether that was taken immediately before the trial or at the trial or how was it? A It was taken in the presence of the three Commissioners during the session of the Court.
Q You mean the day that the case was decided or how? A I do not recollect whether the case was on trial more than one day, but my impression is that it was.
Q Do you know whether it was the same term of the Court or not? A I think it was the same term of the Court.
Q How many terms a year did that Court have, when and how did they last? A I don't recollect of but serving but one term.
Q Don't recollect the carrying out of terms? A Myself, it seems to me so.
Q You didn't go in until January of 1883 did you; your first record is a record of about the 17th of January 1883, as shown in the book, isn't it? A I don't recollect in that regard.
Q How would they take testimony in the case, then continue it, as how would they generally do about that? A I think they decided on the case at the term in which they took testimony.
Q Can you say whether or not this testimony was taken in this case at the time it was decided or at the next term it was decided, or within a week or two of the time it was decided? A My own recollection is that it was taken at the term in which it was decided; case was taken up, testimony heard that the decision was made at the conclusion of the testimony.
Q Well now, I see on October 4th, 1882, on your docket, the following entry reads: "It is agreed by the parties this case shall finally be disposed of at the next January Term," That would be January, 1883, "If the said suit is present during in same, it will, the case shall be continued to the September Term, 1883; or this case out the decision continues the case till the next January term, 1884." So that I should think if you had a

January and a September ter ; and this decision was rendered at the January, 1933 ter. Was Baker's testimony taken during the January, 1933, ter, at the time this decision was rendered? A I find it impossible for me to recollect those facts that are recorded there; although I can say about that, that the record there the correct statement of the facts; but I can't recall those facts.
Q Well there is a record here that this case was continued on the 13th day of January, 1932, when agreed that it should be taken from the 4th day of October, 1932; your record shows that there was nothing done in the case from January 13th, 1932 until October 4th, 1932; would you say that was correct? A I should say it was correct if it so stands on the book; it is designed to be a correct entry of the facts.
Q I will let you see the book for yourself; I don't want to misrepresent your act of it at all. (Shows entry in book to witness.)
A I can't recall those facts in regard to the matter.
Q Who took down the testimony of the witnesses in court? A I took it down.
Q You took down the testimony of Dr. Baker? A Yes.
Q He was cross examined by counsel for the Union? A As to that I don't recollect. He was present, he was always present; I think likely he was cross examined.
Q And that testimony was taken at the time when the decision was rendered in January, 1933? A I think it was, my impression is to that effect.
Q Well the court seems to have had no session as to this case from January 13, 1932 until October 4th, 1932, according to the record? A (No response.)
Q You don't recall taking any other testimony in the case? A No sir, I don't.
Q And the probability is that he was the only witness examined isn't he? A It might have been so. My recollection is that he was regarded as the main witness of the case.
Q He was quite an old man, about 77 at that time? A Yes, he was quite old.

BY MR. McKENNON:

Q The testimony of Dr. Arthur Baker, from this record, appears to have been taken January 13th, 1933; is that correct as far as you know, or are able to state? A Is that Dr. Baker's testimony? (Attorney here shows witness papers.) A It appears to me, yes; I don't think that was the testimony that the case was decided upon, because his testimony was taken orally before the Commission, and I wrote it down; where let me see it (Attorney hands said papers to witness.)
A Well, all I know about this is as I stated before me, I can't recall those facts, but whatever the record says why I say that the record was made correct, as applies to the fact. (Witness and counsel confer as to whose testimony.) I don't pretend in reading over very closely to say now recollect, but I gather from the subject matter in that testimony that it is in accord with Doctor Baker's statement; as exactly word for word I am not able to say, but that is the tenor of the testimony.

BY MR. HUTCHINS:

Q In taking the testimony you endeavored to get from all the material facts that you could in behalf of the Union? A Yes, substantially word for word, as I took it down, there was a little variation made necessary by the nature of the witness' statement.

BY MR. McKENNON: Applicants object to all of the witness' testimony relating to the method of taking the testimony of witnesses at the trial, the character and effect of that testimony, and the number of witnesses, except so far as the same may be used for the purpose of testing the memory of the witness, because the same is incompetent, irrelevant and immaterial.

R. F. FORTNER, being first duly sworn, and being examined testified as follows:

BY MR. McKENNON:

Q What is your name? A R. F. Fortner.

Q What is your age? A 54.

Q You are a practicing physician are you not? A I am.

Q Where do you reside? A Vinita, Indian Territory.

Q Do you hold any official position in your position? A Yes, I am President of the National Board of Health, Cherokee National Board of Health, a member of the Legislative Committee of the Indian Territory Medical Association, American Medical Association,-those are some, and the most important positions I hold at this time.

Q Are you a Cherokee citizen? A I am.

Q By blood or by marriage? A Intermarriage.

Q Your wife is a citizen? A Yes, sir.

Q Do you know D. W. C. Duncan? A I do.

Q How long have you known him? A About twelve or fifteen years, about twelve years I should say.

Q Do you know his general reputation in the community where he resides for honesty and truthfulness of character? A I do, I think.

Q Is that good or bad? A It is good.

Q Do you know Cornell Taylor? A I do.

Q How long have you known him? A About six or eight years, don't know exactly how long; known of him for ten years and personally I have known him about say six or eight years.

Q Do you know his general reputation for truth and veracity? A I do.

Q Is that good or bad? A It is bad.

BY MR. MASTERS:

Q Mr. Du can belongs to the same church you belong to? A Yes, sir.

Q And has for a number of years? A Well now I say I think he does; I have always so understood.

Q Don't know of his own knowledge? A No, but he has attended church there [illegible] I have been told that he is a member of the church.

Q You didn't [illegible] before the Citizenship Court of which he was [illegible]? A No, sir, not that I know of.

Q You were [illegible] while he was clerk of a Court from 1900 to '13? A [illegible] me.

Q Have you ever had any [illegible] that Court? A Had no business before the [illegible] clerk [illegible] knowledge.

MR. MCKENNON:

Q You spoke of [illegible] the church: he is in good standing as a member of [illegible]? A [illegible] sir.

Q I will [illegible] bad as fact, that [illegible] people [illegible] before the Court? A That

Q But so far as you know his bad reputation dates back so far as you know him? A So far as I know Mr.

G. W. MILLER, being first duly sworn and being examined, testified as follows:

BY MR. McKENNON:

Q What is your name? A G. W. Miller.
Q What is your age, Mr Miller? A 61.
Q Where do you reside? A Vinita.
Q How long have you lived there? A Well I have lived there altogether about 11 years I guess, or 14.
Q Are you a citizen of the Cherokee Nation? A No, sir.
Q What is your business? A Real estate and insurance agent.
Q Do you know T. W. C. Dunbar? A Yes, sir.
Q How long have you known him? A I have known him twenty years.
Q Do you know his general reputation for honesty and uprightness of character where he lives? A Why yes sir.
Q Is that good or bad? A It is good, so far as I know.
Q Do you know Campbell Taylor? A Yes, sir.
Q How long have you known him? A Well I have known him 18 or 20 years, I guess.
Q Do you know his general reputation for truth and honesty? A Well yes.
Q Is that good or bad? A Well, it is bad, I think.

ATTORNEYS FOR CHEROKEE NATION waive cross examination.

T. M. CURTIS, being first duly sworn and being examined, testified as follows:

BY MR. McKENNON:

Q What is your name? A T. M. Curtis.
Q How old are you, Mr. Curtis? A 56.
Q Where do you reside? A Marlow, Indian Territory.
Q How long have you lived in the Indian Territory? A 20 years.
Q What is your business? A Lumber business.
Q Do you know T. W. C. Dunbar? A I do.
Q How long have you known him? A About 20 years.
Q You know his general reputation for honesty and uprightness of character in the community where he lives? A I do.
Q Is that good or bad? A As good as any man's.
Q Do you know Campbell Taylor? A I do.
Q How long have you known him? A Some 20 years, I suppose.
Q Do you know his general reputation for truth and integrity and honesty? A Yes sir.
Q Is that good or bad? A Good.
Q Is it extraordinarily good? A Yes.
Q Did you ever know Dr. Baker, Dr. A. R. Baker, of Perryville, Oklahoma? A Yes sir. I knew him in '98 and '99.
Q Where? A Lived at Perryville. I run a mill in that country at Perryville.
Q Did he enjoy a good reputation as for honesty and uprightness of character and truthfulness? A Yes sir.
Q Is that good or bad? A Good sir. Good as any man's; he is a good citizen I think.
Q Did you know it well enough to know his habits of life? A Yes sir.
Q Was he in the habit of taking liquor, drinking liquor? A Not that I know, sir. I never saw him take a drink in my life.

Q Was his character such as to preclude any such charge against him? A It was, yes sir.

BY MR. WHITTINGS:

Q How long did you know Dr. Baker? A Two years.

Q What does he do there? A He was an old gentleman then, he lived right in the edge of Perryville, Dr. Baker.

Q How old do you think he was then? A I think he must have been 65 or 70 years old; an old gentleman.

Q That was in 18 what, 68? A No sir, it was in '68 and '69, the two years that I lived over there.

Q He had retired from business? A Yes, sir.

Q Did he have any family? A Yes, sir.

Q What family did he have? A I don't know how much family he had, I was well acquainted with the old gentleman.

Q He wasn't doing any business with anybody? A No sir.

Q And his character was never called in question one way or the other was it? A No sir, no sir.

Q Campbell Taylor was a notorious rascal pretty much ever since you ever knew him wasn't he? A Yes sir, I never knew much good of him.

Q And whenever a man got a bad citizenship case he got Campbell to work it, because he was notoriously a rascal; that's it right in. A Well a great many of them got him.

Q It was a notorious thing that they had a bad case they would get him, it would sort of give a case a bad odor to have Campbell around it? A Yes, that would be right.

Q You never knew anything about Mr. Berman's connection with citizenship matters? A No sir, never did.

Q You never heard about his changing some of the records of citizenship cases? A No sir, never did.

Q You have heard lots of talk about this Dawson order? A Yes sir.

Q Rumor had it all around that somebody was doing something wrong? A Yes sir.

Q You never accused him of it you think? A I never heard him accused of it, no sir.

Q That matter got out from the first day they were exhibited right up to the present? A Well I don't know not from the first day, I have heard it for a good while though.

Q But you never knew who they fixed it on? A No sir.

Q They have been a pretty strong family up there in that country haven't they, pretty large family? A Yes sir.

Q Cast a good many votes up there? A Yes sir.

Q Did you ever know of the Doctor's testifying any in court, Mr. Baker? A No sir, I never did.

Q What would you think of a man who would testify that he knew a girl that was single in 1822 when the youngest of her seven children was born in 1822: What would you think, would you think that was a statement to be made by a man who was truthful? A -

BY MR. McKINNON: Applicants object to the question because it is wholly incompetent, and no basis upon any proof or admitted facts in the case, and it is wholly immaterial and incompetent.

Do you think that was a statement that would be made by a truthful man? A (No response.)

Q You knew him in '68? A Yes sir.

Q He was quite an old, decrepit man? A Yes sir, quite so, in '68 and '69.

Q 14 years from that time he was liable to be in his dotage?
A I don't know, he was an old man when I knew him.
Q He was too old to work, and retired from business then? A Well he did work a good deal, but wasn't doing any business particular that I knew of.
Q He would have been pretty old 14 years from that time? A Yes, he would be getting old.

D. M. HARRIS, being first duly sworn and being examined, testified as follows:
BY MR. McKENNON:
Q What is your name? A D. M. Harris.
Q What is your age, Mr. Harris? A I am 46.
Q What is your business? A I am publishing a newspaper.
Q What paper? A "The Indian Chieftain."
Q Are you Editor of that paper? A Yes sir.
Q You live at Vinita, then? A Yes sir.
Q Are you a citizen of the Cherokee Nation? A Yes sir.
Q By blood or intermarriage? A Intermarriage.
Q Do you know D. W. C. Duncan? A I do.
Q How long have you known him? A 18 or 19 years.
Q Do you know his general reputation in the community where he lives for honesty and uprightness of character? A Yes sir.
Q Is that good or bad? A Good.
Q Do you know Campbell Taylor? A Yes sir.
Q How long have you known him? A Why 15 years or longer.
Q Do you know his general reputation for truth and honesty in the community? A His general reputation, yes sir.
Q Is it good or bad? A Well it is not good.
Q Is it bad? A Well I suppose it must be bad then.
BY MR. HUTCHINGS:
Q How long has Campbell's reputation been bad, Mr. Harris, quite a good while, hasn't it? A Why I think so, yes sir.
Q And it kind of began mostly with this citizenship business? A Yes, so far as I know it did, yes sir.
Q Campbell got so many bad citizenship cases and through the mails, and they finally had him up about it, had a good deal of stir about it? A Yes sir.
Q And some of that stir was sort of occasioned by his helping the Dawsons in wasn't it? A I don't know, I don't know whether he helped the Dawsons.
Q Was not that one of the principal cases that brought him into notoriety? A I don't know whether he had that case or not, I know he had a great many cases.
Q That was the principal thing that convinced the Grand Campbell out, was citizenship cases here? A I think that is what got him into the most trouble.
Q I say before that time nobody had talked much about Campbell one way or another, and it became a matter of general that Campbell was handling shoddy citizenship cases, and he got a bad reputation from that? A Yes sir, I think that was the impression generally.
Q Now Mr. Duncan's connection with the Dawson case sort of been kept back; people never talked much about it? A I never heard anything about it, as I know of.
Q You have heard that there has been something, some, and in the Dawson case, that has been a notorious thing? A Oh it has been a notorious case, yes sir.
Q Well the fact of Mr. Duncan's reputation for truthfulness has been somewhat given by himself, he confessed it. Now, how is that?

Q His reputation for truthfulness is somewhat given by himself; he takes occasion to confess that very often his word doesn't go?
A I don't know whether I am qualified to answer that.
Q Speaking of his own honesty, he does that very frequently?
A. No sir, not that I know of.
Q Doesn't he write a good deal about that sort of thing? A About his reputation?
Q Why in speaking of his own integrity? A I don't remember that he does.
Q You were not about the citizenship courts along in 1881 '82 and '3 were you? A No sir.
Q Don't remember about the talk that was going on around the Capitol over there about the citizenship cases? A Why now, don't remember anything special as I know of. I remember the citizenship court going on at different times.
Q How far were you living from Tahlequah in '87? A Well, I lived close to Vinita, I guess it is sixty miles probably.
Q Have you lived any nearer Tahlequah since that time? A No sir, never have.

W. L. BUTLER, being first duly sworn and being examined testified as follows:
BY MR. McKENNON:
Q What is your name? A W. L. Butler.
Q You are a minister of the Gospel? A Yes sir.
Q M. E. Church, South? A Yes sir.
Q How long have you been in the ministry? A I have been in the ministry 22 years, sir.
Q Did you ever live at Vinita? A Yes sir.
Q How long? A I was there four years, sir.
Q Do you know D. W. C. Duncan? A I do.
Q How long have you known him? A I have known Mr. Duncan 21 years.
Q Do you know his general reputation for honesty and truthfulness of character? A I do.
Q Is that good or bad? A Good, so far as I know.
Q You have had opportunity of knowing? A Yes sir.
BY MR. HUTCHINGS:
Q Mr. Duncan was a member of your church? A Yes sir.
Q That is the principal way you had of coming in contact with him? A Yes sir, he was a member of my official board.
Q His connection with citizenship cases that were decided by the court of which he was clerk was never brought to your attention anywhere? A No sir.
Q Or never discussed? A No sir, I know nothing about his connection with it.
Q You didn't live about or near Tahlequah in '87? A Yes sir, I was Pastor of the Methodist Church in fact at Tahlequah.
Q Did you hear about the Dawson case, and other cases that were tried over there by the Citizenship Court? A No sir, I know nothing about the cases; I remember when the Commission was in session, and I remember that he was clerk of the Commission, but knew nothing about the cases that were decided at all.
Q Never heard anybody discuss the cases that were decided? A No sir.

THOMAS A. CHANDLER, being first duly sworn and being examined, testified as follows:

BY MR. McKENNON:

Q What is your name? A Thomas A. Chandler.
Q What is your age, Mr. Chandler? A I am 30.
Q What is your business? A Deputy Clerk of the United States Court at Vinita.
Q How long have you lived in the Cherokee Nation? A All my life.
Q Do you know E. T. C. Duncan? A Yes sir.
Q How long have you known him? A Let me see, I have known him about nine or ten years.
Q You know his general reputation for honesty or uprightness of character in the community where he lives? A Yes sir.
Q Is it good or bad? A Good so far as I know.
Q Do you know Campbell Taylor? A Yes sir.
Q How long have you known him? A I think about 15 years.
Q Do you know his general reputation for truth and honesty? A Yes sir.
Q Is it good or bad? A Bad so far as I know.

BY MR. HUTCHINGS:

Q How did Campbell Taylor get a bad reputation? A Well sir, I don't know how he did.
Q You never knew him until 1885? A Well I never knew him personally, I heard of him before that.
Q He had a bad reputation before '85? A Yes sir.
Q Bad reputation way back yonder? A First I remember I ever heard of him I heard people speaking, but of him, what I was told.
Q And everybody that came around the Nation and knew anything at all knew Campbell had a bad reputation? A Yes sir, ever so far back as '79 or '80, that is as far back as I can remember; I think I heard it spoken of in '80, I think that's about the time.
Q And Campbell got a very bad reputation in '80 and '81 when he began to have these citizenship cases? A Yes sir.
Q You heard him spoken of in connection and using his title for those business? A Yes sir, I heard of him being in the Fort Smith Jail on that account.
Q Citizens of the Nation talked a good deal about Campbell's being in those bad citizenship cases? A Yes sir.
And I also heard he had a bad reputation for paying his debts, also, about the same time.
Q You don't know whether he had the money, he might not have had the money to pay his debts? A No sir.
Q He could have kept out of bad citizenship cases? A Yes sir, I suppose he could.
Q You never heard Mr. Duncan's name mentioned before in connection with the Dawson case, citizenship cases? A No sir, I don't think I have, I may have, but I don't remember hearing it.
Q General impression that somebody had done something wrong with that matter, citizenship cases? A I heard there was no doubt wrong in connection with the Dawson citizenship case.
Q That has always been in notoriety ever since they were settled? A Yes sir, I have heard it rumored around over the country what was the case.

Q They had a pretty large voting capacity up there and it never was never investigated? A I don't know about that, I don't know if it was ever investigated, I never heard of it.

Q So they never made any endeavor to find out who the man was?
A No sir.
Q Where did you live in '87? A In '87 I lived out on Dick Creek about 12 miles south-east of Vinita.
Q How far from Tahlequah was that? A About 65 or 70 miles, I suppose.
Q You never were around before the citizenship courts any during that time? A No sir.
Q You don't know whether or not Campbell had lost all the land cases or not down there? A No sir, I do not, at that time.

BY MR. McKENNON: Applicants object to all of the testimony of this witness as to what is heard by way of rumor, about the character of the Dawson case, because the same is hearsay, immaterial, irrelevant and incompetent.

A. S. McKENNON, of Counsel for Applicants, being first duly sworn, makes the following statement:

I became a resident of Carroll County, Arkansas, early in 1880. I was intimately acquainted with Doctor Arthur Baker, for many years. Knew him as well as I did anyone else. He was a gentleman of the highest Christian character, as recognized by everybody who knew him. He was a sober man, and never drunk liquor. I make this statement more in vindication of that good man's memory than for any other reason, because any imputation against his character is false.

BY MR. HASTINGS:

Q How long did you know him? A I resided in Carroll County until 1887 when I removed to Johnson County, Arkansas; during the time I was away from here, but I knew him intimately every year that I resided in Carroll County.
Q Did you know him since '87? A Yes sir, I have seen him several times. I have relatives living in the town in which he lived; my relations to him were such as to cause me always to inquire about Doctor Baker; I knew his reputation I think as well after I left there as I did when I lived there.
Q Did you know those facts in 1896 when you were a member of this Commission? A Yes sir, I have known them all my life as I know them now.
Q Did you know them when you as a member of this Commission passed on the Irene J. House case? A I knew it every day of my life, in 1896 as well as now.
Q Suppose that Doctor Arthur Baker's statement would appear that he was born in the year 1809, and suppose he said when he was 15 or 16 years of age that Anna Priett the wife of Samuel Dawson, was a grown up girl going to school, then the other undisputed evidence shows that she had married Sam Dawson prior to that time and had seven children, the youngest of whom was born in '45, how would you harmonize that with a man who was an honest man and knew the facts in the case? A Whatever Dr. Baker stated he honestly believed, whether it was right or wrong; whether it was error or truth, he honestly believed it, and stated it as he believed it.
Q He was capable of being in error? A Every man is.
Q I say he was? A Yes sir, just as you and I and every man, he was; I merely stated as to his high character, which can be proven, by every man who knows it I think, I know it.
Q The Commission rejected Irene J. House in 1896, of which you were a member? A I don't remember anything about that personally.

TESTIMONY ON BEHALF OF CHEROKEE NATION.

DAVID MEREDITH, being first duly sworn, and being examined, testified as follows:

BY MR. HUTCHINGS:

Q State your name? A David Meredith.
Q Where do you reside? A Vinita.
Q How old are you? A 70 years old.
Q Did you ever know Jesse Dawson? A Yes sir.
Q How long have you known him? A I knew him probably 2 years.
Q Did you ever have any talk with him about his citizenship case.
A Very little.
Q You were at one time an applicant before the Dawes Commission for citizenship were you not? A Yes sir.
Q Well what did Mr. Dawson tell you with reference to his citizenship, as to the cost of his getting it, if anything? A Well he told me it cost him eleven or twelve hundred dollars to get his case through.
Q Where did that conversation take place? A At Afton.
Q At what time? A It was in '98, spring of '98.

BY MR. McKENNON:

Q Where were you when he told you that? A I was working on a house in Afton, building the house.
Q Whose house? A S. S. Haines.
Q Who else was present? A Haines was present.
Q There is not A At Afton.
Q What age man was Mr. Dawson at that time? A I don't know, he was very old, probably 75 years old.
Q Was he not a very feeble man? A Yes sir.
Q Hardly able to get around? A No sir.
Q Was he not then regarded as feeble minded old man? A I don't know whether he was so regarded or not.
Q You don't know what he had to do with the case, in fact, himself, do you? A No, I judged it was himself and family that cost that much to get through attorney's fees, etc. That is the way I took it anyway.
Q You were an applicant yourself were you not? A Yes sir.
Q When? A At that time.
Q Before the Cherokee authorities? A Yes sir.
Q They rejected you? A Yes sir.
Q You were an applicant then before the Dawes Commission were you?
A Yes sir, been rejected ever since.
Q Are you still an applicant? A Yes sir.
Q Still trying to get in? A Yes sir.
Q Claiming by blood? A Yes sir.
Q How long have you been living in the Cherokee Nation? A 18 years.
Q Where did you come from? A Indiana.
Q Claiming to be a Cherokee citizen? A Yes sir.
Q Indian? A Yes sir.
Q Jesse Dawson is dead is he? A Yes sir.
Q How long has he been dead? A I think he died probably within two years after that.

TESTIMONY TAKEN ON BEHALF OF THE APPLICANTS.

P. [illegible], being re-called and further examined, testified as follows:

BY MR. [illegible]:

P. H. Dawson? A Yes sir.

Q Mr. Dawson, what number of your family came to the Cherokee Nation to file and prosecute the claim of your father, Robert Dawson, and the members of his family, to Cherokee citizenship?
A My brother from Texas got me at Tahlequah.
Q Tell his name? A Elbert Dawson, they all know him by Buck.
Q When was that? A In '81 as well as I remember, or '82, I don't know which, it was in '81 or '82.
Q Did you file your claim at that time? A My brother was, yes, the application,-my brother had Joel Mayes to make it out and file it. That is my understanding.
Q Joel Mayes, who afterwards was Chief of the Cherokee Nation?
A Yes sir.
Q Before what court was that filed? A My understanding was he was clerk of the court; Hastings can tell me what court he was clerk of.
Q He was clerk of the Court at that time? A Yes sir, of the citizenship court; that's my understanding.
Q What was done about the case at that time, if you remember? A I went back home and left my brother down there at that time, that trip.
Q Where did you then live? A I lived at Perryville, Ark ansas.
Q When did you next come to the Cherokee Nation? A I believe I come back the next January, that was in September.
Q Was your brother Buck here then? A I don't think he was, I don't remember.
Q Well had he at any term of the Court or session of the Commission at any time after you first came here and filed the application until after it was decided? A No sir, I never met him any more until that case was decided.
Q You conducted the business then after it all did you not? A Yes sir.
Q The case was finally determined in January 1893? A '93, yes sir, the 11th day as I remember.
Q Were you present at that session? A Yes sir.
Q Was there any decision of that case other than the one of record here? A I never heard of it if there was.
Q Was the judgment rendered in that case as recorded in the Record Book of that Commission now in the custody of the Dawes Commission the only judgment that was rendered in that case so far as you know?
A Yes sir, so far as I know, if there was any I never heard of it in that case.
Q You then know of no decision against you in the case? A No sir.
Q Who was your attorney employed at the beginning? A I employed A. H. Norwood.
Q Was he a Cherokee Citizen? A Yes sir, I think so.
Q Where did he live? A At Claremore, my understanding.
Q Was he present at any time before the Commission? A I never saw him, he never met me there befop the Commission.
Q Did you pay him any money? A Yes sir.
Q How much? A Fifty dollars.
Q Did he ever render any services? A If he ever did I never knew it.
Q Well then who did you employ? A My brother employed Joel Bryant.
Q Was he a Cherokee citizen?
A That is my understanding.
Q Was he not a prominent Cherokee citizen? A Yes sir.
Q What service did he render? A Well sir, I don't know whether he rendered any or not, only he met me a time or two at Tahlequah, and he was before the Commission; whether he rendered any services

or not I don't know; he was generally always at Washington City during the Term down there.
Q Well what did he do about it? A I don't know, I couldn't say whether he done anything about it. That is Mr. Bryant, he was always gone.
Q What next was done about this employment of an attorney? A Why I got a letter from Joel Bryant that he was going to Washington City and for me to come down in January Term and Campbell Taylor would see to my claim before the court.
Q Did he say that he had engaged the services of Campbell Taylor the attorney, to attend to it in his absence? A Yes sir, in his absence..
Q Have you got that letter? A I don't think I got the letter.
Q Well what did you do then? A Why when the time come I come down on the 1st to Muskogee here and I goes over from here to Fort Gibson and I goes down to see Uncle Houston Benge and stays all night with him; it was very cold weather, and I got him to go over and submit my case to the court; I went over one day and the next day Uncle Houston Benge come over and the next morning after he come over the case was submitted.
Q Did he submit the case? A Yes sir, he told me so.
Q For you? A Yes sir.
Q Were you present? A I was present until they went to take the vote on the case and then he was drove out of their room and they had a secret session, acting on the case.
Q Was Houston Benge present with you? A Yes sir.
Q Were you in the court when he submitted it to them? A Yes sir, when he made his argument.
Q He made an argument before the Commission? A Yes sir.
Q Was the decision rendered on that day? A Yes sir.
Q How long after he had his argument and submitted the case? A Was not but a little bit; when we were drove out of the house the first time before they went into secret session they wanted me to get up the cigars to the court and the crowd in the house; after the decision was rendered then I was to get up the cigars, and everybody come to me and told me to go and get the cigars and I done so.
Q And you took the cigars there and all? A Yes sir, everybody, the attorneys and all that was in the house, all had a big smoke.
Q Did they then announce their finding in the case? A Yes sir, they told me that I was granted my citizenship right and by the Commission.
Q What did you do about it then? A The the Clerk wrote me out my certificate.
Q That same day? A That same day.
Q What arrangements did you make with Mr. Benge about his fee, and what was the amount of his fee? A There was no arrangement made until we got up there and he submitted our case; then he wanted me to pay him, he charged me fifty dollars, that was his fee.
Q What was the agreement about the matter, the manner in which that fee should be paid? A My brother in Texas was to pay it.
Q Were you to write or was he to write? A He was to write for it.
Q Did your brother in Texas ever pay his fee of fifty dollars?
A Yes sir.
Q Was that all that was to be paid? A All I was to have to pay he charged me.
Q You heard his statement when he gave his deposition at Fort Gibson the other day did you not? A Yes sir

Q He there stated that you paid him fifty dollars before he went over to Tahlequah, did you do that? A No sir.
Q He said that you paid him fifty dollars after he got over to Tahlequah, did you do that? A I never paid him a cent in my life.
Q After that judgment was rendred where did you go to? A I went back home to Arkansas.
Q By what route? A I went by Siloam Springs and on by Spring Dale and then on to Rogers, took the railroad there and went on by Springdale and by Eureka Springs home.
Q You then did not return to Fort Gibson with Mounce Bonge, as he stated? A No sir, I did not.
Q Why did you not return by way of Fort Gibson? A Well I thought maybe the others was the cheap at road and struck a hack going out by Sam Stables where I was boarding at, I could go to Siloam Springs and I went by that route and then there was a hack going by Spring Dale, that was the most direct route.
Q That was the most direct route from your home was it not? A Yes sir.
Q And the cheaper? A And the cheapest route.
Q Had you been coming back to Fort Gibson you would have been going directly away from home would you not? A Yes sir.
Q Your home was nearly east, due east of Tahlequah was it not?
A Yes sir, little north of east, pretty near due east.
Q While Fort Gibson is almost due west is it not? A South west.
Q You heard his statement that you went to Fort Gibson with him, and he says you stated to him that the way to reach the court was through Belton and you reached this through Bunce with five hundred dollars, did you make this statement? A I never did, I didn't have the five hundred dollars to reach him.
Q Did he while at Tahlequah inthe court room on the evening before this judgment was rendered in your favor, tell you that the court had rendered a judgment against you? A No sir.
Q And did you then say to him, you would fix that? A I had no such conversation with him.
Q Did you pay to D. W. C. Duncan, who was the Clerk of the Court any sum of money, or agree to pay him any sum of money, directly or through any other person for any services he might render you by way of influencing the court to decide in your favor? A No sir.
Q Or for any other purpose? A No sir.
Q Did you pay him any money after that through Campbell Taylor?
A Yes sir.
Q What amount? A 20 or 25 Dollars, I don't know which it was.
Q State what that money was paid for? A For a claim.
Q What do you mean by a claim? A Claim on the public domain; he had a claim up there close to me; paid him 20 or 25 dollar for his claim. He had no claim by me, on the Cherokee Public Domain.
Q What did Campbell Taylor have to do with your case?
A He had nothing to do with it.
Q Did you agree to pay him any money for his services as an attorney? A No sir.
Q Did he perform any services in that case foryou as a representative of Mr. Bryant? A No sir.
Q Did you pay him any money? A Yes sir.
Q On that account? A He come to me and said he had the claim against me for Joel Bryant and wanted me to pay him the money and I done so.
Q What amount? A Fourteen Dollars.

Q [illegible] A [illegible]
Q Did he pay it to Joel Bryant, do you know of? A Joel Bryant claimed he didn't, and I had to pay it again, paid Joel Bryant the hundred dollars we owed [illegible]; E. Lucas paid Joel Bryant; after that we never could get a penny from Campbell Taylor, only this twenty dollars or twenty-five dollars; that is all we ever got back from him.
Q How did you get that 25 dollars out of him, you mean? A I kept after him and telling him to pay that money back to me, he rendered no services to me at all and the money was to go to Joel Bryant, and I finally worked out the twenty or twenty-five dollars, that is all I ever did get back.
Q The amount that he paid to Duncan? A Yes sir.
Q Was this money paid to him, this one hundred dollars, while you were there at the time the [illegible] rendered, or was it sent to him afterwards? A I think it was paid then, as well as I remember about it.
Q You think it was paid then? A Yes sir, that's my recollection now.
Q Did you send him [illegible] dollars after you left Ivy Creek there, subsequent to [illegible] of that suit, after it was rendered I learn, direct [illegible] any other sum to D. W. C. Duncan? A No sir.
Q Did you send him a second one hundred dollars with such direction?
A No sir.
Q Mr. Dawson, [illegible] it cost you personally [illegible] to obtain this citizenship in the Cherokee Nation under this judgment? A Pretty near it I do.
Q Well about what sum? A About five hundred dollars, pretty near 500 dollars. That is what I considered, I was beat out of some of my money, what I was beat out of and expenses.
Q Now take a statement of what that money was paid for and now, so far as you remember, itemize it now? Well the first fifty dollars Norwood got; the next fifty dollars Bolze got; that was the attorneys fees; I speak of the attorneys fees now: the next money was the hundred that Campbell Taylor got; the next attorney fees was Bryant's one hundred dollars.
Q Was that all the attorney's fees? A I think it was, no, wait, I paid Ross 15 dollars for taking Baker's deposition.

Q Which Ross was that? A The old Chief, Will Ross I think is his name, William P. Ross.
Q He then, this Chief William P. Ross for taking the deposition of Dr. Baker charged you fifteen dollars? A Yes sir.
Q Do you mean by that that he acted as your attorney and examined him? A Yes sir.
He examined him before the Commission, took his statements.
Q What other attorneys were there present? A None of them was present.
Q Well now, go on? A Why the expenses of taking Dr. Baker and he was a Doctor, as well as I remember he charged me 5 dollars a day and I gave him and his expenses down there; we come through on a boat from Fayetteville, Arkansas, to Oklahoma, and our board and expenses and all I think was about 75 dollars that trip: as everything near it. Maybe a little over that.
Q Did you pay his per diem? A I paid him five dollars a day for his time and then his expenses.

Q Well? A Well I made several trips out here at different times, to Tahlequah before the Commission, and back, three or four times as well as I remember now, cost me 30 or 35 dollars each trip, as I remember about it.
Q Do you remember how many trips aside from the one in which you brought Dr. Baker? A No, I think there was probably three trips I think it was, maybe more, and then I made one trip to Claremore to see A. H. Norwood.
Q What did that trip cost you? A I don't remember what it cost; I went in a wagon down there.
Q You went through and employed Benge, went by railroad; what did that trip cost you? A I don't remember what it was, whether it was 21 dollars or 31 dollars, one or the other, I don't remember which it was; Joe Dawson, my brother gave me the money, it was either 21 or 31 dollars.
Q Now then is there any other expense that you know of that was paid by you or your family, any members of your family, other than that you have mentioned? A I don't remember any other now; I can't call to my memory right now.
Q What was the condition of the members of your family generally now, financially, at that time? A Well we were considered poor people; I don't know, we didn't have much money, scarcely any.
Q Was there any one of them that was better off than the others, and if so, which one? A I suppose Elbert Dawson was better off than the others, Buck Dawson.
Q Do you know how much Buck Dawson paid of these expenses? A I don't think he paid, he paid the Benge debt and the Bryant debt, I think it was.
Q That is one hundred and fifty dollars? A Yes sir, that he came up on one trip and taken some evidence with Joel Bryant when Joel Bryant was Clerk of the Court before this Tehee Court, I don't know what that cost him.
Q Came up he and took some testimony? A Yes, came up and went back to Texas. Filed his claim and took some testimony and went back to Texas and I didn't see him.
Q Did that testimony include Dr. Baker's testimony? A No sir.
Q You know how many witnesses were examined then? A I only know what he told me.
Q How many? A Four witnesses.
Q You know whether they were residence of the Cherokee Nation or not? A He told me they was.
Q Were you present on that trip in which he came there and took that testimony? A No, I met him there and then I went back home and left him at Tahlequah.
Q He had taken the testimony before you left him or afterwards?
A He taken it afterwards; that was my understanding.
Q Did Buck furnish only the one hundred fifty dollars that you now remember? A I think it was.
Q And the expense of taking these witness up there A Yes sir.
Q Who also furnished money now of the members of your family?
A My brothers and father lived down in Perryville, me and my brother-in-law, Blassingame, we all chipped in together a few dollars from each family.
Q You heard the statement of C. C. Brought that in June 1902 you told him that it had cost you 700 dollars, did you make any such statement to him? A I never did.
Q And that you paid one witness 300 dollars? A I never made any such statement.

Q Did you pay any witness any more? A No sir, I paid Dr. Baker for his time; he said his time was worth 5 dollars a day, for his, and I paid it.
Q Did you pay any other witness any more than that? A No sir, he was the only witness I had down there in my case.
Q Well the Robert Dawson case? A Yes sir.
Q He says that you told him this in your house there on your place, did you have any house there in June 1883? A I was not living on my farm at that time.
Q Did you have any farm? A Didn't have any.
Q When did you build a house there? A I built a house on the farm I live in now by Mr. Brought, I moved on the farm the last of July, 1883, and I camped in my wagon.
Q What did you do? A I went to the timber and cut poles and hauled them out and made me a log cabin on the place by a spring near Mr. Brought.
Q About what time did you finish that house? A I think it was in September.
Q How long after you finished that house until you brought your family out? A I finished it up and got it covered and the floor in it and I went back to Eureka Springs after my wife.
Q What family did you have then? A I had my wife and one child; but my oldest children, by my first wife were with me in the Territory, camping with me; three little boys and one girl were with me, and one girl back in Arkansas.
Q Are you and C. G. Brought on good terms? A No sir.
Q What has been the character of the trouble between you? A Trouble over our places first started it.
Q When did it begin? A As soon as I got back from Arkansas he commenced hinder crowding me out to take my farm away from me, and we have been in a racket ever since.
Q Then his statement that you were on friendly terms, is it correct or not? A No sir, it aint correct.
Q He and you have never been friendly as neighbors then since you first came back from Arkansas and settled in the Territory? A I don't remember ever being in his house; I never was in his house.
Q Have you had law suits with each other? A Yes sir.
Q How many? A I don't know that we had any particular law suits, but I have had law suits and he has been a witness against me.
Q What was your last trouble with him, when I mean? A Along last fall.
Q That was when your boys had a little racket and he had your boy arrested? A Yes sir.
Q What was the age of those boys? A Eleven years old.
Q He had him arrested down at Vinita? A Yes sir, had him arrested and carried before the Commissioner at Vinita.
Q He was discharged on account of his age? A Yes sir.
Q Buck Dawson is dead is he? A Yes sir.
Q How long has he been dead? A Three years, little over three years.
Q And James Dawson is dead? A Yes sir.
Q Is your father, Robert Dawson living? A No sir.
Q When did James Dawson die? A I don't remember, been dead several years, I don't remember how long, 6 or 7 years, I couldn't state.
Q When did your father, Robert Dawson die? A I believe it was in '87 as I remember now, I wont be positive.
Q Had all these boys in the Cherokee Nation before their death?
A No sir, father died in Arkansas.

Q There that lived here in the Nation they lived here in the Nation but went back to Arkansas and died there? A Well the rest of my folks all lived here. That was James Dawson and Buck Dawson.
Q Robert Dawson, your father, never did move to the Territory, did he? A No.
Q Did you hear the statement of the witness Beavett this morning, that about the time of hearing of the James Dawson case, at a negro church at night James Dawson came down there with someone else was introduced to him, and he loaned him ten dollars; did you hear that statement this morning? A I heard the statement, yes sir, I heard it.
Q He says that Jim James Dawson was 35 or 40 years old; was there any James Dawson living belonging to your family at that time of any such age? A No sir.
Q How many James Dawson's were there belonging to your family? A There was my uncle James Dawson and a brother James Dawson, the Doctor here.
Q How old was your brother James Dawson then? A He was a tolerable old man, I don't know his age.
Q About what age? A Must have been 60.
Q Between 60 and 70? A Yes sir.
Q That was the age of your brother James? A At that time?
Q Yes sir, in '84? A In '84 I suppose he was about 18, somewhere like that.
Q Had he anything to do with the James Dawson case? A No sir.
Q Was he present at the time that the James Dawson case was under consideration? A No sir.
Q Was James Dawson, your uncle James Dawson, present at any time during the consideration of his case? A No sir.
Q He never was present? A No sir, if Uncle Jim Dawson was ever in Tahlequah I never knew it.
Q Who conducted the prosecution of the James Dawson case before the Cherokee Citizenship Commission, who conducted it? A The James Dawson case?
Q Yes sir? A I think James Low and Bill Jackson and Campbell Taylor.
Q Were you acting with them? A Yes sir.
Q They employed Campbell Taylor? A Yes sir.
Q Then there was no James Dawson present during that session of the Commission? A No sir.
Q What was the condition of James Dawson's health at that time?
A It was pretty poorly; was not good.
Q Was he at that time able to get about and attend to business?
A I don't think he was.
Q Was he not a very feeble minded old man at that time? A Yes sir.
Q Regarded as rather a silly man was he not? A Yes sir.
Q Did he attend to any kind of business of the family at that time?
A No sir, didn't.
Q What was his financial condition? A Pretty bad.
Q Did he have any money? A No sir.
Q Did he have any property? A None hardly at all; horse probably, or a cow or two, something that way.
Q Was that about all the property he had? A Yes sir.
Q Now about the other members of his family that were admitted at that time; what was their financial condition? A They were in poor circumstances.
Q Now that after those judgments were rendered that members of your family removed to the Territory, Cherokee Nation, I will say?
A Robert Dawson and family and James Lawson and family, that is, them and their children.

Q Robert Dawson didn't remove here? A No, I said except Robert Dawson.
Q Did all the members of Robert Dawson family move here? A Yes sir.
Q Except himself? A Yes sir.
Q And all the members of Jules Dawson family? A No, not all the members, Melvina Low I don't think ever lived here.
Q She has never moved here? A No sir.
Q Were all the members of your family, your father's family included in that judgment of the Committee, rendered January 11th, 1897? A All but one.
Q What was the name of that one? A Edna.
Q A daughter? A Daughter of Robert Dawson.
Q Your sister? A Yes sir.
Q Was she then of age or was she a minor? A I think she was a minor, as well as I can remember.
Q Was she afterwards admitted to citizenship in the Cherokee Nation? A She was.
Q By resolution of the Cherokee Council? A She was first admitted by the Emmons Court, her and two of my neices.
Q What be their names? A Katie Vernon and Verna Fishback.
Q What became of that? A The certificate papers they got was lost, and they went before the Council in 1894 and they was readmitted back by the act of Council.
Q That was in 1894, the Cherokee Council admitted, re-admitted as it was called it, the three above named? A Yes sir. Mary and Verna Fishback and Katie Vernon, they have now the same names except Vernon, I do not. Tob Robinson married the widow, a niece of mine.
Q Now then, by virtue of the readmission of the Dawson case the Cherokee authorities struck their name from these two judgments in '87 and '94 admitting the two families of Robert and Jules Dawson, and the act of Council of '94 admitting these three, you have that name? A Yes sir.
Q When? A My two of my sons was placed on the roll by the act of Council in 1896 I think it was; left off of the rolls in per capita payment and they was placed on the rolls I think, and Sam brought receipt of Council, got their draft or checks for the money.
Q Have you got that copy of the act of Council admitting them? A Yes sir.
Q Where is it? A (Produces papers.)

MR. LEECH: We offer in evidence an act of the Cherokee National Council making an appropriation of $1,000 dollars belonging to the general fund for the payment of certain persons therein named a per capita payment, as per amount set opposite their respective names, provided that the Principal Chief shall draw warrants for such amounts, and further provided "That the names of the persons appearing on the per capita rolls in this act shall be placed (on) the authenticated roll of 1880 by the Principal Chief."
This act was approved December 21, 1891.
Approval signed by Stephen Tenee, Assistant Acting Principal-
In this list appear the names of William H. Dawson for payment of $13.70, and of Marion Dawson, for a like sum. Are these two the names of two of your sons? A Yes sir.

(The paper above introduced, is filed and made a part of the record in this case.

Q Was there any other action of the Cherokee authorities relating to members of your family? A Yes sir.

Q Then? A In 1894.
Q That was that? A Allowing them their Strip Money.
Q Have you a copy of that? A I think I have. (Produces papers.)

BY MR. McKENNON: We offer in evidence a duly certified copy of an act of the Cherokee National Council approved November 24, 1894, signed C. J. Harris, Principal Chief. Senate Bill No. 19, appropriating a sufficient amount of money to make payment per capita of what is known as the Strip Money to certain persons named therein. Among them are members of the Dawson family, as follows: Jane, Elbert, Henry, James Ross Lillie, Pearl, Alvin, Lyrida, Willie and Clifford: this act mentions these persons as Cherokees by blood, and whose names had been left off the pay roll approved May 3, 1894, providing payment to each one of these a sum of $265.70.

Q Were these members of the Robert Dawson family? A Yes sir.
Q Which one of the members of the family? A Jane.
Q This is Jane who was admitted by the judgment admitting the Robert Dawson family? A Yes sir.
Q And her children? A Her children, was not admitted, she was admitted.
Q I mean this mentions her children here? A Yes, that mentions her children.

(The paper last above introduced is filed and made a part of the record in this case.)

Q Do you know whether the payment of the Cherokee Strip money was to Cherokee citizens by blood only or not? A Yes sir.
Q Was there any other act of the Cherokee authorities passing upon the citizenship of members of your family? A Why the Douthett children, my brother's grand-children. Two grand-children of R. Dawson.
Q What was that? A That, I think it was in '84.
Q Have you got a copy of that act? A No, the record is here.
Q Was that by the Spears Court? A Yes sir, by the Spears Court.

BY MR. McKENNON: We now offere in evidence a judgment of the Cherokee Commission on Citizenship, 1880 and 1884, found on page 190, case No. 181, dated September 9th, 1884, signed by Eli Spears, President, John Lee and Andrew Young, Commissioners, admitting to citizenship Lula Douthett and Dallas Douthett as Cherokees by blood.

Q Those two are the Douthetts to which you refer, are they? Yes sir.

BY MR. McKENNON: Attention is called to the fact that the names of the Commissioners are all signed in the same hand-writing as the record of the judgment.

The said judgment record above introduced, and found on page 190, No. 181, record of 1880 to 1884, is as follows:

"Office of Commission on Citizenship,
Tahlequah, Cherokee Nation, September 16th, 1883.

E. Dawson, for his grand-children,)
No. 181.)
Lula Douthitt, (C. H. Taylor,
Dallas Douthitt,) Atty for Claim.
vs)
The Cherokee Nation.. (Petition filed September 14th, 1883.

Case submitted by claimants Sept 14th, 1883.
Case submitted by Solicitor, Sept. 19th, 1883.
Continued by Petitioner Jan 22 1884 to September Court 1884.
Re-submitted September 2nd 1884, by Attys Taylor and Beavert

Submitted by defence Sept 9 1884.

And now on this the 13th day of Septe.ber 1884 comes this case for final hearing and all the evidence in the case having been carefully read, and considered by the Co.mission on Citizenship it h.s been decided by the Co.mission that the above named Lula Dautheit and Dallas Dautheit are Cherok.e by blood, and that they are entitle' to all the rights and privileges of Cherokee citizenship in the Cherokee Nation and that they should be, and are hereby admitted to the full and co.plete enjoyment of the same in all respects, as native born Cherokees.

Eli Spears, Pr S.
John Lee,
John L. Adair, Andrew Young,
Clk Com'n. Co.mission o. Citizenship."

Q Now were there any other actions of the Cherokee authorities of like character relating to the .embers of your family?
A I don't remember of any others.
Q I will ask you if when the Cherokee authorities were .ade the roll of 1896, in compliance with the request of the Dawes Co.mission for a roll to be prepare' by them for the use of the said Co.mission, the question of the citizenship of the .embers of your family was not then raise' and an investigation had in .egard to it? A Before the Dawes Co.mission?
Q No, before the Cherokee Co.mission making the roll of 1896, of which John T. Gunter was a .ember? A Yes sir, yes. I had forgot it, but since you have named it there was so.e investigation of that at that time; this is what I understood.
Q That roll shows that the .embers of your family were duly enrolled by the Co.mission? A Yes.

Q Have you and the other .embers of your family since your removal to the Territory in 1883 and i.mediately following been recognized as Cherokee citizens by blood? A Yes sir.

Q Have you been exercising and enjoying all the rights of Cherokee citizens by blood since that time? A Yes sir.
Q You and all the .embers of your family are living in the Cherokee Nation? A Yes sir.
Q You have all drawn Cherokee moneys whenever payments were .ade?
A Yes sir.
Q And have you all .ale .embers been voting at the Cherokee elections or in the Cherokee elections? A Yes sir, I was one of the judges of the election that was held voting on the treaty.
Q What treaty? A The treaty bill that was sent back here for the Cherokees to vote on: I was one of the judges at Afton.
Q I. what year was that? A I believe it was last spring some time, in April.

Q Have any of you held any offices in the Cherokee Nation? A Yes sir.
Q What offices have the .embers of your family filled? A Deputy Clerk, under Pete Hastings, when he was clerk of Delaware District, I was a candidate once for Council in the Downing Party.

Q Can any office of deputy clerk be held by any one else except a recognized citizen? A Only by a citizen, yes sir.
Q Is that all? A (No reply).
Q Have the children of members of your family attended the Cherokee schools, and been educated in Cherokee schools? A Yes, sir.
Q Have the members of your family been all the while subject to the jurisdiction of the courts of the Cherokee Nation? A Yes sir.
Q Have they been tried for any offenses against the laws? Yes sir.
Q And have they instituted their civil suits in the courts of the Cherokee Nation? A Yes sir.
Q And had suits instituted against them in such courts? A Yes sir.
Q Some of these cases have gone to the Supreme Court of the Cherokee Nation? A Yes sir.
Q And were passed upon by it at rimes? A Yes sir.
Q Is there anything else? A Nothing now; I am sick this morning; I have got the head-ache so bad I can't hardly see.

BY MR. HUTCHINGS:

Q How old was your father Robert Dawson when he died? A I don't know, I couldn't answer that.
Q He was a very old man? A Yes sir, he was getting tolerably old.
Q Could you tell how much older he was than you? A No I don't know.
Q Mr. James Dawson in 1834 must have been a very old man, can't you? A Well he was old and he was feeble.
Q Well you state that he had been sickly; was he naturally that way? A He used to live in Texas; I didn't know him until after he came to the Territory.
Q I say he had gotten so old, that was the occasion of that? A I suppose so, the oldest one of these children was Mrs. Betty Petty, that's my understanding.
Q And the oldest boy was John Dawson? A He always called him Jack.
Q Jack Dawson he was the oldest? A Yes sir.
Q Sar was the youngest? A Sar Riley.
Q He was the youngest one of the crowd? A Yes sir.
Q Your father lived four or five years after he and you were admitted to citizenship? Yes sir, something about that, it was in 1863, I think he died in 1867, I wont be positive; that is as near as I remember now. I have got a headache so bad that I can't remember anything.
Q He nor none of the older members of the family were ever present at any of these trials of citizenship? A No sir, not a one of them was.
Q No one of them was ever called upon to testify as to the blood of their mother, who she was or anything about it? A I don't think they was.
Q Your claim of kinship was through Captain John Rogers and that your grandmother was the half sister of Big Joe Vann, wasn't it? A I don't know, I couldn't answer the question.
Q You were there when they took the testimony? A I was there when Dr. Baker's testimony was taken, that was about 16 years ago.
Q And nobody kin to the Rogers and Vanns was ever called to testify in the case? A Not as I know of.
Q They were very well known Cherokee families in the coun try? A I suppose so, I don't know.
Q And yet nobody on any side of the family connected with it was ever called to testify? A Not that I know of, I don't know what my brother done, he taken some of the evidence at Tahlequah when I was not there; he first filed his claim.

Q You had spoken to Dr. Baker about the testifying before you brought your case didn't you? A No sir.
Q What have been a short time afterwards? A It was a short time afterwards. I went back after him and it was too late and I fetched him the next time.
Q You had talked to your brother about what you could prove by Dr. Baker? A I told him I thought Dr. Baker, I thought he knew about our folks.
Q You had told him in a general way you expected to use Dr. Baker as a witness? A Yes sir.
Q You went off, come to Arkana and left your brother at Tahlequah after you told him that fact? A Yes sir.
Q You didn't see your brother any more until after you were admitted? A No sir.
Q You and he however made trips back and forth to Tahlequah and here at different times, but you didn't happen to get together? A No. I never met him any more and I don't know that he was there until after we were admitted.
Q But you were there and brought Dr. Baker over? A Yes sir.
Q And took his testimoney a year or such a matter before ever you were admitted? A I think as well as I remember, yes sir.
Q Now the way you came to get Campbell Taylor was on the recommendation of old man Bryant? A I didn't get him, didn't use him.
Q The way he came into your case? A The way he claimed to come in.
Q He did more in your case than Bryant did? A Campbell didn't do anything.
Q What did Bryant do? A I think he held my brother take evidence my brother employed him.
Q How did you happen to be sending money by Campbell to Mr. Duncan? A I never sent him any money.
Q Then when he, Mr. Duncan, states that Campbell delivered the money as Campbell said he did, both were wrong? A Oh no, you are mistaken, Mr. Duncan got 20 or 25 dollars, which he stated, from Campbell Taylor, for me.
Q How did you happen to give it to Campbell? A I give the money to Campbell to give to Joel Bryant, and he wouldn't do it, and I tried to get the money back from him, and I finally worked the 20 or 25 dollars he gave to Duncan.
Q Then you didn't tell Duncan as he testified that you sent 20 or 25 dollars by Campbell Taylor? A Campbell Taylor agreed to pay Duncan 20 or 25 dollars for me of the money I give him to give to Joel Bryant.
Q The family kept Campbell Taylor employed though as their attorney after that? A In the James Dawson case I think so.
Q E. Dawson, you remember, had him for his grand-children? A That is my understanding.
Q And your uncle James Dawson had him in the case of his children? A Uncle James had nothing to do with it; Ja es Lo and Bill Jackson got him; that my understanding of who employed him.
Q The record here shows that the case was originally instituted by C. K. Taylor and was finally admitted by him September 2nd, 1884, in the James Dawson case? A I don't deny him being in that case.
Q You say he was employed in the E. Dawson case? A I don't know who was in the Southett children's case.
Q The record shows that Campbell Taylor instituted the case, and it was finally admitted by him, and Mr. Harvey, the testified a while ago? A That was in the James Dawson case, wasn't it?
Q Then was in the E. Dawson grand-children? A Elbert?
Q No, in the Southett children's case? A Oh yes.

Q He was likewise attorney in the Lary Dawson case was he, and before the Adair court, the 4th of October, 1887, in the case of James K. P. Dawson? A I don't know anything about that.
Q And the case history of Riley Dawson? A I don't know anything about those.
Q They are relations of yours? A Well I couldn't say.
Q James K. P. Dawson proves to be a son of Riley Dawson? A Well if he is he is by connection then. There are so many Dawsons I don't know them all.
Q You know Andrew J. Dawson? A Yes sir.
Q The Dawsons have so many children their brothers didn't hardly know them did they? A That's it, I don't know them.
Q Well then you don't know who Andrew J. Dawson is? A No sir, I don't know.
Q He refers in his application as being a cousin of R. Dawson, and yourself, who were admitted to citizenship by the Cherokee Court? A He may be, I don't know nothing about it.
Q He resided I believe, at that time at Nevada, Missouri? A I don't know anything about the people.
Q Old man Baker was an old and paralyzed man at the time he testified wasn't he? A Getting old, he was not paralyzed.
Q Then the statement made that the reason he couldn't write his name and had to make his mark, because he was paralyzed, in the testimony isn't that true? A He didn't have good use of his fingers.
Q Then he was not paralyzed? A No, I brought him over there and back from Berryville, Arkansas.
Q Well I say he was a very old man? A Yes, getting old.
Q How didn't you come to this place and then joining Proctor's and work on it some time before you brought your family? A No, I brought my family with me, except my wife.
Q And you subsequently built a log house on it? A Yes sir.
Q And went back and got your wife and moved them to the log house? A Yes sir, went to Eureka and got my wife.
Q You never saw your grandfather at all? A Sam Dawson, yes sir, I saw him.
Q You remember do you of being with him much of any at all? A I was in Texas in time of the war, with my uncle Riley Dawson, and he was there.
Q In '60 sometime? A '62, I reckon, or '63. Somewhere along there, it was in time of the war.
Q How old a man was he at that time? A Pretty old man.
Q You never saw your grandmother, she died before she came?
A Yes sir, I never saw her at all.
Who first started the citizenship matter, your brother in Texas or you? A Why it was me, and my brother together.
Q I mean who first conceived the idea? A I first commenced talking about it.
Q And sent down for him? A I was in Texas with him and then in Arkansas; I went backwards and forwards a time or two after the war.
Q About that time nearly everybody in Arkansas were trying to get some claim of kinship to Cherokees? A No sir, not at that time.
Q They were getting pretty thick in there in 1900? A Well in 83 and '4 and '5 I think.
Q Been some excitement over there to get yourselves on the rolls?
A Just got to be everybody; but it wasn't at the time we was admitted there was not much stir about the rights here.
Q Well the Watts had been admitted before that? A I suppose they had; there was not much excitement over the Watts claim at that time.

BY MR. HASTINGS:

Q You did locate and board with Sam Shables when you first cam to Tahlequah in '01? A I think I did.

Q Your brother Buck Dawson stayed there also? A Yes sir.

Q Sam Shables lived in the north end of town, old German? A Yes sir, old German, lived in the lower part of town.

Q Did you ever hear the names of any other witnesses which you stated perhaps testified in your case? A I have heard that but I have forgot them.

Q You don't recollect any name now? A I dont remember them now sir.

Q In the Irene House case and Joanna Barber case, in which you testified before the Commission, when you were making search for this testimony you couldn't find any other testimony from that of record except the Dr. Baker testimony, could you? A That's all we could find; no we didn't find the testimony, we got a copy.

Q Well it must have been a copy of the original, the certificate shows that? A I don't know; House got a copy of what claimed to be the affidavit of Baker and he told me to give it to him; that is all I know about it.

Q Well the certificate there does not bear my certificate does it? A I don't know about that, I am no scholar.

Q Well you didn't get the testimony of any other witnesss except that of Dr. Baker; you couldn't find any other over there of record? A I didn't hunt for any; House hunted for them.

Q None of you have ever been able to find any other? A No. Not even find our petition.

Q Samuel R. Dawson applied to what is known as the Adair Court, didn't he? A I don't remember now.

Q He was an uncle of yours wasn't he? A Yes sir, claimed to be.

Q The father of these two parties who testified here this morning? A Well I don't know, they claimed to be, I never met them to know them.

Q He was rejected by the Adair Court, or Hayes Court? A I don't know whether he filed his petition.

Q Did you testify in his case? A I don't remember: I might have dont it.

Q Didn't you testify in the Andrew J. Dawson case before that is known as the Hayes Court? A I don't recollect, if I did I don't remember.

Q Did you testify in the Riley Dawson case? A No sir, not that I remember.

Q Didn't you know of his being rejected by that court? A I don't remember, sir.

Q You know that the Cherokee Council never authenticated the roll of 1896, don't you? A No sir, I don't know it; I didn't know this was done until I went to Tahlequah after some papers and come back and they told me about it.

Q You never found out that C. H. Taylor was a big record up until the present time have you? A (No response)

Q The records here show that he has been in the constant employment of your family from that date up to this time? A Why it shows here from the record; I would rather be excused for my part of it.

Q You were the man that had the most to do with it? A I never employed him, I own my that.

Q You are the man that had most to do with the records? A In my case and in my father's case.

Q Didn't you testify for your uncle Jim Dawson? A Yes sir.

Q Wasn't he attorney for him? A Yes sir.

Q Wasn't he employed by Jim Dawson after you got your citizenship?
A Why not but the grand-children.
Q Jim Dawson's petition was filed in September 1896, after yours?
A Yes sir.
Q C. H. Taylor, attorney of record, filed his petition? A He might have filed it for all I know.
Q Well you hadn't at that time fallen out with C. H. Taylor had you? A Why no, we never did have any trouble, only over this money, he never would give it back to me or give it to Bryant.
Q You never discovered that he was such a bad man until after your judgment was rendered? A I know he was not of good character.
Q Are you and Brought, this man who testified for the Cherokee Nation, on speaking terms? A Hardly speak.
Q Does he refuse to speak to you? A Sometimes he does.
Q Do you refuse to speak to him? A Yes sir.
Q Have you been speaking to him for the last two or three months?
A I have not spoke to him until I met him here at the hotel the other day.
Q First time you spoke to him since he had the boy arrested? A Yes sir.
Q When did he have the boy arrested? A Along in September or October, September I think.
Q When did Dr. Baker die? A I don't remember.
Q You don't remember how much older your father was than you?
A No, I don't know.
Q What is your age? A I will be 60 in May.
Q Then you were born in '42? A Yes sir, '42 according to the record.
Q Was your father as much as 25 years old when you were born?
A I couldn't say.
Q What was your best judgment? A I suppose he was 20 or 25 years old. My understanding he married young.
Q Can't you give any better idea than 4 or 5 years of your father's age? A I say 25.
Q Your father was born say, 25 from 42 would have made him be born in 1817; now had your father any older brothers or sisters? A I think Jack Dawson was the oldest of the family, no, Betty, the girl, was the oldest and Jack next, and then my father as well as I remember about it.
Q There were two girls older? A No, one of the girls I never saw.
Q Then you think there are only 2 older than your father? A Yes, that's my understanding of the family.
Q Dr. Baker gives his age 73 in '82, which would make him be born in '89, now he states that when he was 15 or 16 years old, which added to 1809, will make 1824, that your grandmother Anna Priest, was a school girl; whereas from your testimony and that of the family history introduced here shows that your grandmother Anna Priest was the mother of seven children, the youngest being born in 1820, how do you reconcile that? A I don't remember about the statement of Dr. Baker; I don't know that he made such statement as that, I don't remember about it.
Q And if he did you don't know how to reconcile it? A (No response.)

Q Did you talk to any of the others of the Court that admitted you? A No sir, I was not acquainted with them.
Q You know whether they were old or young men? A They were old men like; Steve Takes. I not acquainted with him afterwards, and Tom Thompson, at the Council you know I was there a good deal.

Q That was the fellow that was on the Court? A Yes sir.
Q He was afterwards assistant Chief of the Cherokee Nation?
A I think so.
Q Steven Tehee, that's the man you had reference to? A Yes sir, I think it was, I just knew the man; I had no acquaintance with him at all.
Q D. W. C. Duncan boarded when you were down there at the National Hotel? A I think he did, as well as I remember now when we were admitted.
Q Don't you know he did? A I think he did, as well as I remember.
Q Were not you over there to his room? A I think I was.
Q You remember when it was that you brought Dr. Baker down there to make a statement before the Court? A It was in January, Term, was in January Term of 1883 I believe, it was, as well as I remember about it.
Q Well you didn't take any more testimony after Dr. Baker testified?
A No sir, I didn't.
Q But your case was not submitted or passed upon for a year?
A I think it was, yes sir, as well as I remember.
Q I would like to ask you when the Blassingame family came to the Cherokee Nation? A Alex Balsingame came with us when we moved here, and went back and got his family and moved that fall.
Q Did he move his family here that same fall? A Yes sir.
Q What year was that? A In the fall of 1883 I believe it was, as well as I remember now.
Q When did the Bulaska family come? A I think the girl and the old lady came in the next spring.
Q How long did they remain that time? A The old lady stayed here, but the girl went back and in a short time her and her husband came back.
Q Did she come back until after her marriage? A No, she was married when she came first.
Q The last time? A She was married I think, she was married when she came out.
Q How long has August Bulaska been a permanent and continuous resident of the Cherokee Nation? A I think he came there in the fall of 1884 or 1885, I wont say which.
Q How long has Robert Pierce been A continuous resident of the Cherokee Nation? A Ever since he was admitted.
Q When was that? A '85.
Q How long has Martin L. Patterson? A Ever since he married his wife, and he was living here before he married his wife.
Q Who is Arizona Airey? A That is my daughter.
Q Did you bring her with you? A No not when I moved.
Q When did she come? A She came out in a year or two after I moved here.
Q Was she married when you moved here? A No sir, she was not married.
Q She was not married when you were admitted? A No sir, she was a child.
Q When did Jim Love come to this country? A With his grandfather, James Dawson.
Q What was his father's name? A Melvina Dawson.
Q You know Jim Love's age? A No sir.
Q Don't know how old he was in '83? A No sir.
Q Was he grown? A I think he was.
Q Married? A No no.
Q Married in this country? A Yes sir
Q Who is James M. Dawson? A Married one of the Jackson girls.

Q When did they come to this country? A Right away after they was admitted.
Q In what year? A I think the winter of '94, I think it was, maybe for winter of '94.
Q You know Gideon Graham? A Yes sir.
Q Who is his mother? A Missouri Ann Graham, formerly Missouri Ann Dawson.
Q Did he come from Texas to Arkansas? A Come from Texas.
Q Did you know them in Texas? A I knew the girl.
Q You never knew them until they come to this country? A I never knew Gid.
Q When did you see him here? A I think they come here in the fall or winter of 1894 or '5.
Q He was married then? A I think he was.
Q Brought his wife? A I think he was, I don't know.
Q Did he have any children when you first saw him? A He come to my house and I never saw his family for-I don't know, for several years.
Q You understood he had a family? A Yes sir.

BY MR. McKENNON:

Q Did you mean to say '84 or 1894? A '84.
Q Did you see Gid Graham in '84? A '84, let me study, maybe '85.

BY MR. HASTINGS:

Q Did you see him in '85, are you positive on that proposition?
A I think so.
Q Will you swear it? A No sir, I wont positive swear it, but I think it was, as I remember now it was: I couldn't say positive.
Q All the people Mr. Dawson that have been admitted to citizenship by courts of competent jurisdiction unless they were de-citizenised by courts of acquired jurisdiction, enjoyed the same privileges that you have narrated here about going to school and being tried in the courts? A Yes sir.

Q All that sort of thing that you have been telling here in your direct examination? A Ask me the question again.
Q I say all people who were admitted here by courts of competent jurisdiction, until they were de-citizenised by courts of like jurisdiction, enjoyed the same privileges that you did? A So far as I know they was.
Q They all drawed money and all tried in the courts as long as we had tribunal courts, were they not? A Yes sir, so far as I know.
Q There was no special privilege granted to you in preference to anybody else? A None but recognized citizens of the Cherokee Nation.
Q Well you had been recognized since you were admitted? A Yes sir, I enjoyed the same privileges of native born Cherokees.
Q Well I say there is nothing special about it? A No, I don't know as there is.
Q You got acquainted with Mr. Duncan while you were up there during the hearing? A Yes sir, I was acquainted with him, knew him. Met him.
Q Mr. Phil Egan did the examination of Dr. Baker? A Yes sir.
Q Did you file any other paper before the Court other than your petition and then Mr. Roberts stated out? A I never filed any petition there at all.
Q Any motion? A I don't remember any.
Q Well you never had occasion to file any papers before Mr. Duncan? A I got him to do some writing for me.
Q What? A Letters to my brother in Texas.
Q Nick Dawson? A Yes sir, N. Dawson.

Q That? A Yes sir, Buck Dawson.
Q Now is that all he did for you? A I don't remember any about it.
Q Why didn't you get your attorney to do that letter writing? A There was not any there.
Q Taylor nor Benge was not there then? A No sir.
Q That is what you paid the 30 or 25 dollars for, was writing this letter back to your brother? A I paid him for that claim.
Q When did you pay that? A I think I paid it, I don't exactly when, Camp Taylor paid it a year or two after I moved out here and settled where I did; might have been 2 years. I don't remember.
Q Where was Duncan living then? A I couldn't say where.
Q Was he still clerk of this Court? A No sir, not when that money was paid; that is, when Camp Taylor said he paid it.
Q You did send Camp Taylor some money? A I sent some money to him for Joel Bryant.
Q You knew Joel Bryant's address didn't you? A No, I don't know that I did, No I didn't send Camp Taylor any money, I gave it to him.
Q How much did you give him? A One hundred dollars.
Q When? A Right at that time; he claimed it from me as soon as we got our papers; he come onto me and dunned me for Bryant.
Q You never sent him any then after that? A No sir.
Q Did you ever see Bryant after that? A Yes sir
Q How long after that? A I don't know, a year or two afterwards. a year I believe, my brother wrote, I wrote to my brother about paying Camp Taylor money and he went onto my brother about it and he never paid him until we moved out to this country.
Q After all that you got him to attend to your uncle Jim Lawson's and the other relatives cases? A The other parties did.

BY MR. McKENNON:

Applicants object to all that part of the witness' evidence in response to interrogatories by representatives of the Cherokee Nation which relates to the character of the evidence upon which the judgments admitting members of the James and Robert Dawson families were admitted, and to the history of the members of the Dawson family, because the same is immaterial, incompetent and irrelevant.

BY MR. McKENNON:

Q One question I omitted to ask you Mr. Dawson, as to the Court at the time the judgment admitting Robert Dawson's family was rendered, who of the judges were present on that day? A They was all three of them, Wolfe, Tehee and Thompson.
Q Are you positive of that fact? A Yes sir.
Q You do not know this Andrew Dawson family who applied to the Dawes Commission for Cherokee citizenship, and who stated that they are cousins of some members of your family? A Andrew?
Q Andrew J. Dawson, who claims to be from Missouri? A How was the question?
Q You do not know them do you? A I don't know that they are any kin to us.
Q You don't know that they are related to you at all? A No sir.
Q This Mary Dawson case, do you know the members of that family? A No sir, I don't.
Q Don't know who they are? A No sir.
Q The Rebecca Dawson case? A I don't know her either.
Q You don't know whether they are related to you or not? A No sir.
Q If any of those persons are related to you or your family did you have any knowledge of it? A Not as I know of.

Q Jonnie Barber, do you know anything about them? A They claim to be kin to us.
Q Where are they from? A They are from Texas.
Q Do you know they are related to you? A They claim to be kin.
BY MR. HASTINGS:
Q Tell you more for them before the Commission? A Yes, they claim to be kinfolks of mine.
BY MR. McKENNON:
Q Irene J. House, who is that? A That is a cousin of mine; claims to be.
BY MR. HASTINGS:
Q You testified for her didn't you before the Commission? A I think I did as well as I remember.
BY MR. McKENNON:
Q Before the Court that admitted James Dawson and family, who were the witnesses there? A Oliver Miller, from Berryville, Arkansas.
Q Who were the others? A Myself and J. Dawson and there were two other witnesses, I don't remember who they are.
Q Were they Cherokee citizens and residents of the Cherokee Nation? A Yes sir.
BY MR. HASTINGS:
Q You don't remember their names? A Which?
Q Of these other people who claimed to be citizens of the Cherokee Nation and who were witnesses? A I said about me and J. Dawson was citizens of the Cherokee Nation.
Q You only proved that Jim Dawson was a brother of Robert Dawson before the Court? A Yes sir.
Q And then referred back to the decision in the Court before? A We proved that they were citizens, and he knew my folks before I ever come here.
Q Was he older than Dr. Baker? A About the same age.
Q Why didn't you get Oliver Miller's testimony in the House case?
Q He was dead.
Q You and no member of your family in the Irene House case or the Jonnie Barber case or any of those cases that were tried before the Dawes Commission in your affidavits ever made reference to the fact that Oliver Miller testified in Jim Dawson's case in '84 did you? A I don't remember about that.
Q You did make reference to the fact that Dr. Baker testified there in '87, didn't you? A I don't remember about that now.
Q You never made reference to any other witness having testified other than Dr. Baker did you? A I don't remember about it now.
BY MR. McKENNON:
Q Now just one other question: All of these papers in the original application and everything, so far as you know, in the James Dawson case, were filed before the Commission which admitted the James Dawson family, are lost or mislaid are they not? A I suppose they are, I don't know, I never saw them.
Q Have you tried to get copies of them? A Yes sir, I tried to get the original papers.

BY COMMISSION: This case is continued until 8:30 a.m., tomorrow morning, March 20th, 1902, it now being the hour for adjournment.

MARCH 20, 1902.- 8:30 a. m.- F. M. DAWSON again on the stand, testifies as follows:
BY MR. McKENNON:
Q There was your brother Rich Dawson raised? A In Arkansas.

Q What County? A Carroll.
Q Near what town? A [illegible]yville.
Q Did Dr. Baker live at [illegible]yville? A Yes sir.
Q Was your brother intimately acquainted with him many years?
A Yes sir.
Q Did he know him sufficiently to be familiar with his character and habits of life? A Yes sir.
Q Do you know Josephine Pierce? A Yes sir.
Q Where daughter was she? A Dawson's.
Q Is she the same identical person who is called Josie Pierce, and Josie Dawson? A Yes sir.
Q Is there any other Josie Pierce or Josie Dawson or Josephine Pierce or Josephine Dawson? A I don't know but the one.
Q She was also called Josephine or Josie Kelly? A Yes, after she married; her first husband was Pierce.
Q And her second husband A Was Kelly.
Q There was another Josephine Dawson wasn't there, Sulaski's wife?
A They called her Joe, I suppose that's her name, I could not be positive; that was Bill Dawson's daughter, August Sulaski's wife.
Q She is much younger than your sister, Josephine, above referred to? A Yes sir, oh yes.

BY MR. HUTCHINGS:

Q Where were you born, Mr. Dawson? A Carroll County, Arkansas.
Q You know how old you are? A 42.
Q 42? A I think so.
Q How many older children were there of your father and mother than yourself? A Three.
Q Which were they? A E. Dawson, Peter Dawson and Jasper Dawson.
Q You are the fourth child and the fourth boy? A Yes sir, fourth boy.
Q Where were your father and mother married, do you know, from family history? A I think it was in Arkansas, I couldn't be positive, I think they was.
Q Do you know how long your grandfather lived in Arkansas? A No sir I don't.
Q Don't know what year he came to Arkansas? A Only from statement.
Q Well what did they say about it? A I think they came [illegible] some time in '30.
Q You know whether your father was born in Arkansas? No any of your grandfather's children were born there? A There was one of them born in Arkansas according to this record, according to what they always told me, they were born in Tennessee.
Q He came there in '30, and all the other children were born on the Tennessee River in Tennessee, before he ever came? A That is what I think, yes sir. No I am not positive about that. They were from Tennessee, but either Dr. Baker lived there or they came from there; I don't know as I ever heard my father say where he was born at.
Q In Tennessee so either he said he was a grown big boy when he came to Arkansas? A I don't know as I ever heard him say.
Q Do you know the difference in the ages of yourself and your three older brothers? A No I don't.
Q Don't know the time that come in between you? A No I don't know that; I think it is about two years though.
Q That would make E. Dawson about eight years older than you, probably? A Yes sir.

BY MR. McKENNON:
Q Did Josephine Pierce have a daughter who married Mr. Bogle?
A Yes sir.
Q What was her name? A I always knowed her by Dade Pierce; I don't know whether that is her right name or not.
Q What is Bogle's name? A John Bogle.
Q She is the child of Josephine Pierce who married John Bogle?
A Yes sir.
BY MR. HASTINGS:
Q Where did she marry John Bogle? A Near Afton.
Q When? A I douldn't state.
Q About when? A You have got a copy of the marriage license.
Q When did Josephine Pierce come to the Cherokee Nation? A '83.
Q Has she lived here continuously since that time? A Up until her death; she is dead.
Q Any of her children come with her at that time? A Yes sir.
Q And have they lived here continuously since that time? A Yes sir, except Bill Pierce, he went to Colorado and died.

J. C. STARR, being first duly sworn and being examined, testified as follows:
BY MR. McKENNON:
Q Your name is J. C. Starr is it? A Yes sir.
Q Mr. Starr, was that instrument taken by you, or before you? (Showing witness document.)
A Yes sir.
Q Where? A At the residence of S. H. Benge: near Fort Gibson.
Q When? A On the 15th day of this month.
Q What day of the week was that? A On Saturday.
Q Is that the day it was taken? A Yes sir.
Q Did you go there on Saturday to take this? A Yes sir.
Q Then when Judge Benge stated on Tuesday that it was taken "yesterday" meaning Monday, the 17th, he was mistaken, was he?
A It was taken Saturday, the 15th.
Q Was he mistaken or not? A It was not taken then.
Q Then his statement made on Tuesday the 18th that it was taken on "yesterday", meaning Monday, the 17th, was not correct, was it?
A I think not, because I was there, and it was taken on the 15th.
Q And it was taken on the 15th, you are positive it was taken on the 15th? A Yes sir.

Q Then of course his statement could not be correct? A I guess not.
BY MR. HASTINGS:
Q He was just mistaken about the date, wasn't he? A Yes sir.
BY MR. McKENNON:
Q Did you tell Charles T. Moore who is now present, on last Tuesday that they sent you out there on Monday to take that? A No sir.
BY MR. HASTINGS:
Q I sent you there last Saturday? A Yes sir.
Q And you went there at my direction, didn't you? A Yes sir, and come back Saturday night.

ROBERT L. DAWSON, being first duly sworn, and being examined testified as follows:
BY MR. McKENNON:
Q What is your name? A My name is Robert L. Dawson.
Q What is your age? A My age is something close to 30 years old, I am 29 past.

Q Are you a son of [illegible] known as Buck Dawson?
A Yes sir.
Q I will ask you if you will examine this letter sent with the enclosure and state whether or not you found that among the papers of your father after his death? A (Hands letter to witness who examines it) A Yes sir, I found this amongst the papers of my father. He always kept all his own papers, and I was looking over them I saw this letter.
Q Has that been in your custody ever since you found it? A Yes sir, if that's the letter that was in the envelope.
Q Well that is what it is, you can tell whether it is or not. (Witness further examines letter) Q That purports to be a letter from Samuel H. Benge, does it not, to your father? A Yes sir. (Here applicants' attorney hands letter and envelope referred to to attorneys for Cherokee Nation.)

BY MR. McKENNON: I want to offer this letter in evidence in this case; it is a letter signed by S. H. Benge, attorney at law, dated Fort Gibson, C. N., Jan. 13, 1883. Addressed to Mr. E. Dawson, Esq. together with the envelope, in which it was enclosed, with the card of T. M. Taylor upon it, attorney at law, Tahlequah, Indian Territory, and postmarked Tahlequah, Ind. T., January 13.

BY MR. HUTCHINGS: The Nation objects to the introduction of this letter for the reason that S. H. Benge is living and has testified in this case, and his handwriting should be either proven or denied by himself.

G. W. BENGE, being first duly sworn, and being examined, testified as follows:
BY MR. McKENNON:
Q What is your name? A G. W. Benge.
Q Are you a son of Samuel H. Benge? A Yes sir.
Q Do youknow his handwriting? A I believe so.
Q Is that his handwriting? (Shows witness letter before referred to.) A Yes sir, it is either his or a resemblance of his.
Q To the best of your knowledge and belief is that his letter?
A Yes sir.

BY MR. McKENNON: [illegible] offer it in evidence.

BY COMMISSION: [illegible] letter)

"Fort Gibson, C. N.,
Jan 13th, 1883.

Mr. E. Dawson, Esq..

Dear Sir: I write this [illegible] to inform you that your case came off before the Court on Citizenship on the 11th inst, and was decided in your favor, so you all are citizens of this Nation. T. M. Dawson [illegible] furnished with a copy of the decision at the court. He will write to you also. You will please send me fifty dollars as my fee in your case according to contract. Send it to Fort Gibson, Cherokee Nation.

[illegible]
S. H. Benge,
Attorney at law."

Enclosed in envelope as follows:
Card [illegible]
"Post [illegible]
[illegible]
[illegible] Esq.
[illegible] Ter."

Addressed [illegible]

Henryetta,
Clay Co., Texas."

Post-marked: " Tahlequah, Jan 17 Ind T."

ROBERT L. DAWSON, -re-called and further examined, testified as follows:

BY MR. McKENNON:

Q Now examine that and see if that is also a paper which you found among your father's papers after his death? (Hands papers to witness) A That is the same letter that I found.

Q Among the same that you found the Benge letter? A Yes sir.

BY MR. McKENNON: This is a letter purporting to have been written by J. M. Bryan, to E. Dawson, dated at Chouteau Station, Cherokee Nation, and not dated, which we offer in evidence. (Applicants' attorney hands said paper to Nation's attorneys.)

Q Mr. Bryan is dead is he not? A I think so.

BY MR. HUTCHINGS: We have no objection.

BY COMMISSION: (reads letter)

"Chouteau Station, Cherokee Nation.
I. T., M. K. & T. R. R.

MR. Dawson:

Dear Sir:-

I am in receipt of your favor of the 30th inst in regard to our contract.

After I had got the claim so there would be little more to do I employed Campbell Taylor to answer for me when the case came up, for which I was to pay him $20 out of my fee.

This all the action I had in the matter with Taylor.

I saw Taylor in Washington last month, and he told me that your brother had made another contract with him, and paid him, or that you was to pay him $100- and that you had offered him a check on some bank in Texas.

That $100- matter with Taylor, I have nothing to do with, nor couldn't have if I wanted to.

I hope Mr. Dawson this letter will explain the matter fully.

And I am satisfied that you are apprised of the earnest work I done for you, Please write to me.

Very respectfully,
Very truly,
J. M. Bryan."

Q I will ask you if you know of your father having paid Bryan what money? A Yes sir, paid him a horse and some other money.

BY MR. HUTCHINGS:

Q How old was your father when he died? A Me, I don't know whether I know his age or not.

Q If you don't know you can't say? A I wouldn't have no reason to know his age; never asked him his age; of course I guess my father knows.

Q Never had occasion to talk about his age at all? A Oh I have heard him speaking of his age at different times, but then I never paid enough attention to it.

Cid Graham, being first duly sworn and be[illegible] examined testified as follows:

BY MR. McKENNON:

Q What is your name? A Cid Graham.

Q How old are you? A Mr. Graham? A I am 35 years old.
Q How long have you been living in the Territory? A I came out here in 1887 or '88.
Q To the Cherokee Nation? A Yes sir.
Q How long have you been living in the Cherokee Nation, what year was that '87 or '8? A Yes sir.
Q Have you resided here continuously from that time ever since in the Territory? A Yes sir.
Q How long did you live in the Cherokee Nation? A About 6 years.
Q Where did you go then? A Wagoner.
Q In the Creek Nation? A Yes sir.
Q And been residing there ever since? A Yes sir.
Q In business? A Yes sir.
Q Have you all the while been recognized as a citizen of the Cherokee Nation? A Yes sir.
Q Mr. Graham, do you know Judge Samuel H. Benge? A Yes sir.
Q Did you have a conversation with him in Fort Gibson about September of 1900? A Well as to the exact time I couldn't say, it was sometime about the time that the Dawes Commission were at Sallisaw, or possibly a little later, somewhere about there.
Q Taking the census of the Cherokees? A Yes sir.
Q At that time had the question of the validity of the judgment of the Cherokee citizenship commission admitting Robert Dawson and family been called in question? A Yes sir.
Q Did you talk to him about the facts concerning the obtaining of that judgment? A I did.
Q What did he tell you about it; well I will just ask you, did he then and there tell you that that judgment was regular and all right nothing wrong with it? A He did.

BY MR. HUTCHINGS:

Q You were looking around for testimony at that time, Mr. Graham, were you? A How was that?
Q You were looking around for testimony at that time, expecting this case to be questioned? A Since the validity of that judgment had been attacked by the authorities of the Cherokee Nation, I thought it was well to look into the matter.
Q And he told you the judgment was all right? A Having known that Mr. Benge was connected with the case, I saw him in Fort Gibson, subsequent to that time and asked him about it, if there was anything wrong about the matter, and also that I might want his affidavit concerning the matter, and I also I think maybe wrote to him; possibly prior to that, I am not sure as to the writing, but I think possibly I did.
Q Did he tell you he would make an affidavit? A I don't think at that time that I asked him for an affidavit. I thought as he lived right near here I would see him in person; he assured me that everything was all right.
Q Your mother was Missouri Dawson was not she? A Yes sir.
Q Her name was Missouri Graham when she was re-admitted to citizenship? A Yes sir.
Q And was not Missouri Dawson so named in that judgment? A Yes sir.
Q Do you know whether the other children named in there had married and changed their name also at the time they were admitted? A There were not any of them married.
Q Ella Dawson was your aunt? A Yes sir.
Q Was she married at that time? In law? A Yes sir.
Q Melvina Dawson, was she married at that time? A Yes sir.
Q And the fourth one you have mentioned, Missouri Dawson, was your mother? A Yes sir.

Q Can you give us the exact date of your birth? A Yes sir.
Q Do so, please? A January 21, 1867.
Q And you came to the Territory when? A In 1887 or 1888.
Q You can't make that any more definite? A Well sir, it has been a good while ago, and I didn't have anything to cause me to.
Q Well I just want to know whether you did have or not? A No sir.
Q When were you married? A 1886.
Q You were married prior to coming here? A Yes sir.
Q Your first child born away from here? A Yes sir.
Q What is its name? A John W.
Q '86 you were married, and he was born about the spring of '87?
A Somewhere in 1887, I don't remember.
Q Prior to your coming here? A Yes sir.
Q That is the only child you had that was born away from here?
A No sir, Julius.
Q Julius was not born in the Territory? A No sir.
Q And prior to the time of your removing to the Territory? A Yes sir.
Q These are the only children born out? A Yes sir.

BY MR. McKENNON:

Q Do you know Campbell Taylor? A Yes sir.
Q I will ask you if about February 1901, he came to Wagoner, and sent his son to have you come to the hotel at night where he was, and if he then and there said to you "You people are on the doubtful list, and if you will give me five hundred dollars I will make it all right and see that you are enrolled, and if you don't I will see that you don't get on".? A Well now as to the first part of thatquestion, where you say he sent his son; that is an error; I don't know whether he came to my house or sent some one; when I returned home that evening my wife told me there was some one there to see me, and was at the city hotel at Wagoner, and said come down and see him; I went down there; I never had met Taylor; he introduced himself to me and stated what his business was; asked me if I was on the doubtful list, etc., to which I replied that we were; he asked me if I didn't want to employ him, stating that if we would give him, our family would give him five hundred dollars he would see that we were placed on the rolls all right, but if we refused to give him five hundred dollars that he would use his influence against us and see that we were rejected.
Q You never had met him before, or had any communication with him?
A I never met him before; as to the communication, I may have written him something about his affidavit as to the validity of that judgment, I can't say as to that. He said in his testimony that I did; I don't know whether I did or not now.

BY MR. HUTCHINGS:

Q You knew he was the attorney in the case, originally? A After looking at the records I did.
Q I mean you knew it at the time you wrote to him about the affidavit; that was the reason why you thought he would know something? A Certainly.
Q He never told you he was going to swear against you or threatened to tell anything that was not true? A He just simply said unless we gave him that five hundred dollars he would see we were all put off the rolls.
Q Said he would use his influence against you, that is what he said? A Yes sir.

BY MR. HASTINGS:
Q You don't deny writing to him then for the affidavit? A I don't say I did or I did not; I neither affirm it or deny the question.
Q You went to Captain Benge and also wrote him with reference to what he knew about the case? A I don't know whether I wrote him or not, I said I was under the impression I wrote his son.
Q You went to see Aaron Butler, who was interpreter before that court that admitted you? A Yes sir.
Q And you went with Aaron Butler to see Jim Smith, attorney before that court? A Yes sir.
Q And you either wrote or went to see everybody you knew of that was before that court then? A Yes sir.
Q That shows you used considerable activity? A Yes sir, I used such activity as was to my interest.
BY MR. McKENNON:
Q That was all after the representatives of the Cherokee Nation objected to the enrollment of the Dawson family and by reason thereof such as had appeared before the Commission had been placed upon a doubtful card? A Yes sir.
Q Then you began to look up the evidence and see what there was in it? A Yes sir.
Q As Mr. Hastings has stated? A That's right.
BY MR. McKENNON:
Q You are a grandson of James Dawson? A Yes sir.
Q The old gentleman? A Yes sir.
Q About what was his age when he was admitted to citizenship in the Cherokee Nation, in 1834, wasn't it? A Yes sir, well I can't be exact as to that.
Q Well as nearly as you can? A He was somewhere about 70 or 72, years of age.
Q Well what other James Dawson did you know belonging to the families, either one of these families, Robert Dawson family or the James Dawson family? A I never knew of but two James Dawsons.
Q Who were the others? A Dr. James R. Dawson, who is present and standing right here; my grandfather, James Dawson.
Q Was there in '84 any James R. Dawson 35 or 40 or 45 years old, that you know of, belonging to either one of these families? A No sir.
Q Do you know how old Dr. James R. Dawson was that that time? A James Dawson? Q No I am speaking of Dr. James R. Dawson? A Oh, how old he was, no sir, I do not.
BY MR. HUTCHINGS:
Q Do you know who was here attending to your mother's citizenship case at that time, at the time they were admitted? A Yes sir, James Low and Bill Jackson, son of Ellen Jackson.
Q Who was W. A. Dawson? A That is Wilburn, my uncle.
Q Was he here? A I don't know sir.
Q You were not here any of the time? A No sir.
Q You knew your grandfather then, you had lived in the same neighborhood with him? A Yes sir, I knew him well.
Q He didn't die for a year or two after that did he? A After when, Mr. Hutchings?
Q After his admission to citizenship? A No sir, he didn't die I think until '91 or '90, several years after.
Q Very old man when he died? A Yes sir.
BY MR. McKENNON:
Q About what age? A He was approximately 80 years old.
BY MR. HUTCHINGS:
Q When he died? A Yes sir.

BY MR. HASTINGS:
Q That about 1891? A I think so, yes sir.
BY MR. McKENNON:
Applicants object to the testimony of the witness elicited by interrogatories of Counsel for the Cherokee Nation relating to his family, their history, etc, as being irmaterial, irrelevant and incompetent.

James R. Dawson, being first duly sworn, and being examined, testified as follows:
BY MR. McKENNON:
Q Your name is James R. Dawson? A Yes sir.
Q Where do you live? A Afton, Indian Territory.
Q What is your age? A 45.
Q You are a physician are you not? A Yes sir.
Q Was James Dawson, whose family was admitted in 1884, an uncle of yours? A Yes sir.
Q Do you know what his age was at that time? A No sir, I do not, only approximately.
Q State as nearly as you can? A At the time of theadmission?
Q Yes sir? A About 70, I don't know exactly.
Q How old was he when he died? A I would suppose he was about 78.
Q What was your age in 1884? A I am 45.
Q What year were you born, Doctor? A I was born in '55.
Q Must have been '56? A Yes sir, that's right.
Q What was your age then? A In '84?
Q Yes sir? A About 28.
Q Were you present at the time that James Dawson family was admitted, or at any time while their case was pending before the Cherokee citizenship commission? A Not while the James Dawson case was, no sir.
Q You were present during your father's case? A I was there at the time.
Q When was that? A The dates I disremember; when the case first come up, I disremember the exact date.
Q How long were you there? A I was there about a week.
Q Was that when it first came up you say? A Yes sir.
Q Nothing was done? A No sir.
BY MR. HUTCHINGS:
Q You never saw Dr. Baker? A Yes sir.
Q Did he and your uncle Jim ie use to talk about how they played together when they were boys? A My uncle Jim and Dr. Baker talk?
Q Yes? A I never saw them together.
Q They were about the same age? A Yes sir, I believe Dr. Baker was 15 years older probably.
Q Dr. Baker must have been mistaken about his own age? A Guessing, that's all I know about his age.
Q The Doctor had been paralyzed, rather a decrepit looking man at the time he was over here at this citizenship business? A No sir, not as I know anything about.
Q He was near about 70 then? A I couldn't tell you, he was an old looking man.
Q Your uncle Jim was about 70? A Yes sir.

TESTIMONY ON BEHALF OF THE CHEROKEE NATION.

W. W. HASTINGS, being first duly sworn, and being examined testified as follows:

BY MR. HUTCHINGS:

Q State your name? A W. W. Hastings.
Q Residence? A Tahlequah, age 35.
Q You are attorney for the Cherokee Nation in the general preparation of these cases? A Yes sir.
Q Just state how it happened that you summoned Mr. Campbell Taylor, and what occurred between you with reference to his testimony?
A Well there had been some talk, as the testimony here indicates, that there was perhaps fraud in the admission of this family, and by agreement with counsel on the other side, and the Commission, this case was set for the 17th day of March, and some short time prior to that, as the attorney for the Nation I began to make some preparation or inquiry into the case, and I wrote a great many letters around to different people and among them I wrote C. H. Taylor to come down here. I don't think in that letter that I told him what I wanted with him. I don't think I told him the case that I wanted him to testify in, that is my recollection now. Mr. Taylor prior to that time, neither directly nor indirectly, so far as I know, ever gave me any information voluntarily against this family, or ever said anything that would lead me to believe that he knew anything of a fraudulent character connected with it. But I summonsed him; perhaps the fact that I knew he had been connected with them in some way and that I perhaps also would get some information from him. Well he came in response to a letter that I wrote, and I took him up to my office. I talked to him quite a long while. He was exceedingly reluctant about giving any testimony whatever, he told me first and last that he didn't intend to testify before the Commission. He told me he had been attorney for these people, and he didn't believe he could be compelled to testify, and that is he was put upon the stand he would claim that privilege, and he didn't believe I could force him to testify. I talked to him at some considerable length; I asked him what he knew about it; of course he for a long time declined to tell me; and what information I did get from him was by piecemeal. He was exceedingly reluctant all through the interview to give any information. I asked him finally though that if the Court compelled him to testify when he got before the Commission, if he would tell the facts about it, and he said that he would. I told him then that I would subpoena him.

Well we talked quite a good while and finally after always telling me that he intended to claim that privilege, and never wanting to testify, he detailed to me the facts just as he told them on the stand; I don't believe there is the slightest variation, except that he perhaps was not so full at that time and it was told by piecemeal, but I got all those facts out of him, or very nearly all those facts out of him. He may have elaborated a little more there by examination; but he never voluntarily gave me any information at all, either directly or so far as I know indirectly. I don't think he sent any one to me. I got his name because I heard he was connected with the case, and perhaps knew something about it, like I did a great many other people, some of whom I didn't bring, because they didn't know what I supposed they did know about the case.

With reference to S. H. Benge, I want to state that he never voluntarily gave me any information at all about this case, nor did I know that he knew anything in connection with this case until I sent J. C. Starr over to S. H. Benge's place to take his affidavit on Saturday, March 18, in the W. H. and J. W. Shoemake case, and their descendants. I had heard that Mr. Benge knew some important facts in connection with the Shoemake case and I sent him over there then to take that affidavit; and when Mr. Starr came back he told me that he knew some facts also in connection with these other cases, and I was surprised to find he had instead of one affidavit, in the Shoemake case, that he also had another affidavit in the Dawson case. That is the first information I had that Mr. Benge knew anything whatever in connection with the Dawson case, and therefore he never voluntarily, either directly or indirectly gave any information prior to that time to me.

I impressed upon Mr. Taylor that the Nation only wanted the absolute truth in this matter; that it was not seeking anything else but the truth, and didn't want him to tell anything else but the truth.

I want to say again that after he was on the stand and left that evening, and after Captain McKennon, or counsel for the [illegible], had indicated his willingness for Mr. Taylor to testify, that he went over all of these facts that he testified to on the stand subsequent to that time in the presence of J. C. Starr in my office. I simply wanted to go on the stand for the purpose of showing that Mr. Taylor hadn't voluntarily given me any information, and I make this statement for that purpose.

BY MR. McKENNON:

Q You had no power to compel him to give you any information at that time at all did you? A No sir, none other than the persuation that I brought to use.

Q He therefore did it simply upon your persuation? A Yes sir.

Q You knew he had been acting as attorney for these parties?

A Yes sir, I had seen from the record that he did too.

Q And he told you so? A Yes sir.

BY COMMISSION: [illegible] attorneys for the applicant and the representatives of the Cherokee Nation will be granted thirty days from the [illegible] transcript in this case in which to file [illegible] the Commission.

I, M. D. Green, [illegible] as stenographer to the Commission to the five civilized tribes, do hereby certify that I correctly recorded the testimony and proceedings in the case of [illegible] and that the foregoing is a true and complete transcript of my shorthand notes thereof.

(Signed) M. D. Green.

I, Arthur C. Evans, being duly sworn, state that as stenographer to the Commission to the Five Civilized Tribes I copied the foregoing, and that the same is a true and complete copy of the original.

Arthur C. Evans

Subscribed and sworn to before me this 10th day of December, 19[illegible].

B.Q. Jones

Notary Public

File with Cherokee D-479, John S. Bogle, et al.

DEPARTMENT OF THE INTERIOR,

COMMISSION TO THE FIVE CIVILIZED TRIBES.

In the matter of the application of Francis M. Dawson, et al for enrollment as Cherokee citizens, consolidating the applications of,

Francis M. Dawson et al	Cherokee	D.	324
John Dawson,	"	D	580
William R. Dawson,	"	D	581
Andrew C. Atkins, et al	"	D	584
Francis M. Dawson, Jr.	"	D	588
Arizona Allred, et al	"	D	835
Samuel R. Dawson, et al	"	D	350
Robert Dawson,	"	D	352
Albert M. Dawson, et al	"	D	358
August Bulawsky, et al	"	D	365
John W. Dawson, et al	"	D	482
Katie Newman	"	D	402
John Dawson, et al	"	D	578
Thomas P. Dawson, et al	"	D	360
Orle H. Dawson, et al	"	D	530
Robert Pierce, et al	"	D	408
William Pierce,	"	D	409
Charles E. Pierce,	"	D	431
Oma Gray, et al	"	D	471
Effie Pierce,	"	D	472
John S. Bogle, et al	"	D	479
Joseph R. Dawson, et al	"	D	364
Wilborn Dawson,	"	D	475
Charles T. Moore, et al	"	D	518
James R. Dawson, et al	"	D	526
Henry A. Blasingame, et al	"	D	832
Elbert L. Blasingame, et al	"	D	833
James R. Blasingame, et al	"	D	834
Martin L. Patterson, et al	"	D	435
William C. Dawson, et al	"	D	604
Robert L. Dawson,	"	D	605
Elbert B. Dawson, et al	"	D	608
Richard W. Dawson, et al	"	D	617
Ella L. Spickerman, et al	"	D	626
Francis M. Dawson,	"	D	627
Sarah J. Dawson,	"	D	609
John W. Graham, et al	"	D	23
Gideon Graham, et al	"	D	35
Mathew A. Painter, et al	"	D	836
Charles T. Bradshaw, et al	"	D	1134
Joe K. Graham, et al	"	D	1135
John F. Graham, et al	"	D	1136
Joe Willie Neal	"	D	1137
James M. Graham, et al	"	D	1138
Orwan W. Jackson, et al	"	D	395
James M. Dawson, et al	"	D	476
Tommie A. Jackson,	"	D	528
Lizzie Jackson, et al	"	D	530
William C. Lewis, et al	"	D	947
James Lewis, et al	"	D	949
Millie T. Dawson,	"	D	408

Roxanna Woolley, et al.,	Cherokee	D	406
Mary T. Richardson, et al.,	"	D	715
Ella Brauer,	"	R	12
William A. Dawson,	"	R	13
Alonzo M. Fishback, et al.,	"	D	343
Hiram F. Peddle, et al.,	"	D	521
William B. Douthitt,	"	D	522
Florence Morgan, et al.,	"	D	737
John E. Fishback,	"	D	845
George A. Mabry, et al.,	"	D	979

D E C I S I O N.

It appears from the record herein that applications were made to this Commission at the times and places hereinafter mentioned for the enrollment of the following named persons as citizens of the Cherokee Nation:

D 324 By Francis M. Dawson, son of Robert Dawson, at Vinita, Indian Territory, on September 17, 1900, for the enrollment of himself and his minor children, Lula, Ray, Jessie J., Jacob L., Hugh A. and Laura A. Dawson as citizens by blood, and for the enrollment of his wife Katie Dawson as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on April 8, and October 20, 1902.

D 580 By John Dawson, at Nowata, Indian Territory, on October 15, 1900, for the enrollment of himself as a citizen by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 1, 1902.

D 581 By William R. Dawson, at Nowata, Indian Territory, on October 17, 1900, for the enrollment of himself and his wife, Fannie Dawson as citizens by blood. Fannie Dawson has been differently classified and is not embraced in this decision.

D 974 By Andrew C. Atkins, at Nowata, Indian Territory, on October 15, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Lizzie Atkins and his minor children, Arthur, Lena E., Edward C. and George J. F. Atkins as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 10, 1902.

D 984 By Francis M. Dawson, Jr., son of Francis M. Dawson and grandson of Robert Dawson, at Nowata, Indian Territory, on October 15, 1900, for the enrollment of himself as a citizen by blood.

D 325 By Francis M. Dawson, Sr., at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of his daughter Arizona Allred and his grand-son William C. Allred as citizens by blood.

D 350 By Samuel R. Dawson, at Vinita, Indian Territory, on September 19, 1900, for the enrollment of himself and his two minor children August and Mate Dawson, as citizens by blood, and for the enrollment of his wife Catherine Dawson as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, October 3, 1902.

D 352 By Robert Dawson, at Vinita, Indian Territory, on September 19, 1900, for the enrollment of himself as a citizen by blood.

D 358 By Albert H. Dawson, at Vinita, Indian Territory, on September 19, 1900, for the enrollment of himself and his minor children Ralph H., Alford and Cecil Dawson as citizens by blood, and for the enrollment of his wife Sarah F. Dawson as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 21, and October 3, 1902.

D 368 By August Bulawsky, at Vinita, Indian Territory, on September 20, 1900, for the enrollment of himself as a citizen by intermarriage, and for his wife Josephine, and his minor children Dora, Ida, Annie, Blanche, May and Oscar Bulawsky, as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 6, 1902.

D 482 By John W. Dawson, at Vinita, Indian Territory, on October 1, 1900, for the enrollment of himself as a citizen by blood, and for the enrollment of his wife Nannie as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 3, 1902.

D 488 By Charles J. Newman, for the enrollment of his wife Katie Newman as a citizen by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on March 18, 1902.

D 578 By John Dawson, at Nowata, Indian Territory, on October 11, 1900, for the enrollment of himself and his minor children Robert B., Iola M., Lemuel K., Rosa B., Charles B., Hattie J., Jennings B. and James W. Dawson as citizens by blood, and for his wife Sarah J. Dawson as a citizen by intermarriage. On November 20, 1901, an affidavit was filed for Verga [illegible], a ninth child of the applicant. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, October 20, 1902.

D 579 By Thomas P. Dawson, at Vinita, Indian Territory, on September 20, 1900, for the enrollment of himself and his minor child Marion J. Dawson as citizens by blood.

D 580 By Orlo M. Dawson, at Vinita, Indian Territory, on September 6, 1900, for the enrollment of himself and his minor child, Mary R. Dawson as citizens by blood. On October 21, 1902, a birth affidavit was filed for James F. Dawson, a minor child of the applicant.

D 608 By Robert Pierce, at Vinita, Indian Territory, on September

24, 1900, for the enrollment of himself and his minor child Myrtle as citizens by blood, and for the enrollment of his wife Nellie as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 3, 1902. On January 9, 1902, an affidavit was filed showing the birth of Arthur Pierce, a second child of the applicant.

D 469 By William Pierce, at Vinita, Indian Territory, on September 24, 1900, for the enrollment of himself as a citizen by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 21, 1902.

D 470 By Charles E. Pierce, at Vinita, Indian Territory, on September 25, 1900, for the enrollment of himself as a citizen by blood.

D 471
D 472 By John B. Gray, at Vinita, Indian Territory, on [illegible] 28, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Ona Gray, his minor child, Cecil Gray, and his sister-in-law, Effie Pierce (now Effie Akin), as citizens by blood. John B. Gray is differently classified and is not embraced in this decision. Further proceedings were had in the matter of this application at Vinita, Indian Territory, on October 4, 1900, and at Muskogee, Indian Territory, on July 21, 1902. On February 18, 1903, an affidavit was filed showing the birth of Walter Gray, a second child of the applicant.

D 473 By John J. Bogle, at [illegible], Indian Territory, on October [illegible], 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Nancy J., and his minor children, James E., Edna M., John H., Marvin B. and Maud Bogle as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 3, 1902. On October 21, 1902, a birth affidavit was filed for Nancy Edith Bogle, a second child of this [illegible].

[illegible] By Joseph P. Dawson, at [illegible], Indian Territory, on [illegible], 1900, for the [illegible] and for the [illegible] children, Clarence [illegible], Elmer K., Cleo, [illegible] P. Dawson, as citizens by [illegible] from the enrollment of his wife, Florence Dawson, as [illegible] by intermarriage. Further proceedings were had in the matter of said application at Vinita, Indian Territory, on October 10, 1902, and at Muskogee, Indian Territory, on October 7, 1902. An affidavit was filed showing the birth of a second child of the applicant.

[illegible] By Wilson Dawson, at Vinita, Indian Territory, on September 25, 1900, for the enrollment of himself as a citizen by blood.

[illegible] By Charles T. Moore, at Vinita, Indian Territory, on September 4, 1900, for his enrollment as a citizen by intermarriage, and for the enrollment of his wife, Nellie, and his five minor children, Nora, Walter, Alvia, Ora and James T. Moore as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on March 18, 1902, and October 13, 1902, and on March 17, 1903, an affidavit was filed showing the birth of a sixth child of the applicant.

D 526 By James R. Dawson, at Vinita, Indian Territory, on October 4, 1900, for the enrollment of himself and his three minor children, Vinnie D., Ermine C. and Edwin C. Dawson as citizens by blood, and for the enrollment of his wife, Martha A. Dawson, as a citizen by intermarriage. Further proceedings were had in the matter of said application at Vinita, Indian Territory, on October 5, 1900, and at Muskogee, Indian Territory, on October 3, 1902, and on September 13, 1901, an affidavit was filed showing the birth of Ancil F. Dawson, a fourth child of the applicant.

D 832 By Henry A. Blasingame, at Chelsea, Indian Territory, on November 19, 1900, for the enrollment of himself and his minor child, Vinnie C. as citizens by blood, and for the enrollment of his wife, Birdie J. as a citizen by intermarriage. Birdie J. Blasingame is differently classified and is not embraced in this decision.

D 833 By Elbert L. Blasingame, at Chelsea, Indian Territory, on November 19, 1900, for the enrollment of himself and his three minor children Ellis W., Earl D. and Alexander Blasingame, Jr., as citizens by blood, and for the enrollment of his wife Ida, as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, October 6, 1902. On October 31, 1902, a birth affidavit was filed for Elmer H., born since the date of this application.

D 834 By James R. Blasingame, at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of himself and his two minor children, William A. and George L. Blasingame as citizens by blood, and for the enrollment of his wife, Mary A. Blasingame as a citizen by intermarriage. On February 28, 1901, an affidavit was filed showing the birth of Grace D. Blasingame, a third child of the applicant. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 6, 1902.

D 435 By Martin L. Patterson, at Vinita, Indian Territory, on September 26, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Zona, and his five minor children, Sarah A., Martha A., Claud A., Edgar D. and Thomas M. Patterson, as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on April 8, and October 4, 1902, and on October 23, 1901, an affidavit was filed showing the birth of Virgil V., sixth child of the applicant.

D 604 By William C. Dawson, at Nowata, Indian Territory, on October 16, 1900, for the enrollment of himself as a citizen by blood, and for the enrollment of his wife Alice as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on April 3, and October 10, 1902.

D 605 By Robert L. Dawson, at Nowata, Indian Territory, on October 16, 1900, for the enrollment of himself as a citizen by blood.

D 608 By Elbert R. Dawson, at Nowata, Indian Territory, on October 16, 1900, for the enrollment of himself as a citizen by blood. On July 8, 1901, an affidavit was filed showing the birth of Ralph E. Dawson, a child of the applicant.

D 609 By Sarah J. Dawson, at Nowata, Indian Territory, on October 16, 1900, for the enrollment of herself as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 15, 1902.

D 617 By Richard W. Dawson, at Nowata, Indian Territory, on October 17, 1900, for the enrollment of himself and his minor child Ina E. as citizens by blood, and for the enrollment of his wife, Luella as a citizen by intermarriage. Luella Dawson is differently classified and is not embraced in this decision. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on April 8, 1902.

D 626 By Ella L. Spickerman, at Nowata, Indian Territory, on October 17, 1900, for the enrollment of herself and her minor child, Hellen J. Spickerman, as citizens by blood, and for the enrollment of her husband, John J. Spickerman as a citizen by intermarriage. John J. Spickerman is differently classified and is not embraced in this decision. On March 8, 1902, an affidavit was filed for William Glenn Spickerman, a second child of the applicant.

D 627 By Francis M. Dawson, son of Elbert Dawson, at Nowata, Indian Territory, on October 17, 1900, for the enrollment of himself as a citizen by blood.

D 33 By John W. Graham, at Fairland, Indian Territory, on July 13, 1901, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Missouri and his minor children Telma V. and Robert S. Graham, as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 8, 1902.

D 35 By Gideon Graham, at Westville, Indian Territory, on July 10, 1900, for the enrollment of himself and his minor children, John T., Julius E., Francis W., Lary E., Jesse E., Gracie L. and Florence M. Graham as citizens by blood, and for the enrollment of his wife Elizabeth Graham, as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 17, 1902.

D 330 By Mathew A. Painter, at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Laverna A. and his five minor children Ada R., Eva P., John W., Ray D., and Roberta A. Painter, as citizens by blood. On December 7, 1900, an affidavit was filed for Roy V. Painter, a sixth child of the applicant. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 2 and 3, 1902.

D1124 By Charles T. Bradshaw, at Muskogee, Indian Territory, on February 23, 1901, for the enrollment of himself as a citizen by intermarriage, and for his wife Florence P. and his minor children, Myrtle and Claude Bradshaw as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 21, and October 20, 1902.

D1125 By Joe B. Graham, at Muskogee, Indian Territory, on Febru-

ary 23, 1901, for the enrollment of himself and his minor child William C. as citizens by blood.

D1126 By John F. Graham, at Muskogee, Indian Territory, on February 23, 1901, for the enrollment of himself and his minor child Edna M. as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 21, 1902. On October 31, 1902, a birth affidavit was filed for Robert Lee Graham, a second child of the applicant.

D1127 By James Neal, at Muskogee, Indian Territory, on February 23, 1901, for the enrollment of his wife, Joe Willie Neal, as a citizen by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on July 21, 1902.

D1128 By James M. Graham, at Muskogee, Indian Territory, on February 23, 1901, for the enrollment of himself and his minor children, Marion, Maggie, Luther, Liddie and Margaret Graham as citizens by blood, and for the enrollment of his wife Bessie as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 17, 1902. On October 27, 1902, a birth affidavit was filed for Floyd Graham, born since the date of this application.

D 395 By Green F. Jackson, at Vinita, Indian Territory, on September 22, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Ella Jackson as a citizen by blood.

D 472 By James M. Harmon, at Vinita, Indian Territory, on October 1, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Flora and his minor children, Lillie R., Claud, Dwight, and William D. Harmon, as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 9, 1902.

D 508 By Toshie A. Jackson, at Vinita, Indian Territory, on October 2, 1900, for his enrollment, among others, as a citizen by blood. The other parties to the application are differently classified and are not embraced in this decision. Further proceedings were had in the matter of said application at Tahlequah, Indian Territory, on December 7, 1900.

D 836 By Lizzie Jackson, at Chelsea, Indian Territory, on November 19, 1900, for the enrollment of herself as a citizen by intermarriage, and for the enrollment of her minor children Osie, Lizzie, Jessie, Ray and Clyde Jackson as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 3, 1902.

D 847 By William C. Lenox, at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Fannie and his minor children Birtie E. and Myrtle Lenox as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 3, 1902.

D 879 By James Lowe, at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of himself and his minor children, May, Zelma, Roberta and Rosa Lowe as citizens by blood.

D 405 By Millie T. Dawson, at Vinita, Indian Territory, on September 24, 1900, for the enrollment of herself as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 13, 1902.

D 406 By Texanna Woolley, at Vinita, Indian Territory, on September 24, 1900, for the enrollment of herself and her minor child Irene W. Woolley as citizens by blood. On March 27, 1902, an affidavit was filed showing the birth of Filburn E. Woolley, a second child of the applicant.

D 715 By Henry T. Richardson, at Claremore, Indian Territory, on October 26, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Kitty, his minor children Delia F. and Finis T. Richardson and his step-children, Edgar, Walter, Alice, Laura, Oscar, Claude, Edna and Florence Flournoy as citizens by blood. Florence Flournoy is embraced in another application herein as Florence Morgan (D - 737). Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 9, 1902, and on August 20, 1902, a birth affidavit was filed for Jasper C. Richardson, born to Henry T. Richardson and his wife, Kittie, since the date of this application.

D 12 By Etta Brauer, at Fairland, Indian Territory, on July 12, 1900, for the enrollment of herself as a citizen by blood.

D 13 By Melissa A. Dawson, at Fairland, Indian Territory, on July 12, 1900, for the enrollment of herself as a citizen by intermarriage.
Further proceedings in the matter of said application were had at Vinita, Indian Territory on October 4, 1900, and at Muskogee, Indian Territory, on October 14, 1902.

D 521 By Lula Pearl Weddle, at Vinita, Indian Territory, on October 4, 1900, for the enrollment of herself and her minor children Curtis and Morris O. Weddle as citizens by blood, and for the enrollment of her husband, Hiram F. Weddle as a citizen by intermarriage. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on October 14, 1902. October 31, 1902, a birth affidavit was filed showing the birth of Roy Weddle, a third child of the applicant.

D 523 By William D. Douthitt, at Vinita, Indian Territory, on October 4, 1900, for the enrollment of himself as a citizen by blood.

D 747 By Alonzo M. Fishback, at Vinita, Indian Territory, on September 19, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife Laverna A. Fishback and his minor children William A. and Annie B. Fishback as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, on March 18, and October 3, 1902.

D 737 By Elbert L. Morgan, at Claremore, Indian Territory, on October 29, 1901, for the enrollment of his wife Florence and his minor child Clide as citizens by blood. On April 30, 1902, an affidavit was filed showing the birth of Alice A. Morgan, a second child of the applicant.

D 845 . By John E. Fishback, at Chelsea, Indian Territory, on November 20, 1900, for the enrollment of himself as a citizen by blood.

D 979 By George A. Mabry, at Tahlequah, Indian Territory, on December 14, 1900, for the enrollment of himself as a citizen by intermarriage, and for the enrollment of his wife, Edna, and his minor children Roby and Charley Mabry as citizens by blood. Further proceedings were had in the matter of said application at Muskogee, Indian Territory, January 15, 1901, and March 17, and October 15, 1902.

Proceedings were had in the matter of F. M. Dawson, et al., before Lewis T. Martin, a Notary Public on October 4, 1900, and further proceedings were had therein before the Commission at Muskogee, Indian Territory on March 17, 1902. All of these proceedings have been made a part of the record herein.

The evidence, and an examination of the records of the Cherokee Nation, in the possession of this Commission show that on January 11, 1883, one Robert Dawson and his adult children, F. M. Dawson, Elbert Dawson, Jasper Dawson, Mollie Dawson, Wilborn Dawson, James Dawson, Rial Dawson, Josephine Dawson, Joseph Dawson, Jane Dawson and John Dawson were admitted to citizenship in the Cherokee Nation by the Cherokee Commission on Citizenship, commonly known as the "Teehee Court", and that on September 9, 1884, one James Dawson, a brother of the Robert Dawson aforesaid, together with his adult children, Ella Dawson, W. A. Dawson, Malvina Dawson and Missouri Dawson were admitted to citizenship in the Cherokee Nation by the Cherokee Commission on Citizenship commonly known as the "Sheets Court." In addition to their tribal enrollment as shown by the evidence herein, it also appears from an examination of the Cherokee tribal rolls, in the possession of this Commission, that F. M. Dawson is identified on the Cherokee pay rolls of 1883 and 1894, Robert Dawson on the Cherokee pay roll of 1886, Mollie Dawson on the pay roll of 1883, Wilborn Dawson on the pay rolls of 1886 and 1894, James Dawson on the pay rolls of 1883 and 1894, Rial Dawson on the pay rolls of 1886 and 1894, Josephine Dawson on the pay roll of 1886, Jane Dawson on the pay roll of 1883, Joseph Dawson and John Dawson on the pay rolls of 1883, 1886 and 1894, Ella Dawson and W.A.

Dawson on the pay roll of 1886, and Missouri Dawson on the pay roll of 1894.

A majority of the above named persons, together with the descendants of the persons admitted as aforesaid and such white persons as may have intermarried with the said Dawsons or their descendants are the applicants herein.

For convenience, the applications are divided into groups:

Group 1, includes the applications of Francis M. Dawson and those claiming through him and embraces cases numbered D 734, D 583, D 581, D 584, D 588 and D 835.

The evidence shows that Francis M. Dawson is the same person admitted to citizenship as hereinbefore stated under the name of F.M. Dawson. Katie Dawson, his wife, was married to him on November 21, 1880. The Cherokee Supreme Court in the cases of Cherokee Nation vs. Nancy Rogers and Melissa Dawson vs. W. A. Dawson held that a white woman married to a Cherokee Indian at the time of his admission to citizenship acquires thereby the rights of Cherokee citizenship. She has lived with her said husband since they were married, and the six children included in the application of said Francis M. Dawson, and hereinbefore named are the issue of the marriage aforesaid. All the applicants herein are identified on the Cherokee Census roll of 1896.

John Dawson, William R. Dawson, Lizzie Atkins, Sorby Dawson, Francis M. Dawson, Jr., and Arizona Allred are the children of said Francis M. Dawson by a former wife, Julia Ann. They were minors at the date of their father's admission to citizenship. John Dawson, Lizzie Atkins and Francis M. Dawson, Jr., are identified on the Strip Payment roll of 1894, and William R. Dawson and Arizona Allred are identified on the Cherokee Census roll of 1896.

Andrew C. Atkins was married under a Cherokee marriage license

and in accordance with the laws of the Cherokee Nation on March 23, 1891, to the above named Lizzie Dawson. He has resided in the Cherokee Nation with his said wife since they were married, and the four children included in his application, and hereinbefore named are the issue of that marriage. The oldest child, Arthur, is identified on the Cherokee pay roll of 1894, and the three younger children are identified by birth affidavits on file with this Commission.

Arizona Allred, nee Dawson, came from Arkansas to the Cherokee Nation for the first time in 1894, remained there about two years and then returned to Arkansas, where she was married to Lan Allred. Such marriage was not in accordance with the laws of the Cherokee Nation. Arizona Allred and her husband came to the Cherokee Nation in 1898, stayed there a month and returned to Arkansas where they remained until September, 1898, at which time they came to the Cherokee Nation, remained there about a year and returned to Arkansas in 1899, where they were living at the date of this application. William C. Allred is the child of said Arizona Allred and possesses no rights not acquired by his mother. He is identified on the Cherokee Census roll of 1896.

Paragraph 9, Section 21, of the Act of Congress approved June 28, 1898 (30 Stats., 495) provides:

> "No person shall be enrolled who has not heretofore removed to and in good faith settled in the Nation in which he claims citizenship."

The evidence further shows that Francis M. Dawson, his wife, Katie and William R. Dawson, Francis M. Dawson, Jr., and Lizzie Atkins have resided in the Cherokee Nation since 1883, and Andrew C. Atkins, the husband of said Lizzie Atkins, since 1891, and that John Dawson has resided in the Cherokee Nation for at least fourteen years prior to the date of his application. The residence of the minor children of the above named persons is considered to be that of their parents, with whom they are living.

Group II, includes the applications of Samuel R. Dawson, together with those claiming through him and embraces cases numbered D 350, D 362, D 388, D 365, D 482 and D 408.

The evidence shows that Samuel R. Dawson is identified as the Rial Dawson admitted to citizenship in the Cherokee Nation as hereinbefore stated. His wife, Catherine, a white woman, was married to him on July 11, 1866. The Cherokee Supreme Court in the cases of Cherokee Nation vs. Nancy Rogers and Melissa Dawson vs. W. A. Dawson held that a white woman married to a Cherokee Indian at the time of his admission to citizenship acquires thereby the rights of Cherokee citizenship. She has lived with her said husband since their marriage, and August and Mate Dawson are the issue of the aforesaid marriage. Samuel R. Dawson, his wife and children are identified on the Cherokee Census roll of 1896.

Robert Dawson, Albert H. Dawson, Josephine Bulawsky, formerly Josephine Dawson, John W. Dawson, and Katie Newman, formerly Katie Dawson are the children of said Samuel R. Dawson. They were minors at the date of their father's admission to citizenship, and they are all identified on the Cherokee Census roll of 1896.

Sarah F. Dawson, nee Abbott, was married to the said Albert H. Dawson in October, 1894. She has lived with her said husband, since they were married. Ralph H., Alford and Cecil Dawson are the issue of that marriage. Sarah F. Dawson and her child Ralph H. are identified on the Cherokee Census roll of 1896. Alford is identified by a birth affidavit on file with this Commission. The evidence further shows that the youngest child, Cecil Dawson, is dead.

August Bulawsky, was married under a Cherokee marriage license and in accordance with the laws of the Cherokee Nation on May 25, 1893, to the said Josephine Dawson. He has lived with his said wife since they were married and the six children included in his application, and hereinbefore named, are the issue of that marriage. The

four older children are identified on the Cherokee Census roll of 1896, and the Strip payment roll of 1894. May Bulawsky is identified on the Cherokee Census roll of 1896, and Oscar Bulawsky is identified by a birth affidavit on file with this Commission.

Mannie Dawson, nee Baugher, was married to the said John F. Dawson on September 2, 1894, and she has lived with her said husband since they were married.

The evidence further shows that Samuel R. Dawson, his wife, Catherine, and Robert Dawson, Albert H. Dawson, John W. Dawson, and Katie Newman have resided in the Cherokee Nation since 1886, August Bulawsky and his wife Josephine, since 1892, and Sarah F. and Mannie Dawson since 1894. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group III, includes the application of John Dawson, and those claiming through him and embraces cases numbered D 578, D 366 and D 530. The evidence shows that John Dawson is the same person admitted to citizenship in the Cherokee Nation as hereinbefore stated. Sarah J. Dawson, nee Wood, his wife, a white woman, was married to him on October 4, 1871. The Cherokee Supreme Court in the cases of Cherokee Nation vs. Nancy Rogers and Melissa Dawson vs. W. A. Dawson held that a white woman married to a Cherokee Indian at the time of his admission to citizenship acquires thereby the rights of Cherokee citizenship. She has lived with her said husband since they were married and the nine children included in the application of said John Dawson, and hereinbefore named, are the issue of said marriage. John Dawson, his wife, and his seven older children are identified on the Cherokee Census roll of 1896. The two younger children are identified by birth affidavits on file with this Commission.

Thomas P. Dawson and Orle H. Dawson are the children of said John Dawson. They were minors at the date of their father's admission to citizenship, and they are both identified on the Cherokee

Census roll of 1896.

Thomas P. Dawson was married on April 24, 1898, to Allen A. Allison, and Marion J. Dawson is the issue of that marriage. The said child is identified by a birth affidavit on file with this Commission.

Orle H. Dawson was married on December 28, 1899, to Effie York, and Burr R. and James W. Dawson are the issue of that marriage. The said children are identified by birth affidavits on file with this Commission.

The evidence further shows that the said John Dawson and his wife, Sarah J., have resided together in the Cherokee Nation since 1883; that said Orle H. Dawson has resided in the Cherokee Nation since 1883, and that Thomas P. Dawson has resided in the Cherokee Nation since 1888. The residence of the minor children herein is considered to be that of their parents, with whom they are living.

Group IV, includes the applications of those claiming through the said Josephine Dawson, now deceased. At the time of her admission she was the wife of one Thomas Pierce, but was admitted to citizenship under maiden name of Dawson. The group embraces cases numbered D 408, D 409, D 431, D 471, D 472 and D 478.

The evidence shows that Robert Pierce, William Pierce, Charles E. Pierce, Oma Gray, formerly Oma Pierce, Effie Pierce (now Effie Akins) and Nancy J. Bogle, formerly Nancy J. Pierce are the children of said Josephine Dawson. They were minors at the date of their mother's admission to citizenship, and they are all identified on the Cherokee Census roll of 1896.

Nellie Pierce, a white woman, was married to said Robert Pierce on July 15, 1894. She has lived with her said husband since they were married, and Lyrtle and Arthur Pierce are the issue of that marriage. Nellie Pierce is identified on the Cherokee Census roll of 1896, and her two children are identified by birth affidavits on file with this Commission.

Ona Gray was married to John B. Gray on April 7, 1898, and Cecil and Velton Gray are the issue of that marriage. Ona Gray is identified on the strip payment roll of 1894 and her children are identified by birth affidavits on file with this Commission.

John S. Bogle was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on April 5, 1894, to the above named Nancy J. Pierce. He has lived with his said wife since they were married and the six children included in his application, and hereinbefore named, are the issue of that marriage. John S. Bogle and his two older children are identified on the Cherokee Census roll of 1896, and his four younger children are identified by birth affidavits on file with this Commission.

The evidence further shows that the said William Pierce died in January, 1902.

It further appears that Robert Pierce, Charles E. Pierce, Nancy J. Bogle and Ona Gray have resided in the Cherokee Nation since 1884; that John S. Bogle, husband of Nancy J. Bogle, and Nellie Pierce, wife of Robert Pierce, have resided in said Nation ever since they were married, and the residence of the minor children herein is considered to be that of their parents with whom they are living. It appears that Effie Akin was seventeen years old at the date of the application for her enrollment, and it further appears that she resided in the Cherokee Nation from about 1886 up to December, 1900, when she went to Colorado, was married there to Will Akin, and is now living in that state with her said husband.

Group V, includes the application of the said Joseph Dawson, Wilborn Dawson and James Dawson, and embraces cases number D 364, D 475 and D 526.

Joseph R. Dawson is identified on the Joseph Dawson roll to citizenship in the Cherokee Nation as hereinbefore stated. He was married to Florence Jackson on May 16, 1886, and they have lived to-

gether since the date of their marriage. The said Florence Jackson is the daughter of Ella Dawson, but she was of age at the date of her mother's admission to citizenship. The six children included in the application of said Joseph R. Dawson, and hereinbefore named, are the issue of the marriage between the said Joseph R. Dawson and Florence Jackson. The applicant, his said wife and his four older children are identified on the Cherokee Census roll of 1896. The two younger children are identified by birth affidavits on file with this Commission.

Wilborn Dawson is identified as the person of that name admitted to citizenship in the Cherokee Nation as hereinbefore stated. He is identified on the Cherokee Census roll of 1896.

James R. Dawson is identified as the James Dawson admitted to citizenship in the Cherokee Nation as heretofore stated. His wife, Martha A. Dawson was married to him on February 20, 1890. She has lived with her said husband since the date of their marriage, and the four children included in the application of said James R. Dawson, and hereinbefore named, are the issue of said marriage. The applicant, his said wife and his three older children are identified on the Cherokee Census roll of 1896. The youngest child is identified by a birth affidavit on file with this Commission.

The evidence further shows that Joseph R. Dawson has resided in the Cherokee Nation since 1883; that Florence Dawson and Wilborn Dawson have resided in said Nation since 1886, and that James R. Dawson has resided in said Nation since 1883, excepting a temporary absence from 1889 to 1891. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group VI, includes the application of Mollie Dawson and those claiming through her and embraces case numbered D 818.

The evidence shows that Mollie Moore, formerly Dawson, is identified as the Mollie Dawson admitted to citizenship in the Cherokee

Nation as hereinbefore stated. Her husband, Charles T. Moore, was married to her under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on January 17, 1887. He has lived with his said wife since they were married and the six children included in his application, and hereinbefore named, are the issue of said marriage. Charles T. Moore, his wife Mollie, and his four older children are identified on the Cherokee Census roll of 1896; the two younger children are identified by birth affidavits on file with this Commission.

The evidence further shows that said Charles T. Moore, his wife Mollie and his oldest child have resided in the Cherokee Nation since 1887; the younger children have resided in said nation all their lives.

Group VII, includes the applications of those claiming through the above named Jane Dawson, who, at the time of her admission to citizenship in the Cherokee Nation, as hereinbefore stated, was the wife of one Alexander Blasingame, but she was admitted under her maiden name of Dawson. Jane Dawson is a resident of Arkansas, and is not an applicant for enrollment. This group embraces cases numbered D 832, D 833 and D 834.

The evidence shows that Henry A. Blasingame, Elbert L. Blasingame, and James R. Blasingame are the children of said Jane Dawson. They were minors at the time of their mother's admission to citizenship and they are all identified on the Cherokee Census roll of 1896.

Henry A. Blasingame was married to his wife Birdie J., on December 6, 1896, and Vinnie C. Blasingame is the issue of that marriage. The said child is identified by a birth affidavit on file with this Commission.

Ida Blasingame, a white woman, was married to the said Elbert L. Blasingame on September 5, 1894. She has lived with her said husband ever since they were married and the four minor children included in the application of said Elbert L. Blasingame are the

issue of that marriage. The said Ida Blasingame and her two older children are identified on the Cherokee Census roll of 1896. The two younger children are identified by birth affidavits on file with this Commission.

Mary A. Blasingame was married to the said James R. Blasingame on August 11, 1895. She has lived with her said husband since they were married and the three minor children included in the application of said James R. Blasingame, and hereinbefore named, are the issue of that marriage. Mary A. Blasingame and her oldest child are identified on the Cherokee Census roll of 1896. The two younger children are identified by birth affidavits on file with this Commission.

The evidence further shows that the said Henry A. Blasingame, Elbert L. Blasingame and James R. Blasingame removed to the Cherokee Nation in 1897 and have resided therein with their said wives ever since. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group VIII, includes the applications of those claiming through the said Elbert Dawson, and embraces cases numbered D 435, D 604, D 608, D 605, D 609, D 617, D 626 and D 627.

The evidence shows that Zona Patterson, formerly Dawson, William C. Dawson, Robert L. Dawson, Elbert B. Dawson, Richard W. Dawson, Ella L. Spickerman, formerly Dawson, and Francis M. Dawson are the children of the said Elbert Dawson. All of them, excepting the said Francis M. Dawson, were minors at the time of their father's admission to citizenship. Zona Patterson is identified on the Cherokee Census roll of 1896, and William C. Dawson, Robert L. Dawson, Elbert B. Dawson and Richard W. Dawson are identified on the Strip payment roll of 1894. An examination of the Cherokee tribal rolls, in the possession of this Commission, shows that the said Ella L. Spickerman is also identified on the Strip payment roll of 1894.

Martin L. Patterson was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on July 13, 1890, to the said Nona Dawson. He has lived with his said wife since they were married and the six children included in his application, and hereinbefore named, are the issue of that marriage. Martin L. Patterson and his three older children are identified on the Cherokee Census roll of 1896, and his three younger children are identified by birth affidavits on file with this Commission.

Alice Dawson, nee Alexander, was married to the said William C. Dawson on November 18, 1886. She has lived with her said husband ever since they were married.

Elbert B. Dawson was married on February 16, 1898, to Cora Bright, a non-citizen, and his child Ralph E. Dawson is the issue of that marriage. The said child is identified by a birth affidavit on file with this Commission.

Sarah J. Dawson, nee Jones, was married to the above named Elbert Dawson about 1854, and lived with him as his wife until his death in February, 1899, and has not re-married since his death. The Cherokee Supreme Court in the cases of Cherokee Nation vs. Nancy Rogers and Melissa Dawson vs. W. A. Dawson held that a white woman married to a Cherokee Indian at the time of his admission to citizenship acquires thereby the rights of Cherokee citizenship.

Richard W. Dawson was married to Luella Mason, a white woman, on January 24, 1898. His child Ina E. Dawson is the issue of that marriage, and she is identified by a birth affidavit on file with this Commission.

Ella L. Spickerman was married to John J. Spickerman, a white man on September 7, 1897. Her children Nellen J. and William Glenn are the issue of that marriage. They are identified by birth affidavits on file with this Commission.

It further appears from the evidence that Francis M. Dawson, son of Elbert Dawson, at the time of his father's admission to citizen-

ship in the Cherokee Nation was twenty-two or twenty-three years old. There is no evidence that the said Francis M. Dawson has been admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation, or by the Commission to the Five Civilized Tribes, or by the United States Court under the provisions of the Act of Congress of June 10, 1898 (29 Stats., 321), Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), Provides for the enrollment of,

> "all persons who have been enrolled by the tribal authorities who have heretofore made permanent settlement in the Cherokee Nation whose parents, by reason of their Cherokee blood have been lawfully admitted to citizenship by the tribal authorities, and who were minors when their parents were so admitted."

The evidence further shows that Zona Patterson, William G. Dawson and Richard W. Dawson have resided in the Cherokee Nation since 1884; Robert L. Dawson, Elbert B. Dawson, Sarah J. Dawson, and Ella L. Spickerman since 1883; Alice Dawson since 1886, and Martin L. Patterson since 1894. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group IX, includes the applications of the said Missouri Dawson, and those claiming through her. The said Missouri Dawson at the time of her admission to citizenship was the wife of one John W. Graham, but she was admitted under her maiden name of Dawson. This group embraces cases numbered D 23, D 35, D 836, D 1124, D 1125, D 1126, D 1127 and D 1128.

The evidence shows that John W. Graham was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on February 12, 1888, to the said Missouri Dawson. He had been formerly married to her in the State of Texas in 1866, and has lived with her since that time. Tenga V. and Robert S. Graham are the issue of the aforesaid marriage. John W. Graham, his wife and two children are identified on the Cherokee Census roll of 1896.

ship in the Cherokee Nation was twenty-two or twenty-three years old. There is no evidence that the said Francis M. Dawson has been admitted to citizenship in the Cherokee Nation by the duly constituted authorities of said Nation, or by the Commission to the Five Civilized Tribes, or by the United States Court under the provisions of the Act of Congress of June 10, 1896 (29 Stats., 321). Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), provides for the enrollment of,

> "all persons who have been enrolled by the tribal authorities who have heretofore made permanent settlement in the Cherokee Nation whose parents, by reason of their Cherokee blood have been lawfully admitted to citizenship by the tribal authorities, and who were minors when their parents were so admitted."

The evidence further shows that Zona Patterson, William C. Dawson and Richard W. Dawson have resided in the Cherokee Nation since 1884; Robert L. Dawson, Elbert D. Dawson, Sarah J. Dawson, and Ella L. Spickerman since 1883; Alice Dawson since 1886, and Martin L. Patterson since 1894. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group IX, includes the applications of the said Missouri Dawson, and those claiming through her. The said Missouri Dawson at the time of her admission to citizenship was the wife of one John W. Graham, but she was admitted under her maiden name of Dawson. This group embraces cases numbered, D 23, D 35, D 836, D 1124, D 1125, D 1126, D 1127 and D 1128.

The evidence shows that John W. Graham was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on February 12, 1888, to the said Missouri Dawson. He had been formerly married to her in the State of Texas in 1886, and has lived with her since that time. Tompa V. and Robert S. Graham are the issue of the aforesaid marriage. John W. Graham, his wife and two children are identified on the Cherokee Census roll of 1896.

Joe E. Graham was married to Mary Bradshaw, a non-citizen on January 6, 1898. William C. Graham is the issue of that marriage, and he is identified by a birth affidavit on file with this Commission.

John F. Graham was married on February 11, 1900, to Mattie Lawson, a non-citizen, and Edna M. and Robert Lee are the issue of that marriage. Said children are identified by birth affidavits on file with this Commission.

Bessie Graham was married on November 2, 1892, to the said James M. Graham. She has lived with him since the date of their marriage, and the six children included in the application of said James M. Graham, and hereinbefore named, are the issue of the said marriage. The oldest child Marion is identified on the Strip payment roll of 1894, and the five younger children are identified by birth affidavits on file with this Commission.

The evidence further shows that the said John W. Graham, his wife Missouri Graham, Gideon Graham, Mathew A. Painter, and his wife Laverna A. Painter, Florence P. Bradshaw, John F. Graham and Joe Willie Neal have resided in the Cherokee Nation since 1888, and that Joe E. Graham and James M. Graham have resided in the Cherokee Nation since 1884. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group X, includes the application of the said Ella Dawson and those claiming through her. The said Ella Dawson, at the time of her admission to citizenship, was the wife of Green W. Jackson, but she was admitted to citizenship under her maiden name of Dawson. This group embraces cases numbered D 395, D 476, D 508, D 830 and D 847.

The evidence shows that Green W. Jackson was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on March 24, 1887 to the said Ella Dawson. He had been previously married to her in Texas prior to her admission to

citizenship. From an affidavit made a part of this record it appears that Green W. Jackson died subsequent to the date of this application, and prior to September 1, 1902.

The evidence further shows that Flora Harmon, formerly Jackson, Tashie A. Jackson, William Jackson and Fannie Lenox, formerly Jackson are the children of said Ella Dawson, now Ella Jackson. Flora Harmon, Tashie A. Jackson and Fannie Lenox were minors at the date of their mother's admission to citizenship, and they are all identified on the Cherokee Census roll of 1896.

James H. Harmon was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on April 24, 1887, to the said Flora Jackson. He has lived with his wife since the date of their marriage, and the four minor children included in his application, and hereinbefore named, are the issue of the said marriage. James H. Harmon and his three elder children are identified on the Cherokee Census roll of 1896. The youngest child is identified by a birth affidavit on file with this Commission.

William C. Lenox was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on April 1, 1888, to the said Fannie Jackson. He has lived with his wife since the date of their marriage, and the two children Birtie E. and Myrtle Lenox, included in his application, are the issue of the said marriage. William C. Lenox and his two children are identified on the Cherokee Census roll of 1896.

Lizzie Jackson claims to have been married in 1868 to the said William Jackson, who is now deceased. It appears that William Jackson at the date of his mother's admission to citizenship, was over twenty-one years old. There is no evidence that the said William Jackson was ever admitted to citizenship in the Cherokee Nation, by the duly constituted authorities of said Nation, or by the Commission

to the Five Civilized Tribes, or by the United States Court under the provisions of the Act of Congress approved June 10, 1896 (29 Stats. 321). Lizzie Jackson and the five minor children included in her application, and hereinbefore named, are identified on the Cherokee Census roll of 1896, and they take only such rights as may have possessed by the said William Jackson. The authority of this Commission therein is defined in Section twenty-one of the Act of Congress approved June 28, 1898 (30 Stats., 495), heretofore quoted.

The evidence further shows that the said Nila Jackson, the said Flora Harmon and the said Tobie A. Jackson have resided in the Cherokee Nation since 1884, and that William C. Lenox, and his wife Fannie Lenox have resided in the Cherokee Nation since 1888. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group XI, includes the applications of those claiming through Malvina Dawson and embraces case numbered D 839.

The evidence shows that James Lowe is the son of the said Malvina Dawson, and that at the time of her admission to citizenship the said James Lowe was over 21 years old. There is no evidence that the said James Lowe was ever admitted to citizenship in the Cherokee Nation, by the duly constituted authorities of said Nation or by the Commission to the Five Civilized Tribes, or by the United States Court under the provisions of the Act of Congress approved June 10, 1896 (29 Stats., 321). It further appears that the said James Lowe was married on June 12, 1887, to Nellie Knight, a white woman, and the four minor children included in his application and hereinbefore named, are the issue of that marriage. James Lowe and his said children are identified on the Cherokee Census roll of 1896 and said children take only the rights which may have been acquired by their father.

The authority of the Commission herein is defined in Section 21 of the Act of Congress approved June 28, 1898 (30 Stats., 495), heretofore quoted.

Group XII, includes the applications of those claiming through the said W. A. Dawson and embraces cases numbered D 405, D 406, D 715, R 12 and R 13.

The evidence shows that Millie T. Dawson was married to the said W. A. Dawson in 1892 and lived with him as his wife in the Cherokee Nation until his death in 1899, and that she has not re-married since his death. Texanna Woolley is the daughter of said W. A. Dawson and his former wife Melissa A. Dawson. Texanna Woolley was a minor at the date of her father's admission to citizenship, and she is identified on the Strip payment roll of 1894. She was married on March 27, 1898, to James Woolley, and her children Irene V. and Wilburn E. are the issue of that marriage. They are identified by birth affidavits on file with this Commission.

Henry T. Richardson was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on July 11, 1886, to one Sellar Dawson, who was the daughter of the said W. A. Dawson by his first wife Melissa A. Sellar Dawson was a minor at the date of her father's admission to citizenship. Henry T. Richardson lived in the Cherokee Nation with his said wife Sellar from the date of their marriage until her death in 1892. On September 22, 1898, Henry T. Richardson married one Kitty Flournoy nee Dawson. The said Kitty Flournoy was re-admitted to citizenship in the Cherokee Nation by an Act of the Cherokee National Council on December 1, 1894. Of the children herein applied for, Delia F. Richardson is the child of the applicant by his first wife, Sellar. Finis T. Richardson and Jasper C. Richardson are children by his wife Kitty. Edgar, Walter, Alice, Laura, Oscar, Claude and Nina Flournoy are the children of his said wife Kitty by a former husband.

The six older children were admitted to citizenship in the Cherokee Nation on December 1, 1894, with their mother as the members of her family. The youngest child Edna Flourney was born in 1896 and was living at the date of this application. Delia F. Richardson is identified on the Cherokee Census roll of 1896, and Finis T. and Jasper C. Richardson are identified by birth affidavits on file with this Commission.

Etta Brauer is the daughter of said W. A. Dawson, and was a minor at the date of her father's admission. She was married in 1892 to a non-citizen but such marriage was not in accordance with Cherokee laws. She is identified on the Cherokee Census roll of 1896.

Melissa A. Dawson was married to the said W. A. Dawson in the State of Texas on September 28, 1873. The Supreme Court of the Cherokee Nation in the case of Melissa A. Dawson vs. W. A. Dawson, decided that Melissa A. Dawson, the applicant herein was a citizen of the Cherokee Nation by virtue of intermarriage with her said husband, W. A. Dawson. She is identified on the Cherokee Census roll of 1896, and she has not re-married since her divorce from said W. A. Dawson.

The evidence shows that Texanna Woolley has resided in the Cherokee Nation since 1884; that Etta Brauer and Melissa A. Dawson have resided in the Cherokee Nation, with the exception of temporary absences, since 1884; that Millie T. Dawson has resided in the Cherokee Nation since 1892; that Henry T. Richardson has resided in the Cherokee Nation since 1886, and that Kitty Richardson, his wife, has resided in the Cherokee Nation since 1894. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

Group XIII, includes the following applications: Hiram F. Peddie, et al D 821; William D. Douthitt, D 822; Alonzo M. Fishbeck, D 843; Florence Morgan, et al D 737; John E. Fishbeck, D 845 and George A. Embry, et al D 976. The persons enrolled in these appli-

cations are related to the above named Dawsons. They are not claiming the right to enrollment by virtue of such relationship, but rely upon a separate adjudication of their rights.

The evidence shows that Hiram F. Weddle was married under a Cherokee marriage license, and in accordance with the laws of the Cherokee Nation on September 13, 1884, to Lula P. Douthitt, who was admitted to citizenship in the Cherokee Nation by the said "Spears Court" on September 13, 1884. Curtis, Morris O. and Roy Weddle are the issue of the said marriage. Hiram F. Weddle and his said wife are identified on the Cherokee Census roll of 1896, and their three children are identified by birth affidavits on file with this Commission.

William D. Douthitt is the brother of said Lula P. Weddle, and was admitted to citizenship in the Cherokee Nation with his said sister on September 13, 1884. He is identified on the Cherokee Census roll of 1896.

Alonzo M. Fishback was married under a Cherokee marriage license and in accordance with the laws of the Cherokee Nation on May 17, 1881, to Lavrna A. Dawson. He had been previously married to the same wife in Texas in 1877, and has lived with her ever since. It appears that Lavrna Fishback was re-admitted to citizenship in the Cherokee Nation by an Act of the Cherokee National Council on December 1, 1894. William A. and Annie B. Fishback are the issue of the said marriage. Alonzo M. Fishback and his said wife and children are all identified on the Cherokee Census roll of 1896, and his wife is also identified on the Cherokee pay roll of 1880.

Florence Morgan, the wife of Albert L. Morgan, is the daughter of the Kitty Richardson heretofore mentioned and was admitted to citizenship in the Cherokee Nation on December 1, 1894 with the said Kitty Richardson as a member of her family. Clide and Alice A. Morgan are her children by her said husband. The said children are

identified by birth affidavits on file with this Commission.

John E. Fishback is the son of Laverna Fishback, who was re-admitted to citizenship on December 1, 1894, as heretofore stated. He was a minor at the date of his mother's admission to citizenship and he is identified on the Cherokee Census roll of 1896.

George A. Mabry was married to one Edna Dawson in the State of Arkansas in 1884. He claims to have been married under a Cherokee marriage license to his said wife in 1889, but he presents no satisfactory proof of such marriage. Edna Dawson was re-admitted to citizenship in the Cherokee Nation by an Act of the Cherokee National Council on December 1, 1894. Roby and Charley Mabry are her children by her said husband, George A. Mabry. Edna Mabry is identified on the strip payment roll of 1894, and the two children were minors at the date of their mother's admission to citizenship.

The evidence further shows that Alonzo M. Fishback and his wife Laverna A. Fishback have resided in the Cherokee Nation since 1883; that Lula P. Weddle, William D. Douthitt, and John E. Fishback have resided in the Cherokee Nation since 1884, and that Florence Morgan and Edna Mabry have resided in said Nation since 1894. The residence of the minor children included in this group is considered to be that of their parents, with whom they are living.

All birth affidavits for the minor children embraced in this decision, and hereinbefore noted, are made a part of this record.

It is contended by the Cherokee Nation that the applicants herein are not entitled to be enrolled by this Commission because they have never been lawfully admitted or enrolled by the Cherokee authorities, and that the judgment of the Cherokee Commission on Citizenship admitting Robert Dawson and his family was obtained by fraud on the part of said Dawson.

In considering the question at issue, it is the opinion of this Commission that it has not power, and that it is not the purpose of this proceeding, to review or to set aside the judgment in the Dawson case, or to determine such questions as were necessarily involved in the issues before the Cherokee Commission, and were passed upon by that Commission. In United States vs. Throckmorton, 98 U.S. Page 61, it is stated, "the doctrine is well settled that the Court will not set aside a judgment because it was founded on perjured testimony or for any matter which was actually presented and considered in the judgment assailed." Only such facts therefore, are considered by this Commission, as were not part of the record in the Robert Dawson case before the Teehee Commission, and which tend to show whether the judgment admitting the Dawsons was a bona fide judgment of the Teehee Commission, or whether such judgment is void because of fraud, and upon this proposition the burden of proof is upon those attacking the judgment.

Briefly stated, the circumstances attending the admission of the Dawsons appear to be as follows:

On September 24, 1881, an application was made to the Cherokee Commission on Citizenship known as the "Teehee Court" for admission to Cherokee citizenship of Robert Dawson and the members of his family above mentioned. The members of that Commission were Thomas Teehee, Alex Wolfe and T. F. Thompson. The first two were full blood Cherokee Indians; they could understand, but could not talk English. One D. W. C. Duncan was the Clerk of the Commission. The Dawson case was continued several times before final decision. J. M. Bryan appears to have been an attorney in the case, and after some delay he notified Francis M. Dawson that the case would be taken up by the Commission at its session in January, 1883, and also informed him that C.N.Taylor would look after Dawson's interests as he, Bryan,

would be in Washington. On receipt of this notice Francis M. Dawson went to Fort Gibson, Cherokee Nation, and made arrangements with his uncle Samuel H. Benge to go to Tahlequah and conduct the case. Benge who is a witness herein testifies that he was connected with the Dawson case when it was commenced in 1881; that it was continued several times for want of evidence, and that in January, 1883, in company with F. M. Dawson he went to Tahlequah and while there secured the testimony of Tosh Rogers, a negro, who knew the Dawson's ancestors, and that after getting his evidence the case was submitted to the Commission. He further testifies that the Commission rendered a decision against the Dawsons and that next morning the Commission reopened the case, but not upon motion of the witness, and rendered a judgment admitting the Dawsons to citizenship. He further states that on his way home to Fort Gibson with Dawson he remarked to the latter, "it was a pretty hard blow when they rendered a decision against us," to which Dawson is alleged to have replied, "yes, but Duncan was the man to reach and he reached him with five hundred dollars."

Dawson denies ever having had such a conversation and says that he did not return to Fort Gibson with Benge but went home to Arkansas by a different route.

C. H. Taylor testifies that he was an attorney in the case and was present when the case was decided. He says there were only two Commissioners present, Tochee and Wolfe. He further testifies that D. W. C. Duncan, the Clerk of the Court asked the witness to let him know when any large citizenship cases came up; that he introduced F. M. Dawson to Duncan on the evening of January 10th, heard part of a conversation between them in which Duncan addressing Dawson said, "there is a hitch in your evidence, if that was straightened out it will be all right." Next morning witness says Dawson told him to call up the case, which he did. That there was no additional

evidence introduced and no argument made, and that the case was then decided in favor of the Dawsons. Witness further testifies that Dawson gave him twenty dollars and said he would send him the balance in a short time, that in the course of ten days he sent him one hundred dollars with directions to pay over half of it to Duncan; that Dawson soon afterwards sent him another hundred dollars with the same instruction to give Duncan half of it.

Dawson denied the matters testified to by Taylor excepting in the matter of paying Taylor money, which he admits in part, but says that the twenty dollars mentioned was sent to Taylor about a year after the decision, and that he instructed Taylor to pay it over to Duncan to pay him for a land claim, and that the other money was in payment of J. M. Bryan's attorney fees which Taylor represented to Dawson he had for collection against him. Taylor's reputation for truth and veracity has been impeached by various disinterested witnesses.

The evidence which may be considered as tending to support the charge of fraud is the testimony of S. H. Denge, C. M. Taylor, Thomas . Dabeart, J. L. Clinkenbeard, James T. Lewis, C. G. Draught and David Meredith.

S. H. Denge testifies that a judgment adverse to the Dawsons was rendered by the Commission on the evening of one day and without any additional proceedings in the case that judgment was reversed on the morning of the next day.

Even if this were a material fact, there is no other proof that two judgments in the case were ever rendered. The record of the proceedings and judgment in the Commission's docket is all on one page, the entry of the application in 1861 and the first continuance being entered under authority of a former Commission and by a different clerk, and there is no evidence of erasure on that page. It is not an unusual thing for a Court to change its judgment, and this fact, if it is a fact, is not in itself any evidence of fraud.

Thomas B. Dabeart testifies that one James Dawson a man of forty or fifty years of age, in company with Butler, the Commission's interpreter and Jim Smith, solicitor for the Nation, came to the witness in Tahlequah the evening of January 10, 1883, to borrow some money; that Dawson was vouched for by Butler as a responsible party and that Dawson told the witness that he had to have money that night, that his case was to be submitted the next day if he could get some money, that Smith had agreed to submit the case without evidence, and that witness thereupon let Dawson have ten dollars.

Admitting all this to be true and that the influence of these officials was purchased for the sum of ten dollars, the Commission fails to see how these alleged facts show that the Court was imposed upon or misled. Bribery of officials to use their influence with the Commission would not necessarily vitiate the judgment, but it must appear that the fraud, or corruption reached the members of the Commission and tainted the judgment itself. The case was not submitted without evidence as appears from the record, and it is shown that such evidence was carefully considered by that Commission Furthermore, the evidence shows that there was no such person then in Tahlequah as the James Dawson described by witness.

Clinkenbeard testifies that he had a talk with Elbert Dawson about 1881; that Dawson told him he had only one witness, Dr. Baker of Arkansas, "an old man 85 or 90 years old who did not know straight up" and that he could give Dr. Baker four drinks of Arkansas whiskey and he would swear black was white. Witness further testifies that Dawson told him that money was what made the mare go in Texas, and that he had found out that it goes here too.

Assuming that this Commission can go into the question of perjury in connection with evidence in that case, the testimony of Clinkenbeard establishes, if anything, only the facts stated and does not prove that Dr. Baker committed perjury in giving his testi-

mony before the Commission. Further, it is not clear that Dr. Baker was the only witness in the case. Benge stated that Tosh Rogers was a witness, Duncan is under that impression also, and T. F. Thompson, one of the Commissioners, states that he thinks there were three witnesses. The testimony of Dr. Baker, seems, however, to be the only testimony preserved of record. As to whether Doctor Baker offered perjured testimony by Dawson's procurement, it is proper to state that the evidence of W. H. Curtis and A. S. McFennon, witnesses for applicants, show that Doctor Baker was a man of integrity and was not addicted to drinking.

The testimony of James W. Lewis is to the effect that he had a conversation with F. M. Dawson about 1885, in which Dawson had told the witness that it had cost him seven hundred dollars to get his rights. Draught also testifies that he was an applicant for citizenship about 1881 or 1882, and that while his case was pending he had a talk with F. M. Dawson who told him that if he (the witness) ever got in, it would cost him seven hundred dollars, and that Dawson told him he had paid one witness three hundred dollars, and made arrangements with the Court to get the Dawsons in at one hundred dollars a family. David Meredith testifies that he had a talk with old James Dawson in 1888, and that the latter told the witness it cost him twelve hundred dollars to get his case through.

It can hardly be urged that such evidence is sufficient to show that the members of the Tecmse Commission were corrupted by the fraudulent use of money. So far as these witnesses have been able to testify the money spent by the Dawsons might have been for proper and legitimate purposes. F. M. Dawson gives a detailed statement of what the case cost him and his brother in a legitimate way. The presumption can not be indulged that such moneys were used for fraudulent purposes and the proof to the contrary must be very clear

before this Commission will deny applicants the right to be enrolled upon that ground.

Admitting the truth of all the testimony in this case as to the actual transfer of money by the Dawsons, it appears that Duncan, Butler and Smith were the only beneficiaries of that money. There is no evidence that the members of the Commission received or were offered any of it.

The judgment entered in the Commission's docket shows the signature of the three members of the Commission appended thereto. There is some conflict as to whether Duncan signed Thompson's name, or whether Thompson affixed his own signature. Duncan testified that all three signatures were made by him as Clerk under authority of the Commissioners present, the two full bloods being unable to sign their names. T. F. Thompson testifies that he signed the original transcript of the judgment, which was made on the day of its rendition. The question, however, is not considered to be very material. The signing of judgments by each Commissioner appears to have been a matter of custom only. T. F. Thompson testifies that he remembers the Dawson case and recognizes the judgment therein as the final judgment of the Commission, and that there was no fraud or corruption in the procurement of that judgment by the Dawsons or by any one else so far as he knew.

Much evidence has been introduced by the Cherokee Nation for the purpose of showing that the ancestor, through whom the Dawsons claim, was not a Cherokee, and that other members of the Dawson family, claiming from the same source, have been denied Cherokee citizenship by subsequent Cherokee tribunals, and also by this Commission and by the United States Court. Such evidence, in the opinion of this Commission, is not competent for any purpose in this proceeding. The only question before this Commission is whether there was

fraud in the procurement of the Robert Dawson judgment, and not whether the applicants are Cherokee Indians, or whether they ought to have been admitted to citizenship upon the proof submitted. These were questions presented, considered and passed upon by the Teehee Commission. If their decision is a valid and regular judgment, it is binding on this Commission. If, on the contrary, the applicants have never been lawfully admitted to citizenship, because the judgment under which they claim is void, for fraud, then the question as to whether they are Cherokees by blood is not material, as this Commission has now no authority to admit them to citizenship.

While it is true, that since 1883, a number of applicants, members of the Dawson family, have been denied admission to citizenship in the Cherokee Nation, no argument derived therefrom is of any force, for it is also true that other members of the same family have been admitted to citizenship, and the action of the Cherokee authorities in admitting them has never been questioned by the Cherokee Nation. Whatever inference, therefore, may be drawn from these facts, applies with equal force both for and against the validity of the judgment in question.

The Dawsons have lived in the Cherokee Nation, most of them since 1883; they have exercised the rights of Cherokee citizenship for many years, some of them occupying official positions in the Nation, and no protest seems to have been made against their citizenship until within the last few years. The records of the Cherokee Nation, in the possession of this Commission, show, that since 1883, there have been Commissions on citizenship charged with authority to investigate the judgments of former tribunals alleged to have been secured by fraud, and the Cherokee Legislature had power to order an investigation, and to create a tribunal with authority to set aside a judgment so obtained. No such action appears to have been taken

by the Cherokee authorities with reference to the judgment of the Teehee Commission in the Robert Dawson case.

After a careful consideration of all the facts in this case this Commission is of the opinion that the evidence fails to establish that the Dawsons secured their admission to citizenship by fraud or that the judgment of the Teehee Commission as rendered January 11, 1883, was fraudulent as the result of corruption, bribery, or deception upon the part of the Dawsons, or their agents, and that such judgment, and also the judgment of the Spears Commission in 1884, and the Act of the Cherokee National Council of December 1, 1894, which have not been attacked by the Cherokee Nation, being regular on their face, must therefore be accepted by this Commission as the valid judgments of the duly constituted Cherokee authorities.

It is, therefore, the opinion of this Commission that,

(Group I.) Francis M. Dawson, son of Robert Dawson, Lula Dawson, Ray Dawson, Jessie J. Dawson, Jacob L. Dawson, Hugh A. Dawson, Laura A. Dawson, John Dawson, William R. Dawson, Lizzie Atkins, Arthur Atkins, Edna E. Atkins, Edward C. Atkins, George J. F. Atkins, Francis M. Dawson, Jr., son of Francis M. Dawson and grand-son of Robert Dawson,

(Group II.) Samuel R. Dawson, August Dawson, Nate Dawson, Robert Dawson, Albert P. Dawson, Ralph H. Dawson, Alford Dawson, Josephine Bulawsky, Dora Bulawsky, Ida Bulawsky, Annie Bulawsky, Blanche Bulawsky, May Bulawsky, Oscar Bulawsky, John W. Dawson, Katie Newman,

(Group III) John Dawson, Robert R. Dawson, Iola M. Dawson, Lemuel H. Dawson, Rosa B. Dawson, Charles E. Dawson, Mattie J. Dawson, Jennings B. Dawson, James U. Dawson, Vergal C. Dawson, Thomas P. Dawson, Marice J. Dawson, Orie M. Dawson, Burr R. Dawson, James W. Dawson,

(Group IV) Robert Pierce, Myrtle Pierce, Arthur Pierce, Charles E. Pierce, Ona Gray, Cecil Gray, Velton Gray, Effie Akin (formerly

Effie Pierce), Nancy J. Bogle, James E. Bogle, Edna M. Bogle, John H. Bogle, Marvin R. Bogle, Claud Bogle, Nancy Edith Bogle,

(Group V) Joseph R. Dawson, Clarence E. Dawson, Council J. Dawson, Elmer A. Dawson, Cleo Dawson, Rufus T. Dawson, Wilborn Dawson, Edgar Dawson, James R. Dawson, Vinnie D. Dawson, Ermine C. Dawson, Edwin C. Dawson, Ancil F. Dawson,

(Group VI) Mollie Moore, Nora Moore, Walter Moore, Clara Moore, Ora Moore, James W. Moore, Edna E. Moore,

(Group VII) Henry A. Blasingame, Vinnie C. Blasingame, Wilbert L. Blasingame, Ellis W. Blasingame, Earl D. Blasingame, Alexander Blasingame, Jr., Elmer H. Blasingame, James R. Blasingame, William A. Blasingame, George L. Blasingame, Grace D. Blasingame,

(Group VIII) Zona Patterson, Sarah A. Patterson, Martha A. Patterson, Claud A. Patterson, Edgar D. Patterson, Thomas H. Patterson, Virgil V. Patterson, William C. Dawson, Robert L. Dawson, Elbert B. Dawson, Ralph E. Dawson, Richard W. Dawson, Ina E. Dawson, Ella L. Spickerman, Nellen J. Spickerman, William Glenn Spickerman,

(Group IX) Missouri Graham, Tempa V. Graham, Robert S. Graham, Gideon Graham, John W. Graham, Julius E. Graham, Francis W. Graham, Mary E. Graham, Jesse E. Graham, Gracie M. Graham, Florence M. Graham, Laverna A. Painter, Ada R. Painter, Eva P. Painter, John W. Painter, Jay D. Painter, Roberta A. Painter, Roy W. Painter, Florence P. Bradshaw, Myrtle Bradshaw, Claude Bradshaw, Joe E. Graham, William C. Graham, John F. Graham, Edna M. Graham, Robert Lee Graham, Joe Willie Neal, James M. Graham, Marion Graham, Maggie Graham, Luther Graham, Floyd Graham,

(Group X) Ella Jackson, Flora Harmon, Lillie R. Harmon, Claud Harmon

Dwight Harmon, William D. Harmon, Toshie A. Jackson, Jannie Lenox, Birtie E. Lenox, Myrtle Lenox,

(Group XII) Texanna Woolley, Irene W. Woolley, Wilburn E. Woolley, Witty Richardson, Edgar Flourney, Walter Flourney, Alice Flourney, Laura Flourney, Oscar Flourney, Claude Flourney, Edna Flourney, Finis T. Richardson, Jasper C. Richardson, Delia E. Richardson, Etta Brauer,

(Group XIII) Lula Pearl Weddle, Curtis Weddle, Morris O. Weddle, Roy Weddle, William D. Douthitt, Laverna A. Fishback, William A. Fishback, Annie E. Fishback, Florence Morgan, Clide Morgan, Alice A. Morgan, John D. Fishback, Edna Mabry, Roby Mabry, and Charley Mabry,

should be enrolled as citizens by blood of the Cherokee Nation in accordance with the provisions of Section twenty-one of the Act of Congress approved June [illegible], 1906 (34 Stats., 436), and that

(Group I) Katie Dawson, Andrew D. Atkins,

(Group II) Catherine Dawson, Sarah T. Dawson, August Dulansky, Nannie Dawson,

(Group III) Sarah J. Dawson, nee Wood,

(Group IV) Nellie Pierce, John C. Bogle,

(Group V) Florence Dawson, Martha A. Dawson,

(Group VI) Charles T. Moore,

(Group VII) Ida Blasingame, Mary A. Blasingame,

(Group VIII) Martin L. Patterson, Alice Dawson, Sarah J. Dawson, nee Jones,

(Group IX) John T. Graham, Elizabeth Graham, Mathew A. Painter, Charles T. Bradshaw, Bessie Graham,

(Group X) James H. Harmon, William C. Lenox,

(Group XII) Millie T. Dawson, Henry T. Richardson, Melissa A. Dawson,

(Group XIII) Hiram F. Weddle and Alonso M. Fishback, should be

enrolled as citizens by intermarriage of the Cherokee Nation in accordance with the provisions of said Section twenty-one of the Act of Congress, and it is so ordered.

It is further the opinion of this Commission that, for the reasons heretofore stated, the applications for the enrollment of Arizona Allred and William C. Allred, (embraced in D 835); Francis M. Dawson, son of Elbert Dawson, (embraced in D 627); Osie Jackson, Lizzie Jackson, Jessie Jackson, Ray Jackson, and Clyde Jackson, the children of William and Lizzie Jackson, (embraced in D 830); James Lowe, May Lowe, Zelma Lowe, Roberta Lowe and Rosa Lowe, (embraced in D 839), as citizens by blood of the Cherokee Nation, and that the applications of Lizzie Jackson, widow of William Jackson, (embraced in D 830), and George A. Mabry (embraced in D 979), as citizens by intermarriage of the Cherokee Nation should be denied, in accordance with the provisions of the law heretofore quoted, and it is so ordered.

As hereinbefore stated William Pierce (D 409) and Cecil Dawson (D 358) and Green W. Jackson (D 595), died prior to September 1, 1902. It further appears from affidavits, made a part of this record that Liddie and Margaret Graham (D 1128) have died since the date of the application for their enrollment and prior to September 1, 1902.

It is, therefore, ordered that the applications for the enrollment of said William Pierce, Cecil Dawson, Green W. Jackson, Liddie Graham and Margaret Graham be, and the same are hereby dismissed.

COMMISSION TO THE FIVE CIVILIZED TRIBES,

(Signed) TAMS BIXBY,
Acting Chairman.

(Signed) T. B. NEEDLES,
Commissioner.

Dated at Muskogee, Ind. Ter.,
this Dec. 23, 1902.

(Signed) C. R. BRECKINRIDGE,
Commissioner.

COMMISSIONERS:
HENRY L. DAWES
TAMS BIXBY
THOMAS B. NEEDLES
C. N. BRECKINRIDGE

ALLISON L. AYLESWORTH
SECRETARY

DEPARTMENT OF THE INTERIOR,
COMMISSION TO THE FIVE CIVILIZED TRIBES

Muskogee, Indian Territory, February 1st, 1902

John Dawson,

Talala, Indian Territory,

Sir:-

You are hereby notified that the application of yourself

for enrollment as citizen of the Cherokee Nation will be taken up for final consideration by the Commission to the Five Civilized Tribes, at its office in Muskogee, Indian Territory, on the

17th day of March, 1902.

On said date, you may, if you desire, appear before the Commission, in person or by attorney, when an opportunity will be given you to introduce any additional testimony affecting your application.

You are further notified that the Representatives of the Cherokee Nation will also, at the same time, be afforded an opportunity to introduce testimony tending to disprove your right to enrollment, but said Representatives will be required to notify you of their intention to introduce such testimony before they will be permitted to do so.

Cherokee D-580/

Register.

Yours truly,

Acting Chairman.

Cherokee D-324--

Muskogee, Indian Territory, January 24, 1903.

W. W. Hastings,

Attorney for the Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 13, 1902, granting the application for the enrollment of Francis L. Dawson, Lula Dawson, Ray Dawson, Jessie J. Dawson, Jacob L. Dawson, Hugh A. Dawson, Laura A. Dawson, John Dawson, William R. Dawson, Lizzie Atkins, Arthur Atkins, Dana E. Atkins, Edward C. Atkins, George J. F. Atkins, Francis M. Dawson, Jr., Samuel D. Dawson, August Dawson, Mate Dawson, Robert Dawson, Albert H. Dawson, Ralph H. Dawson, Alford Dawson, Josephine Bulawsky, Dora Bulawsky, Ida Bulawsky, Annie Bulawsky, Blanche Bulawsky, May Bulawsky, Oscar Bulawsky, John W. Dawson, Hattie Leeman, John Dawson, Robert E. Dawson, Iola M. Dawson, Lemuel H. Dawson, Rosa E. Dawson, Charles B. Dawson, Hattie J. Dawson, Jennings B. Dawson, James U. Dawson, Vergal C. Dawson, Thomas P. Dawson, Mariee J. Dawson, Orie H. Dawson, Burr R. Dawson, James T. Dawson, Robert Pierce, Myrtle Pierce, Arthur Pierce, Charles T. Pierce, Oma Gray, Cecil Gray, Velton Gray, Effie Akin, Nancy J. Doyle, James E. Bogle, Edna M. Bogle, John R. Bogle, Marvin R. Bogle,

Claud Bogle, Nancy Edith Bogle, Joseph R. Dawson, Clarence D. Dawson, Council J. Dawson, Elmer A. Dawson, Cleo Dawson, Rufus T. Dawson, Wilborn Dawson, Edgar Dawson, James R. Dawson, Minnie D. Dawson, Ermine C. Dawson, Edwin C. Dawson, Ancil F. Dawson, Mollie Moore, Nora Moore, Walter Moore, Clara Moore, Ora Moore, James W. Moore, Edna E. Moore, Henry A. Blasingame, Vinnie C. Blasingame, Elbert L. Blasingame, Ellis W. Blasingame, Earl D. Blasingame, Alexander Blasingame, Jr., Elmer H. Blasingame, James N. Blasingame, William A. Blasingame, George L. Blasingame, Grace D. Blasingame, Zona Patterson, Sarah A. Patterson, Martha A. Patterson, Claud A. Patterson, Edgar D. Patterson, Thomas M. Patterson, Vergil V. Patterson, William C. Dawson, Robert L. Dawson, Elbert E. Dawson, Ralph E. Dawson, Richard W. Dawson, Ina E. Dawson, Ella L. Spickerman, Hellen J. Spickerman, William Glenn Spickerman, Missouri Graham, Tempa V. Graham, Robert S. Graham, Gideon Graham, John W. Graham, Julius E. Graham, Francis W. Graham, Mary E. Graham, Jesse E. Graham, Gracie L. Graham, Florence M. Graham, Laverna A. Painter, Ada R. Painter, Eva P. Painter, John W. Painter, Ray D. Painter, Roberta A. Painter, Roy W. Painter, Florence P. Bradshaw, Myrtle Bradshaw, Claude Bradshaw, Joe E. Graham, William C. Graham, John F. Graham, Edna L. Graham, Robert Lee Graham, Joe Willie Neal, James M. Graham, Marion Graham, Maggie Graham, Luther Graham, Floyd Graham, Ella Jackson, Flora Harmon, Lillie R. Harmon, Claud Harmon, Dwight Harmon, William D. Harmon, Toshie A. Jackson, Fannie Lenox, Birtie E. Lenox, Myrtle Lenox, Texanna Woolley, Irene W. Woolley, Wilburn E. Woolley,

Mittie Richardson, Edgar Flournoy, Walter Flournoy, Alice Flournoy, Lena Flournoy, Oscar Flournoy, Claude Flournoy, Edna Flournoy, Hiram F. Richardson, Jasper C. Richardson, Delia F. Richardson, Otto Bender, Lula Pearl Weddle, Curtis Weddle, Morris O. Weddle, Roy [illegible] Weddle, William D. Douthitt, Laverna A. Fishback, William A. Fishback, Annie B. Fishback, Florence Morgan, Clide Morgan, Alice M. Morgan, John E. Fishback, Edna Mabry, Roby Mabry and Charley Mabry as citizens by blood of the Cherokee Nation, and for the enrollment of Katie Dawson, Andrew C. Atkins, Catherine Dawson, Sarah F. Dawson, August Bulawsky, Fannie Dawson, Sarah J. Dawson, Nellie Pierce, John S. Bogle, Florence Dawson, Martha A. Dawson, Charles T. Moore, Ida Blasingame, Mary A. Blasingame, Martin L. Patterson, Alice Dawson, Sarah J. Dawson (nee Jones), John W. Graham, Elizabeth Graham, Mathew A. Painter, Charles T. Bradshaw, Bessie Graham, James H. Harmon, William C. Lenox, Millie T. Dawson, Henry T. Richardson, Melissa A. Dawson, Hiram F. Weddle, and Alonzo M. Fishback as citizens by intermarriage of the Cherokee Nation; rejecting the application for the enrollment of Arizona Allred, William C. Allred, Francis M. Dawson, Osie Jackson, Lizzie Jackson, Jessie Jackson, Ray Jackson, Clyde Jackson, James Lowe, May Lowe, Zelma Lowe, Roberta Lowe and Rosa Lowe as citizens by blood of the Cherokee Nation, and for the enrollment of Lizzie Jackson and George A. Mabry as citizens by intermarriage of the Cherokee Nation; and dismissing the application for the enrollment of William Pierce, Cecil Dawson, Green W. Jackson, Liddie Graham and Margaret Graham.

You are hereby advised that you will be allowed fifteen days from date hereof, in which to file such protest as you may desire to make against the action of the Commission in this case, a copy of which protest you will be required to serve upon the applicant. If you fail to file protest within the time allowed, this decision will be considered final.

Respectfully,

(Signed) TAMS BIXBY,

Acting Chairman.

Enc. M-130.

COPY.

Cherokee D-324--

Muskogee, Indian Territory, February 10, 1903.

A. J. McKennon,

Attorney for Francis M. Dawson, et al,

Wewoka, Indian Territory.

Dear Sir:

There is herewith enclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 15, 1902, granting the application for the enrollment of Francis M. Dawson, Nora Dawson, Ray Dawson, Jessie J. Dawson, Jacob L. Dawson, Hugh A. Dawson, Laura A. Dawson, John Dawson, William R. Dawson, Lizzie Atkins, Arthur Atkins, Edna E. Atkins, Edward C. Atkins, George J.F. Atkins, Francis M. Dawson, Jr., Samuel R. Dawson, August Dawson, Mate Dawson, Robert Dawson, Albert H. Dawson, Ralph H. Dawson, Alford Dawson, Josephine Bulawsky, Dora Bulawsky, Ida Bulawsky, Annie Bulawsky, Blanche Bulawsky, May Bulawsky, Oscar Bulawsky, John W. Dawson, Katie Newman, John Dawson, Robert B. Dawson, Lula [illegible] Dawson, Lemuel H. Dawson, Rosa B. Dawson, Charles L. Dawson, Mattie J. Dawson, Jennings B. Dawson, James U. Dawson, Vergal C. Dawson, Thomas P. Dawson, Mariee J. Dawson, Orie H. Dawson, Burr R. Dawson James W. Dawson, Robert Pierce, Myrtle Pierce, Arthur Pierce, Charlie E. Pierce, Oma Gray, Cecil Gray, Velton Gray, Effie Akin, Nancy J. Bogle, James E. Bogle, Edna M. Bogle, John H. Bogle, Marvin R. Bogle, Claud Bogle, Nancy Edith Bogle, Joseph R. Dawson, Clarence E.

Dawson, Council J. Dawson, Elmer A. Dawson, Cleo Dawson, Rufus T. Dawson, Wilborn Dawson, Edgar Dawson, James R. Dawson, Vinnie D. Dawson, Ermine C. Dawson, Edwin C. Dawson, Ancil F. Dawson, Mollie Moore, Nora Moore, Walter Moore, Clara Moore, Ora Moore, James W. Moore, Edna E. Moore, Henry A. Blasingame, Vinnie C. Blasingame, Elbert L. Blasingame, Ellis W. Blasingame, Earl D. Blasingame, Alexander Blasingame, Jr., Elmer H. Blasingame, James R. Blasingame, William A. Blasingame, George L. Blasingame, Grace D. Blasingame, Zona Patterson, Sarah A. Patterson, Martha A. Patterson, Claud A. Patterson, Edgar D. Patterson, Thomas M. Patterson, Vergil V. Patterson, William C. Dawson, Robert L. Dawson, Elbert B. Dawson, Ralph E. Dawson, Richard W. Dawson, Ina E. Dawson, Ella L. Spickerman, Hellen J. Spickerman, William Glenn Spickerman, Missouri Graham, Tempa V. Graham, Robert C. Graham, Gideon Graham, John W. Graham, Julius B. Graham, Francis W. Graham, Mary E. Graham, Jesse B. Graham, Gracie M. Graham, Florence M. Graham, Laverna A. Painter, Ada R. Painter, Eva P. Painter, John W. Painter, Ray D. Painter, Roberta A. Painter, Roy V. Painter, Florence P. Bradshaw, Myrtle Bradshaw, Claude Bradshaw, Joe B. Graham, William C. Graham, John F. Graham, Edna M. Graham, Robert Lee Graham, Joe Willie Neal, James M. Graham, Marion Graham, Maggie Graham, Luther Graham, Floyd Graham, Ella Jackson, Flora Harmon, Lillie R. Harmon, Claud Harmon, Dwight Harmon, William D. Harmon, Toshie A. Jackson, Fannie Lenox, Birtie E. Lenox, Myrtle Lenox, Texanna Woolley, Irene W. Woolley, Wilburn E. Woolley, Mittie Richardson, Edgar Flournoy, Walter Flournoy, Alice Flournoy, Laura

Fluornoy, Oscar Fluornoy, Claude Fluornoy, Edna Fluornoy, Finis T. Richardson, Jasper C. Richardson, Delia F. Richardson, Etta Brauer, [illegible] Pearl Weddle, Curtis Weddle, Morris O. Weddle, Roy Weddle, William D. Douthitt, Laverna A. Fishback, William A. Fishback, Annie M. Fishback, Florence Morgan, Clide Morgan, Alice A. Morgan, John T. Fishback, Edna Mabry, Roby Mabry and Charley Mabry as citizens by blood of the Cherokee Nation, and for the enrollment of Katie Dawson, Andrew C. Atkins, Catherine Dawson, Sarah F. Dawson, August Bulawsky, Nannie Dawson, Sarah J. Dawson, Nellie Pierce, John S. Bogle, Florence Dawson, Martha A. Dawson, Charles T. Moore, Ida Blasingame, Mary A. Blasingame, Martin L. Patterson, Alice Dawson, Sarah J. Dawson (nee Jones), John W. Graham, Elizabeth Graham, Mathew A. Painter, Charles T. Bradshaw, Bessie Graham, James H. Harmon, William C. Lenox, Millie T. Dawson, Henry T. Richardson, Melissa A. Dawson, Hiram F. Weddle, and Alonzo M. Fishback as citizens by intermarriage of the Cherokee Nation; rejecting the application for the enrollment of Arizona Allred, William C. Allred, Francis M. Dawson, Osie Jackson, Lizzie Jackson, Jessie Jackson, Ray Jackson, Clyde Jackson, James Lowe, May Lowe, Zelma Lowe, Roberta Lowe and Rosa Lowe as citizens by blood of the Cherokee Nation, and for the enrollment of Lizzie Jackson and George A. Mabry as citizens by intermarriage of the Cherokee Nation; and dismissing the application for the enrollment of William Pierce, Cecil Dawson, Green W. Jackson, Liddie Graham and Margaret Graham.

You have heretofore been furnished with a copy of the record of proceedings had in this case.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest has been furnished both yourself and the principal applicant, by the attorney for the Nation.

The decision, together with the record of proceedings had in this case will be transmitted to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as the Commission is informed of same.

You are requested to forward to the Commission two copies of your printed brief in this case, in order that the same may be included in the record to be forwarded to the Secretary of the Interior

Respectfully,

(Signed) TAMS BIXBY,

Acting Chairman.

Enc. M-45.

Register.

COPY.

Cherokee D-324.

Muskogee, Indian Territory, February 25, 1905.

The Honorable

The Secretary of the Interior.

Sir:

There is herewith transmitted the record of proceedings had in the consolidated case of Francis M. Dawson et al., applicants for enrollment as citizens of the Cherokee Nation, including the Commission's decision, dated December 23, 1903, granting said application as to Francis M. Dawson, Lula Dawson, Ray Dawson, Jessie J. Dawson, Jacob L. Dawson, Hugh A. Dawson, Laura A. Dawson, John Dawson, William R. Dawson, Lizzie Atkins, Arthur Atkins, Edna E. Atkins, Edward C. Atkins, George J. F. Atkins, Francis M. Dawson Jr., Samuel R. Dawson, August Dawson, Mate Dawson, Robert Dawson, Albert H. Dawson, Ralph H. Dawson, Alford Dawson, Josephine Bulawsky, Dora Bulawsky, Ida Bulawsky, Annie Bulawsky, Blanche Bulawsky, May Bulawsky, Oscar Bulawsky, John W. Dawson, Katie Newman, John Dawson, Robert B. Dawson, Iola M. Dawson, Lemuel H. Dawson, Rosa B. Dawson, Charles B. Dawson, Hattie J. Dawson, Jennings B. Dawson, James U. Dawson, Vergal C. Dawson, Thomas P. Dawson, Mariee J. Dawson, Orle H. Dawson, Burr R. Dawson, James W. Dawson, Robert Pierce, Myrtle Pierce, Arthur Pierce, Charles E. Pierce, Oma Gray, Cecil Gray, Velton Gray, Effie Akin, Nancy J. Bogle, James E.Bogle, Edna B. Bogle, John H. Bogle, Marvin R.Bogle,

Claud Bogle, Nancy Edith Bogle, Joseph R. Dawson, Clarence E. Dawson, Council J. Dawson, Elmer A. Dawson, Cleo Dawson, Rufus T. Dawson, Wilborn Dawson, Edgar Dawson, James R. Dawson, Vinnie D. Dawson, Ermine C. Dawson, Edwin C. Dawson, Ancil F. Dawson, Mollie Moore, Lora Moore, Walter Moore, Clara Moore, Ora Moore, James W. Moore, Edna E. Moore, Henry A. Blasingame, Vinnie C. Blasingame, Elbert L. Blasingame, Ellis W. Blasingame, Earl D. Blasingame, Alexander Blasingame Jr., Elmer H. Blasingame, James R Blasingame, William A. Blasingame, George L. Blasingame, Grace D. Blasingame, Zona Patterson, Sarah A. Patterson, Martha A. Patterson, Claud A. Patterson, Edgar D. Patterson, Thomas M. Patterson, Virgil V. Patterson, William C. Dawson, Robert L. Dawson, Elbert B. Dawson, Ralph E. Dawson, Richard W. Dawson, Ina E. Dawson, Ella L. Spickerman, Hellen J. Spickerman, William Glenn Spickerman, Missouri Graham, Tempa V. Graham, Robert S. Graham, Gideon Graham, John W. Graham, Julius E. Graham, Francis W. Graham, Laverna A. Painter, Mary E. Graham, Jesse E. Graham, Gracie M. Graham, Florence M. Graham, Ada R. Painter, Eva P. Painter, John W. Painter, Ray D. Painter, Roberta A. Painter, Roy V. Painter, Florence P. Bradshaw, Myrtle Bradshaw, Claude Bradshaw, Joe E. Graham, William C. Graham, John F. Graham, [illegible], Robert Lee Graham, Joe Willie [illegible], James M. Graham, [illegible] Graham, Maggie Graham, Luther Graham, Floyd Graham, [illegible] Jackson, [illegible] Harmon, Lillie B. Harmon, Claud Harmon, Dwight Harmon, William D. Harmon, Tosha A. Jackson, Fannie Lenox, Birtie B. Lenox, Myrtle Lenox, Texanna Woolley, Irene W. Woolley, Wilburn E. Woolley,

Kittie Richardson; Edgar Flournoy, Walter Flournoy, Alice Flournoy, Laura Flournoy, Oscar Flournoy, Claude Flournoy, Edna Flournoy, Minis T. Richardson, Jasper C. Richardson, Delia F. Richardson, Etta Brauer, Lula Pearl Weddle, Curtis Weddle, Morris O. Weddle, Roy Weddle, William D. Douthitt, Laverna A. Fishback, William A. Fishback, Annie B. Fishback, Florence Morgan, Clide Morgan, Alice A. Morgan, John E. Fishback, Edna Mabry, Roby Mabry and Charley Mabry as citizens by blood of the Cherokee Nation, and Katie Dawson, Andrew C. Atkins, Catherine Dawson, Sarah F. Dawson, August Bulawsky, Nannie Dawson, Sarah J. Dawson, Nellie Pierce, John S. Fogle, Florence Dawson, Martha A. Dawson, Charles T. Moore, Ida Blasingame, Mary A. Blasingame, Martin L. Patterson, Alice Dawson, Sarah J. Dawson (nee Jones), John W. Graham, Elizabeth Graham, Mathew A. Painter, Charles T. Bradshaw, Bessie Graham, James H. Parmon, William C. Lenox, Millie T. Dawson, Henry T. Richardson, Melissa A. Dawson, Hiram F. Weddle, and Alonzo M. Fishback as citizens by intermarriage of the Cherokee Nation; rejecting the application for the enrollment of Arizona Allred, William C. Allred, Francis M. Dawson, Osie Jackson, Lizzie Jackson, Jessie Jackson, Ray Jackson , Clyde Jackson, James Lowe, May Lowe, Zelma Lowe, Roberta Lowe and Rosa Lowe as citizens by blood of the Cherokee Nation, and for the enrollment of Lizzie Jackson, and George A. Mabry as citizens by intermarriage of the Cherokee Nation; and dismissing the application for the enrollment of William Pierce, Cecil Dawson, Green W. Jackson, Liddie Graham and Margaret Graham.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest is enclosed.

Respectfully,

(Signed) TAMS BIXBY,

Chairman.

Enc. M-135.

Through the

Commissioner of Indian Affairs.

COPY.

Cherokee D-324.

Muskogee, Indian Territory, February 25, 1903.

W. W. Hastings,

Attorney for the Cherokee Nation,

Vinita, Indian Territory.

Dear Sir:

You are hereby advised that there has this day been transmitted to the Secretary of the Interior, for review, the record of proceedings had in the matter of the application of Francis M. Dawson, et al., for enrollment as citizens of the Cherokee Nation, together with the Commission's decision in said case, and the protest of the Cherokee Nation against said decision, dated February 6, 1903.

The action of the Secretary will be made known to you as soon as the Commission is informed of same.

Respectfully,

(Signed) TAMS BIXBY,

Chairman.

COPY.

Cherokee D-324.

Muskogee, Indian Territory, February 25, 1903.

A. S. McClennon,

Attorney for Francis M. Dawson, et al.,

Wewoka, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision in the matter of the application of Francis M. Dawson, et al., for enrollment as citizens of the Cherokee Nation, has this day been transmitted to the Secretary of the Interior for his review and decision.

The action of the Secretary will be made known to you as soon as the Commission is informed of same.

Respectfully,

(Signed) TAMS BIXBY,

Chairman.

Copy.

Cherokee D-580.

Muskogee, Indian Territory, February 28, 1903.

John Dawson,

Talala, Indian Territory.

Dear Sir:

There is herewith inclosed a copy of the decision of the Commission to the Five Civilized Tribes, dated December 23, 1902, in the consolidated case of Francis M. Dawson, et al., granting, among others, your application for the enrollment of yourself as a citizen by blood of the Cherokee Nation. There has heretofore been furnished your attorney, A. S. McKennon, Wewoka, Indian Territory, a copy of the record of proceedings, together with a copy of the Commission's decision.

You are hereby advised that the Cherokee Nation protests against the action of the Commission in this case, a copy of which protest has been furnished both your attorney and the principal applicant by the attorney for the Nation.

The decision, with the record of proceedings had in the case, has this day been transmitted to the Secretary of the Interior for his review and decision. The action of the Secretary will be made known to you as soon as the Commission is informed of the same.

Respectfully,

Enc. H-2. Acting Chairman.

Register.

(COPY)

Refer in reply to the following:
Land 13855--1903.

Department of the Interior,
Office of Indian Affairs,
Washington, Oct. 16, 1903.

CHEROKEE ENROLLMENT
Francis M. Dawson et al., Group 1.

The Honorable,

The Secretary of the Interior.

Sir:

I have the honor to transmit herewith a report from the Commission to the Five Civilized Tribes, dated February 25, 1903, transmitting the record relative to the consolidated case of Francis M. Dawson, et al., applicants for enrollment as citizens of the Cherokee Nation.

December 23, 1902, the Commission found that certain of the applicants whose names will be given hereinafter were entitled to enrollment as citizens. The Nation protests against the Commission's decision and takes the position that certain of the parties to this case and some of their ancestors from whom the descendants claim the right to enrollment were enrolled by fraud. The Nation claims "that not a single drop of Cherokee blood courses through the veins of any of these applicants," and that "they illegally used money with which to secure perjured testimony and to bribe the attaches of the court and the court itself."

The Commission included all of the applicants in one decision, but for your convenience the office will treat the case by

groups, mentioning the parties in each group in separate reports and give the group to which they belong and the page of the group where the testimony relating to each principal applicant begins.

D-324, Group 1, page 1.

Francis M. Dawson applies for the enrollment of himself and his minor children, Lula, Ray, Jessie J., Jacob L., Hugh A., and Laura A. Dawson, as citizens by blood, and for the enrollment of his wife, Katie Dawson, as an intermarried citizen.

D-330, Group 1, page 7.

John Dawson applied for the enrollment of himself as a citizen by blood.

D-331, Group 1, page 9.

William R. Dawson applies for the enrollment of himself and his wife, Fannie M. Dawson, as citizens by blood. The Commission states that Fannie M. Dawson has been differently classed and is not embraced in its decision, consequently her application will not be considered herein.

D-334, Group 1, page 11.

Andrew C. Atkins applied for the enrollment of himself as a citizen by intermarriage and for the enrollment of his wife,

Lizzie Atkins, and his minor children, Arthur, Edna E., Edward C. and George J. F. Atkins, as citizens by blood.

D-588, Group 1, page 19.

Francis M. Dawson, Jr., applied for the enrollment of himself as a citizen by blood.

D-835, Group 1, page 20.

Francis M. Dawson, Sr., on November 20, 1900, applied for the enrollment of his daughter, Arizona Allred, and his grandson, William C. Allred, as citizens by blood.

Francis M. Dawson was admitted to citizenship in the Cherokee Nation January 11, 1883. He is a son of Robert Dawson who was admitted at the same time. He was admitted by what is generally known as the "Tehee Court." His wife, Katie Dawson, has not been admitted to citizenship. She is a white woman. The applicant has lived in the Cherokee Nation since 1883. Lula, Ray, Jessie E., Jacob Levi, Hugh A. and Laura A., are the issue of this marriage. These children, as well as their parents, are identified by the 1896 census roll, and the testimony shows that the minor applicants were all born since their father's admission. Francis M. Dawson's first wife was named Julia Ann Dawson, nee Howard. They were married January 8, 1864, and lived together until her death. The issue of that marriage is William R., Francis M.,Jr., John, Elizabeth and Arizona

Dawson, nee Allred.

John Dawson (group 1, page 7) is a son of Francis M. Dawson. His name appears on the 1894 strip payment roll. He was a minor when his father was admitted. His name does not appear upon the 1896 census roll.

William R. Dawson (group 1, page 9) is a son of Francis M. Dawson. He was a miner when his father was admitted to citizenship. December 25, 1895, he was married in accordance with the laws of the Cherokee Nation to Fannie L. Foreman. He has lived in the nation continuously since his father's admission. He is identified by the 1896 roll. Fannie L. Dawson, nee Foreman, is identified by the 1880 roll as a native Cherokee.

Andrew C. Atkins (group 1, page 11) was married March 29, 1891, to Lizzie Atkins, nee Dawson, a daughter of Francis M. Dawson. The name of Lizzie Atkins and that of their eldest child, Arthur Atkins, appears on the 1894 strip payment roll. The three younger children, Edna E., Edward C. and George J. Atkins, are identified by birth affidavits. Andrew C. Atkins has resided in the Cherokee Nation since his marriage.

Francis M. Dawson, Jr. (group 1, page 19) is a son of Francis M. Dawson, Sr., and a grandson of Robert Dawson, the two latter having been admitted to citizenship in the Cherokee Nation January 11, 1883.

Arizona Allred (group 1, page 20) is a daughter of Francis M. Dawson and a granddaughter of Robert Dawson, and William G. Allred

is a child of Arizona Allred by her husband Lon Allred, a white man, to whom she was married in 1895. She was born in Arkansas, settled in the Cherokee Nation in 1894, stayed there two or three years, and returned to Arkansas. She came back to the Cherokee Nation in 1896, stayed about a mont and went to Arkansas, returned in September, 1898, stayed about a year, and then returned to Arkansas. She was a minor when her father was admitted. Her nam is on the 1896 roll, as is also the name of her child, William C. Allred. The record does not show that she has any property in the Cherokee Nation, but from the record it appears that she removed to and settled in the nation in 1894.

The Tahee Court which admitted the parties from whom these applicants claim descent was composed of Thomas Tahee, president of the Commission or court, and Alex Wolfe and W. M. Thompson, members of the commission or court. D. W. C. Duncan was clerk of the Commission or court, and John L. Adair was at that time assistant executive secretary of the Cherokee Nation.

In addition to the brief hereinbefore mentioned the Cherokee Nation, by its attorneys, William T. Hutchings and William W. Hastings, filed a printed brief and argument, as did also J. S. Truitt, W. M. Mellette and A . S. McKennon, attorneys for the applicants.

The right of these applicants to enrollment depends upon whether they or their ancestors were properly admitted to citizenship in the Cherokee Nation, except in cases, if any there be, where

any applicant or applicants have expatriated such citizenship, provided such applicants or their ancestors were admitted by proper authority.

There are ten groups of this case and as the same principle practically, is involved throughout the entire case, a discussion of the admission of the applicants or their ancestors will be made in this report only and in transmitting the other groups this report will be referred to.

The Commission to the Five Civilized Tribes, in its decision of December 23, 1902, found that all of the applicants to this group, except Arizona Allred and William C. Allred (D-635, Group 1, page 20), were entitled to enrollment as citizens of the Cherokee Nation, Katie Dawson and Andrew C. Atkins as citizens by intermarriage and the others as citizens by blood. The office does not consider that there is any question as to the right of the applicants to this group who apply for enrollment as citizens by blood, except Arizona Allred and William C. Allred, provided the applicants or their ancestors were properly admitted. It will therefore only discuss the right of the two Allreds to enrollment by reason of any circumstance other than their admission or the admission of their ancestors.

Arizona Allred was a minor when her father, Francis M. Dawson, was admitted to citizenship. She removed to and settled in the Cherokee Nation in 1894. She only stayed about two years when she returned to Arkansas. The record does not show that she retained

any property in the Cherokee Nation; neither does it show that she became a citizen of any other country. Under the doctrine laid down by the Department in the William P. Casey case it is necessary to conclusively establish that a citizen not only removed from the Cherokee Nation with his effects, but that he became a citizen elsewhere. This record does not show that Arizona Allred became a citizen of any other jurisdiction; neither does it show that she removed from the Cherokee Nation intending to renounce her allegiance to and citizenship in the Cherokee Nation. It is believed by the office, therefore, that she and her minor children are entitled to enrollment as citizens of the Cherokee Nation by blood, provided her father, Francis M. Dawson, Sr., was legally admitted to citizenship in the nation.

The attorneys for the nation in their briefs in addition to the objections to the enrollment of these parties hereinbefore stated, ask:

1. "Were improper means used by them to obtain a favorable decision in their behalf from the citizenship court?
2. Were they Cherokee Indians?. In other words, was the proof upon which they were admitted wholly insufficient to establish that fact or was it perjured and unworthy of belief?"

From the record it does not seem that any of the parties to the Francis M. Dawson case applied to the Commission in 1896. Andrew J. Dawson et al., relatives of Francis M. Dawson, and claiming Cherokee citizenship through the same ancestor, the record shows, applied to the Commission in 1896; that they were rejected and that no appeal was taken. Joanna Barber, et al., relatives of Francis M.

Dawson, applied to the Commission in 1896; they were rejected and appealed to the court where the decision of the Commission was sustained. The Department has, however, in the Wiley Adams case (later May 21, 1903, -- I.T.D. 4398), held in substance that the decision of the Commission in 1896 adverse to the applicant, if his name appeared on a roll, was of no avail, and the office does not understand that there is any difference, under the same circumstances, between a decision of the Commission which became final by reason of no appeal having been taken and the decision of the court affirming the decision of the Commission, which decision of the court became final. The attorneys for the Cherokee Nation conclude their brief as follows:

"The testimony shows that all the members of the Dawson family, admitted since 1883, were admitted upon the strength of the admission of Robert Dawson, et al., January 11, 1883, and the proof of their relationship to him, and therefore if the fountain head was tainted with fraud the entire stream must be peluted."

The attorneys for the applicants, briefly stated, claim that the applicants or their ancestors were roperly and legally admitted and that the Department is without power to go behind that admission or to question the acts of the court or commission in admitting the applicants or their ancestors. The act of January 11, 1883, admitting F. M. Dawson and others to citizenship in the Cherokee Nation is as follows:

"OFFICE OF COMMISSION ON CITIZENSHIP,
TAHLEQUAH, CHEROKEE NATION, JANUARY 11th, 1883.

Robert Dawson, F. M. Dawson, Elbert Dawson, Jasper Dawson, John Dawson, Josephine Dawson, Joseph Dawson, Jane Dawson, Molly Dawson, Wilbron Dawson, James Dawson, Rial Dawson,

vs.

No. 109.

The Cherokee Nation.

And now on this the 11th day of January, A. D., 1883, this case coming on for final hearing and all the evidence produced in the case being carefully read and duly considered by the Commission, it was adjudged and determined by the Commission on Citizenship, that the Claimants, Rob't Dawson, F. M. Dawson, Albert Dawson, Jasper Dawson, John Dawson, Josephine Dawson, Joseph Dawson, Jane Dawson, Molly Dawson, Wilbron Dawson, James Dawson, and Rial Dawson, are Cherokees by blood; and that they are entitled to all the rights and privileges of Cherokee Citizenship within the Cherokee Nation, and that they should be, and they should be, and they are hereby admitted to the full and complete enjoyment of the same in all respects as native born Cherokees.

Thomas Tehee, President of Com.
Alex Wolf,
T. F. Thompson, } Commissioners.

D.W.C.Duncan,
Clerk of Commission.

There has been considerable testimony introduced as to the circumstances under which F. M. Dawson and other Dawsons admitted in 1883, procured such admission. Briefly stated, this evidence and the circumstances attending the admission of the Dawsons are as follows:

September 24, 1881, an application was made to the Tehee Court for the admission of Robert Dawson and the members of his family to citizenship. Thomas Tehee and Alex Wolf, members of that court, full blood Cherokees, could understand English but could not talk it. D. W. C. Duncan was clerk of the court. The case was continued from time to time and finally disposed of. One J. M. Bryan seems to have been an attorney in the case and he finally notified Francis M. Dawson that the case would be disposed of at the January 1883, session of the court. He informed one C. M. Tayler to this effect who was to look after Dawson's interests for the reason that Bryan could not be present. Francis M. Dawson, upon receipt of this information, made arrangements with Samuel K. Benge to conduct the case. Benge is a witness in the case and testified that he was

connected with the Dawson case when it was commenced in 1881; that it was continued several times for want of evidence; that in January, 1883, he went to Tahlequah for Francis M. Dawson and secured the testimony of Tosh Rogers who knew the Dawsons' ancestors. He further testifies that the court rendered a decision against the Dawsons, and that the next morning the case was reopened and a judgment admitting them to citizenship was rendered. He further says that on his way home he remarked to Francis M. Dawson, "It was a pretty hard blow when they rendered a decision against us;" that Dawson replied, "Yes, but Duncan was the man to reach and he reached him with five hundred dollars." Dawson denies this conversation. C. H. Tayler testified that he was an attorney in the case and was present when the decision was rendered. He says that Tahee and Wolf were the only members of the court present when the decision was rendered. He also says that Duncan, the clerk, requested him to let him (duncan) know when large cases were coming up; that he introduced F. M. Dawson to Duncan on January 10, 1883; that he heard part of the conversation between Duncan and Dawson; that Duncan said "there is a hitch in your evidence, if that was straightened out it would be all right;" That next morning Dawson told him (Tayler) to call up the case; that no additional evidence was introduced and no argument was made; and that the case was then decided favorably to the Dawsons. He also says that Dawson paid him $20 and said he would send the remainder in a short time; that in about ten days Dawson sent him $100 with direction to pay half of it to Duncan; that Dawson afterwards sent another hundred dollars with direction to give half of it

to Duncan. Dawson denies the testimony of Tayler except that part relating to the payment of money. He claims that the $20 was sent Tayler about a year after the decision and that he instructed Tayler to pay it over to Duncan in payment for a land claim, and that the other money was sent Tayler in payment of J. W. Bryan's fees as attorney, which Tayler claimed he had for collection against him (Dawson). Tayler's reputation for truth and veracity from the records does not appear to be beyond reproach.

S. H. Benge testified that the decision adverse to the claim of the Dawsons was rendered one evening and reversed the next morning without the introduction of additional testimony. Thomas B. Babcart testified that James Dawson with Butler, the court's interpreter, and one Jim Smith, solicitor, for the Cherokee Nation, came to him at Tahlequah January 10, 1883, to borrow some money; that James Dawson was represented by Butler as a responsible party; that James Dawson claimed he had to have the money that night; that his case was to be submitted the next morning; that Jim Smith had agreed to submit the case without further evidence; and that he (Babcart) let Jim Dawson have $10. J. L. Clinkenbeard testified that in 1881 ? he had a talk with Kibert Dawson who told him that he had one witness only, Dr. Baker, an old man about 85 or 90 years of age "who did not know straight up;" that he could give Dr. Baker three or four drinks of Arkansas whiskey and he would swear "white was black." He also testified that Kibert Dawson told him that money was what made

the mare go in Texas, and that he had found it would go in the Cherokee Nation. James W. Lewis testified to a conversation he had with F. M. Dawson about 1883 in which in effect Dawson said that it would cost him $700 to be admitted. C. B. Braught testified that in 1881 or 1882 he was an applicant for admission to citizenship; that while his case was pending he had a talk with Francis M. Dawson who told him that if he got admitted it would cost him $700; that Dawson said that he had paid one witness $300; and that he had made arrangements with the court to have the Dawsons admitted for $100 per family. Dave Meredith testified that he had a talk with James Dawson in 1883 who told him it had cost him $1200 to be admitted.

The Commission states in its opinion that its docket shows that all three members of the court signed its decision. There is some conflict, however, in the testimony as to whether Thompson signed his name or whether it was signed by Duncan. Duncan claims that all three signatures were made by him by direction of the members of the court who were present, to-wit: Thomas Tehee and Alex Wolf, both of whom were unable to sign their names. T. F. Thompson, the other membsef the commission testified that he did not possess or have, and had not had, any knowledge of any corruption or bribery of the court or commission, or of any member of it by F. M. Dawson, or any member of the Dawson family, or anybody else in connection with the presentation of their claim for citizenship, and that he did not think that there had been any corruption or bribery in connection with he admission of the Dawsons.

The Commission, in its decision, invites attention to the case of the United States vs. Throckmorton (98 U.S., p. 61), in which

it is said:

"The doctrine is well settled that the court will not set aside a judgment because it is founded on perjured testimony or for any matter which was actually presented and considered in connection with the judgment assailed."

It appears to this office that the only question to be determined in this case is whether or not the Dawsons were legally and properly admitted by the Tehee Court. The act of admission declared that the Dawsons were of Cherokee blood, and the office does not believe that the Department has power to go behind this declaration and question their blood. It is claimed by the nation that they are not of Cherokee blood. It seems to be true that since 1884 no member of the Dawson family has been admitted to citizenship in the Cherokee Nation by the tribal authorities except Edna Mabry, nee Dawson, and certain other persons parties to the group, but this office does not believe that that fact is sufficient to warrant the conclusion that the Dawsons admitted in 1883 and 1884 were admitted through fraud. From the evidence it appears that D. W. C. Duncan, clerk of the court, was paid money by the Dawsons through other parties for the interest he took in their case, but there is not a scintilla of evidence which shows or has any tendency to establish that any member of the court received one cent of money or other thing of value in consideration of rendering a judgment favorable to the Dawsons.

November 2,, 1902 (I.T.D. 624,2447), in the Lydia Frazier et al., case, applicants for enrollment as Cherokees, the Department said, among other things, that it could not"assume fraud in any case, or that a party's name has been placed upon the rolls of the nation

without authority of law." This office being of the opinion that the record does not show that the Dawsons procured their admission as citizens of the Cherokee Nation by fraud, or by corrupting or bribing the [illegible], recommends the approval of the Commission's decision as to the applicants in this group, except as to applicants Katie Dawson and Andrew C. Atkins, for enrollment as citizens by intermarriage, and as to applicants Arizona Allred and William C. Allred; as hereinbefore stated, it believes that Arizona Allred and William C. Allred are entitled to enrollment as citizens by blood of the Cherokee Nation.

Very respectfully,

W. A. Jones,

Commissioner.

GAW-S.

D.S. 10618-1904. J.W.M.
J.P.
W.H.R.

DEPARTMENT OF THE INTERIOR,

ITD 7442-1903.
LRS

WASHINGTON. March 31 1904.

The Commission to the
Five Civilized Tribes,
Muskogee, Indian Territory.

Gentlemen:

The Department has considered the record in the matter of the applications of Francis M. Dawson, et al., for enrollment as citizens of the Cherokee Nation, transmitted by you February 25, 1903.

In your decision of December 23, 1902, which was transmitted with the record, you disposed of these applications by groups, including in each group the claims of those persons depending upon the same ancestry and source of rights.

In transmitting these applications the Commissioner of Indian Affairs followed your system of grouping but forwarded each group by a separate letter. The Department will follow the course pursued by the Indian Office.

Those applicants whose claims are embraced in groups 1 to 11 inclusive, rely upon a decree of a Cherokee commission known as the "Tehee Court," which appears upon the records of said commission as follows:

OFFICK OF COMMISSION ON CITIZENSHIP,
TAHLEQUAH, CHEROKEE NATION, JANUARY 11th, 1883.

Robert Dawson, F. M. Dawson, Kibert Dawson, Jasper Dawson, John Dawson, Josephine Dawson, Joseph Dawson, Jane Dawson, Molly Dawson, Wilbron Dawson, James Dawson, Rial Dawson,

No 108

vs.

The Cherokee Nation.

And now on this the 11th day of January, A. D., 1883, this case coming on for final hearing and all the evidence produced in the case being carefully read and duly considered by the Commission, it was adjudged and determined by the Commission on Citizenship, that the Claimants, Rob't Dawson, F. M. Dawson, Kibert Dawson, Jasper Dawson, John Dawson, Josephine Dawson, Joseph Dawson, Jane Dawson, Molly Dawson, Wilbron Dawson, James Dawson, and Rial Dawson, are Cherokees by blood; and that they are entitled to all the rights and privileges of Cherokee Citizenship within the Cherokee Nation, and that they should be, and they should be, and they are hereby admitted to the full and complete enjoyment of the same in all respects as native born Cherokees.

Thomas Tehee, President of Com.
Alex Wolf
T. F. Thompson } Commissioners.

D.W.C. Duncan,
Clerk of Commission.

Group 1 as disposed of by you includes the application of Francis M. Dawson, Sr., for enrollment as a Cherokee by blood, and the applications of those who claim through him by blood and intermarriage. The names of these applicants appear below.

Francis M. Dawson, Sr., is the Francis M. Dawson whose name appears in the decree of the Tehee court quoted above. He has resided in the Cherokee Nation since his admission and is identified on the Cherokee rolls of 1883, 1894, and 1896. Lula, Ray, Jessie J., Jacob L., Hugh A. and Laura A. Dawson are his children. They were minors at the date of his application, September 17, 1900. Their residence is considered to be that of their father. All of them are identified upon the 1896 census roll.

John Dawson is the son of Francis M. Dawson, Sr. He was a minor when his father was admitted. He removed to the Cherokee Nation about the year 1883 where he has since resided. His name appears upon the 1894 strip payment roll.

William R. Dawson is also the son of Francis M. Dawson, Sr., and was a minor when the latter was admitted to Cherokee citizenship. He has resided in the Nation since 1883 and is identified upon the 1896 census roll.

Lizzie Atkins, formerly Dawson, is the daughter of Francis M. Dawson Sr., and is identified upon the 1894 payment roll. She has resided in the Cherokee Nation since 1883 and was a minor when her father was admitted.

Francis M. Dawson, Jr., is the son of Francis M. Dawson, Sr., and was a minor when his father was admitted. He removed to the Cherokee Nation in 1883 and is identified upon the 1894 payment roll.

Andrew C. Atkins claims enrollment by intermarriage, as the husband of Lizzie Atkins, referred to above. Arthur, Edna E., Edward C. and George J. F. Atkins, are the minor children of Andrew C. and Lizzie Atkins. Arthur is identified upon the 1894 payment roll. The other three children are identified by birth affidavits on file with your Commission.

Arizona Allred is the daughter of Francis M. Dawson, Sr. She was a minor when her father was admitted and is identified upon

the 1896 census roll. She removed to the Cherokee Nation for the first time in 1894 where she remained for two years and then returned to Arkansas. She was married in that state to Lee Allred, but not in accordance with the laws of the Cherokee Nation. They came to said Nation in 1896, remained there a month, and returned to Arkansas where they resided until September, 1898. At the latter date they returned to the Cherokee Nation. After a residence of a year therein, they removed to Arkansas where they were living at the time of their application. William C. Allred is their child.

In your decision of December 23, 1902, you held that all these applicants were entitled to enrollment excepting Arizona Allred and William C. Allred, rejecting them because paragraph 9 of section 21 of the act of Congress approved Jun 28, 1898 (30 Stats., 495), provides that-

> No person shall be enrolled who has not heretofore removed to and in good faith settled in the nation in which he claims citizenship.

In his report of October 16, 1903, relating to the matter, copy inclosed, the Commissioner of Indian Affairs recommended that you be directed to enroll all of these applicants except those who claim by intermarriage. In a subsequent letter dated September 21, 1903, you recommended that the record in the matter of the application of Arizona Allred and William C. Allred be returned to you for further investigation in view of the decision of the Assistant Attorney General of March 16, 1903, in the Yeargain case.

The attorney for the Cherokee Nation protests against the

enrollment of these applicants alleging that the decree of the "Tahoe Court" was procured through fraud. This contention is considered untenable in the light of the opinion of the Assistant Attorney General of February 18, 1904, (approved by the Department), relative to the matter. A copy of this opinion was sent you February 24, 1904.

You are directed to enroll all of the applicants who claim by blood except Arizona Allred and William C. Allred. The record in their case is returned herewith for furthe investigation.

Action will be suspended relative to these applicants who claim by intermarriage until the Court of Claims determines whether or not such persons are entitled to enrollment.

Respectfully,

(signed) Thos Ryan,
Acting Secretary.

2 inclosures.

Cherokee D-680.

Muskogee, Indian Territory, April 12, 1904.

John Dawson,

Talala, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision dated December 23, 1902, granting, among others, your application for enrollment as a citizen by blood of the Cherokee Nation, was affirmed by the Secretary of the Interior on March 31, 1904.

Respectfully,

Commissioner in Charge.

Cherokee D 324, et al.

Muskogee, Indian Territory, April 12, 1904.

A. S. McKennon,

Attorney for Francis M. Dawson, et al.,

South McAlester, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision dated December 23, 1902, in the consolidated case of Francis M. Dawson, et al., granting the applications for the enrollment of Francis M., Lula, Ray, Jessie J., Jacob L., Hugh A., Laura A., John, William R. and Francis M. Dawson, Jr., Lizzie, Arthur, Edna E., Edward C., and George J. F. Atkins, John W., Albert A., Ralph M., Alford, Samuel R., August, Nate and Robert Dawson, Katie Newman, Josephine, Dora, Ida, Annie, Blanche, May and Oscar Bulawsky, John, Robert B., Iola E., Samuel M., Rosa E., Charles B., Hattie J., Jennings B., James U., Virgal C., Thomas P., Mariee J., Orle M., Burr R. and James W. Dawson, Ella Jackson, Flora, Lillie R., Claud, Dwight and William D. Harmon, Tosh ie A. Jackson, Fannie, Birtie E. and Myrtle Lenox, Missouri, Tempa V., Robert S., Gideon, John W., Julius E., Francis M., Mary E., Jesse T., Gracie M. and Florence M. Graham, Laverna A., Ada E., Eva P., John W., Ray D., Roberta A., and

Roy W. Painter, Florence P., Myrtle and Claude Bradshaw, Joe E., William C., John F., Edna M. and Robert Lee Graham, Joe Willie Neal, James L., Marion, Maggie, Luther and Floyd Graham, Mollie, Nora, Walter, Clara, Ora, James W., and Edna Edith Moore, Richard W. and Ina E. Dawson, Ella L., Nellen J. and William Glenn Spickerman, Gilbert L., Ralph E., Robert L., and William C. Dawson, Zona, Sarah A., Martha A., Claud A., Edgar D., Thomas M. and Virgil V. Patterson, Joseph R., Clarence E., Council J., Elmer A., Cleo, Rufus T., Edgar, Wilborn, James R., Winnie L., Emmine C., Edwin C. and Ancil F. Dawson, Etta Brauer, Minny, Delia E., Minis D. and Jasper Cecil Richardson, Edgar, Walter, Alice, Laura, Oscar, Claude and Edna Flournoy, Texanna, Irene W. and Wilburn E. Woolley, Laverne A., William A. and Annie B. Fishback, Lula P., Curtis, Morris C. and Roy Weddle, Florence, Clide and Alice A. Morgan, John E. Fishback, Edna, Roby and Charley Mabry and William D. Douthitt, as citizens by blood of the Cherokee Nation, and dismissing the applications for the enrollment of Cecil Dawson, Liddie and Margaret Graham as citizens by blood of the Cherokee Nation, they having died prior to September 1, 1902, was affirmed by the Secretary of the Interior on March 31, 1904, and that the Commission's decision rejecting the applications for the enrollment of James, May, Zelma, Roberta, and Rosa Lowe, Osia, Lizzie, Jessie, May, and Clyde Jackson as citizens

by blood of the Cherokee Nation, was reversed by the Secretary of the Interior on the same date.

Respectfully,

SIGNED T. B. Needles.

Commissioner in Charge.

Cherokee D 324, et al.

Muskogee, Indian Territory, April 12, 1904.

W. W. Hastings,

Attorney for the Cherokee Nation,

Tahlequah, Indian Territory.

Dear Sir:

You are hereby advised that the Commission's decision dated December 23, 1902, in the consolidated case of Francis M. Dawson, et al., granting the applications for the enrollment of Francis M., Eula, Ray, Jessie J., Jacob L., Hugh A., Laura A., John, William R. and Francis M. Dawson, Jr., Lizzie, Arthur, Edna E., Edward C., and George J. E. Atkins, John W., Albert M., Ralph M., Alford, Samuel R., August, Nate and Robert Dawson, Katie Newman, Josephine, Dora, Ida, Annie, Blanche, May and Oscar Bulawsky, John, Robert B., Iola M., Lemuel M., Rosa B., Charles B., Mattie J., Jennings E., James W., Vergal C., Thomas P., Mariee J., Orle M., Burr R. and James W. Dawson, Ella Jackson, Flora, Lillie R., Claud, Dwight and William D. Harmon, Toshie A. Jackson, Fannie, Birtie B. and Myrtle Lenox, Missouri, Tampa V., Robert S., Gideon, John W., Julius E., Francis W., Mary E., Jesse E., Gracie M. and Florence M. Graham, Laverna A., Ada R., Eva P., John W., Ray D., Roberta A., and

Roy V. Painter, Florence P., Myrtle and Claude Bradshaw, Joe E., William C., John F., Edna M. and Robert Lee Graham, Joe Willie Neal, James M., Marion, Maggie, Luther and Floyd Graham, Mollie, Nora, Walter, Clara, Ora, James W., and Edna Edith Moore, Richard W. and Ina E. Dawson, Ella L., Hellen J. and William Glenn Spickerman, Hibert B., Ralph E., Robert L., and William C. Dawson, Zona, Sarah A., Martha A., Claud A., Edgar D., Thomas M. and Virgil V. Patterson, Joseph R., Clarence E., Council J., Elmer A., Cleo, Rufus T., Edgar, Wilborn, James R., Vinnie D., Ermine C., Edwin C. and Ancil F. Dawson, Etta Brauer, Kitty, Delia F., Finis T. and Jasper Cecil Richardson, Edgar, Walter, Alice, Laura, Oscar, Claude and Edna Flournoy, Texanna, Irene W. and Wilburn E. Woolley, Laverna A., William A. and Annie B. Fishback, Lula P., Curtis, Morris O. and Roy Weddle, Florence, Clide and Alice A. Morgan, John E. Fishback, Edna, Roby and Charley Mabry and William D. Douthitt, as citizens by blood of the Cherokee Nation, and dismissing the applications for the enrollment of Cecil Dawson, Liddie and Margaret Graham as citizens by blood of the Cherokee Nation, they having died prior to September 1, 1902, was affirmed by the Secretary of the Interior on March 31, 1904, and that the Commission's decision rejecting the applications for the enrollment of James, May, Zelma, Roberta, and Rosa Lowe, Osie, Lizzie, Jessie, Ray, and Clyde Jackson as citizens

by blood of the Cherokee Nation, was reversed by the Secretary of the Interior on the same date.

Respectfully,

T. B. Needles.

(Signed).

Commissioner in Charge.

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